

Montana Senate Conservation Hotlist Week 15: April 11, 2023

PLEASE SUPPORT:

HB 383- Establish the Montana hunters and anglers community fund, Rep. Tom France (D-Missoula), Awaiting Executive Action in Senate Fish and Game, Support. This bill would establish a voluntary fund that hunters and anglers could donate to as a grant program for rural Montana communities. It would help with community projects and build relationships between hunters, anglers, and landowners/rural communities. For more information contact Amy Seaman, MT Audubon, at 406-210-9449/aseaman@mtaudubon.org.

HB 521- Revising laws related to conservation licenses on state lands, Rep. Denley Loge (R-St. Regis), Awaiting Executive Action in Senate Fish and Game, Support. This bill would establish a state conservation license that would be required for all users of state lands. This license would capture users that are not currently paying for a wildlife conservation license that is attached to a hunting or fishing license and would provide funding for both FWP and DNRC to provide maintenance at Fishing Access Sites and on other heavily used state lands. For more information contact Jocelyn Leroux, MCV, at 406-426-1180/jocelyn@mtvoters.org.

PLEASE OPPOSE:

HB 55- An act establishing a tax on electric vehicle charging stations, Rep. Denley Loge (R-St. Regis), Awaiting Executive Action in Senate Local Government, Oppose. HB 55 would add a \$0.03 tax on electric vehicles (EVs) charging at public stations. The stated goal is to capture revenue from out-of-state EV drivers who aren't paying the gas tax. However, Montanans traveling in-state also will be required to pay the tax but will supposedly be reimbursed for the fees through some vague process. Unfortunately, the undefined reimbursement process will likely be cumbersome under the best case scenario and will be one more barrier to EV deployment in Montana. This new program will cost the state an extraordinary \$2.3 million to implement because it is so complex. While there are some good elements of the bill, including a provision that would allow charging station operators to price electric vehicle charging based on the cost of electricity, as introduced the bill will unnecessarily discourage the adoption of electric vehicles. For more information contact Anne Hedges, MEIC, (406)461-9546/ahedges@MEIC.org.

HB 220- Create select committee on energy planning and acquisition, Rep. Josh Kassmier (R-Fort Benton), Awaiting Executive Action in Senate Energy and Telecommunications, Oppose. HB 220 is an attempt by NorthWestern Energy (NWE) to undermine a 2019 law and the recent rules adopted by the Public Service Commission (PSC) both of which greatly improve the resource planning process and the process for the utility to acquire more energy generation resources (a.k.a. power plants). NWE vehemently opposed the 2019 law and the new PSC rules. This bill would establish a partisan committee to review existing law and the newly adopted PSC rules and recommend changes. This committee would be designed to serve the interests of investor-owned utilities. The utilities spent the last two years trying to prevent the PSC from fully implementing the law, but in December 2022, the PSC unanimously voted to approve rules that establish a transparent and competitive bidding process the utility must go through before constructing new generation resources and passing the costs onto customers. While the investor-owned utility's primary interest is to make money for its shareholders, the current law and rules help ensure that the utility keeps the lights on with affordable resources. For more information, contact Ian Lund, MEIC, 406-333-1858/ilund@meic.org.

HB 241 – Prohibit government from requiring buildings be constructed with solar panels, Rep. Josh Kassmier (R-Fort Benton), Awaiting Executive Action in Senate Local Government, Oppose. In 2022, the Montana Department of Labor and Industry passed rules which updated Montana's building codes. Part of the rules allow self-governing cities to adopt "stretch codes," which are voluntary city codes that go beyond what the state requires. These voluntary stretch codes allow solar-ready building codes that would require new construction in those jurisdictions to design and build homes in such a way that adding solar would be a cheap, convenient, and efficient option for building owners. HB 241 would ban these solar ready stretch codes at a time when we need local governments to help create solutions to the climate crisis. For more information, contact Ian Lund, MEIC, 406-333-1858/ilund@meic.org and Makenna Sellers, Montana Renewable Energy Association at (406)214-9405/makenna@MontanaRenewables.org.

The Weekly Hotlist is published as an educational service to lawmakers and citizens by the Conservation Working Group, composed of the organizations listed below.

For questions, please contact Molly Bell with MCV at 406-698-9440 or Jocelyn Leroux with MCV at 406-794-0016

Clark Fork Coalition * Montana Audubon * Montana Conservation Voters * Montana Environmental Information Center
Montana Renewable Energy Association * Northern Plains Resource Council

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PLEASE OPPOSE:

HB 372 - Establish right to hunt in constitution, Rep. Paul Fielder (R-Thompson Falls), Scheduled for hearing in Senate Fish and Game on 4.13, Oppose. This referendum would make hunting, fishing and trapping the preferred method of managing wildlife which would limit the ability of the Montana Fish and Wildlife Commission to make fish and wildlife management decisions. For more information contact Amy Seaman, Montana Audubon, at 406-210-9449/aseaman@mtaudubon.org.

HB 473 - Provide selenium standard for Lake Koocanusa, Rep. Steve Gunderson (R-Libby), Awaiting Executive Action in Senate Natural Resources, Oppose. This bill would change the site-specific standard selenium in Lake Koocanusa from .8 micrograms a liter and replace it with the statewide, inapplicable standard of 1.5 micrograms per liter. The site specific standard was determined after years of study and stakeholder involvement to determine the standard that would be protective of beneficial uses in Lake Koocanusa and the Kootenai. This bill would arbitrarily replace that standard for the benefit of a Canadian coal mining corporation. For more information contact Derf Johnson, MEIC, 406-581-4634/djohnson@meic.org,

HB 576 - Revise Laws Related to Water and Coal Mining, Rep. Rhonda Knudsen (R-Culbertson), Awaiting Executive Action in Senate Natural Resources, Oppose. This bill would dramatically weaken water quality protections for coal mining activities and result in the degradation of water quality for sensitive prairie streams in eastern Montana. It would allow pollution entering intermittent and ephemeral streams to exceed water quality standards without having to conduct a non-degradation review and re-define the material damage assessment – the process to determine whether a coal mine will impermissibly impact water resources off the mine site – to allow for the mine to discharge water that exceeds water quality standards. The bill would also apply retroactively to coal mine permits that are currently under judicial review at the time the bill is proposed to pass, which could potentially impact a number of illegally issued coal mine permits. For more information, contact Derf Johnson, MEIC, at (406) 581-4634/djohnson@meic.org or Caroline Canarios, MPRC, at (901) 651-5930/caroline@northernplains.org.

HB 656- Revise changes to coal mining operations, Rep. Gary Parry (R – Colstrip), Awaiting Executive Action in Senate Natural Resources, Oppose. This bill would allow for coal mine expansions, within the existing permit boundary, of up to 320 acres to be classified as a “minor revision” during permitting. Minor revisions do not require public notice or comment, and do not require an analysis of the hydrologic and environmental impacts, which are currently required for mine expansions. While an amendment was made to require for surface owner notification, this notification should be expanded to adjacent landowners and allow for their feedback or comment on the minor revisions. Mine expansions within a permit boundary bring that mining activity that much closer to adjacent landowners with potential impacts to their land and water. This bill will result in decreased public and landowner engagement on mining activity, along with potential for more pollution to Montana’s land and water, especially for adjacent agricultural communities. For more information, contact Caroline Canarios at (901) 651-5930/caroline@northernplains.org or Derf Johnson at 406-581-4634/djohnson@meic.org.

HB 870- Revise tax rate for agricultural property owned by certain nonprofits, Rep. Brandon Ler (R-Savage), Hearing Scheduled in Senate Natural Resources for 4.12, Oppose. This bill would increase the tax rate for agricultural property owned by conservation nonprofits and land trusts by ten times the current rate. This bill targets certain types of nonprofits, attempting to limit their ability to purchase land for agricultural use, conservation easements, wildlife habitat, and public lands access purposes. These nonprofits purchase land at fair market value and are important stewards of lands throughout Montana. For more information contact Jocelyn Leroux, MCV, 406-426-1180/ jocelyn@mtvoters.org.

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