

Montana House Conservation Hotlist Week 16: April 17, 2023

PLEASE SUPPORT:

SJ 9- Joint resolution establishing soil health week and day, Sen. Bruce Gillespie (R- Ethridge), Scheduled for 2nd reading on House Floor for 4.17, Support. This resolution designates the first week in April as Montana Soil Health Week, and the first Wednesday in April as Montana Soil Health Day. The resolution encourages agencies, organizations, and individuals to observe the week and day. For more information contact Caroline Canarios, Northern Plains Resource Council, 406-248-1154/caroline@northernplains.org.

SB 232 - Provide for Deadlines to Respond to Public Information Requests, Sen. Janet Ellis (D-Helena), Scheduled for 2nd reading on House Floor for 4.17, Support. In conformance with Montana's Constitutional "Right to Know," his bill would require that executive agencies of state government respond to public information requests by a deadline of five days for simple information requests, three months for more complex information requests, and six months when the agency can demonstrate good cause. This bill would also update Montana's public information request laws by requiring that executive agencies develop a process by which they must make information available, publish that process on a website, and include statistics on the information requests that the agency receives. For more information, contact Derf Johnson at (406) 581-4634/djohnson@meic.org.

SB 442- Allow marijuana tax revenue to be used for county road maintenance, Sen. Mike Lang. (R-Malta). Awaiting Executive Action in House Taxation, Support. This bill directs recreational marijuana tax revenue to conservation programs, veterans, and county roads. It finds a win-win solution by creating a Habitat legacy account to enhance wildlife habitat statewide, funding Habitat Montana, and providing funding for county roads maintenance. The amendments made to Senate Bill 442 now make it the best plan to distribute marijuana revenue in a way that protects and supports our public lands, veterans, rural communities, and traditional Montana values. For more information, contact Jocelyn Leroux, MCV, at 406-426-1180/jocelyn@mtvoters.org.

PLEASE OPPOSE:

SB 109- Revise laws related to redistricting the PSC, Sen. Keith Reiger (R- Kalispell), 3rd reading scheduled for 4.17, Oppose. The map divides 14 counties and splits up 6 major cities within the state, which is a departure from the previous practice of keeping communities together in Public Service Commission districts. Due to the division of communities, it will be challenging for PSC Commissioners to represent the energy needs of their districts, which is the primary purpose of having PSC districts. Advocates of this new map have noted that grouping legislative districts to construct PSC districts ensures they will be population equal. There are proposed amendments to the bill that would utilize legislative districts, ensure population equality between districts, and avoid splitting major cities. These alternative options should be thoroughly examined by the legislature to ensure that the final map is fair, transparent, and representative of the communities they serve. For more information contact Molly Bell, MCV, 406-698-9440/molly@mtvoters.org.

SB 392- Revise Determination of Court Costs for Coal Mining, (Rep. Steve Fitzpatrick, R-Great Falls), Scheduled for 2nd reading on 4.17, Oppose. The intent of this bill is to create a chilling effect on the ability of citizens and organizations to go to court to prevent environmental harms from coal mining. The bill would radically change the way attorneys' fees are assessed by prohibiting a judge from considering the "identity" of a party, meaning that the court cannot distinguish between a corporation, individual, non-profit, government entity, etc., in the assessment of whether fees are appropriate. The language of this bill would make individuals and non-profits potentially responsible for paying the attorneys' fees of large corporations and government agencies, which could potentially cost millions, and would ultimately make the ability to go to court to correct an environmental harm much more risky and cumbersome. This bill also likely conflicts with federal law, which clearly details the process associated with attorneys fees for legal actions regarding coal mines. For more information, contact Derf Johnson, MEIC, (406) 581-4634/djohnson@meic.org.

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For questions, please contact Molly Bell with MCV at 406-698-9440 or Jocelyn Leroux with MCV at 406-426-1180

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Montana Renewable Energy Association * Northern Plains Resource Council

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PLEASE OPPOSE:

SB 524 – Revise unrelated business taxable income to include certain legal fees, Sen. Greg Hertz (R-Polson), Awaiting Executive Action in House Taxation, Oppose. This bill would designate any funds used by a 501(c)(3) or 527, which are used in the payment of legal fees and costs, as not being for a "charitable purpose under state law" and subject to unrelated business income. The bill focuses exclusively on litigation involving environmental, natural resource, and wildlife related litigation. The bill is meant to chill the ability of citizens to go to court by making litigation more expensive, and is likely unconstitutional. For more information, contact Derf Johnson, MEIC, at (406) 581-4634/ djohnson@meic.org.

SB 557–Revise MEPA relating to litigation, Sen. Mark Noland (R-Big Fork), Awaiting Executive Action in House Natural Resources, Oppose. Even with Sen. Noland's proposed floor amendment, SB 557 would chill public involvement, eliminate opportunities to hold agencies accountable, and create a pay-to-play approach to engage in the judicial system whenever someone challenges the adequacy of an environmental review document under the Montana Environmental Policy Act (MEPA). For more information contact Anne Hedges, MEIC at 406-461-9546/ahedges@MEIC.org.

SB 565- Generally revise primary election and nomination laws, Sen. Greg Hertz (R-Polson), Awaiting Executive Action in House State Administration, Oppose. This bill increases the number of signatures required by a petition for nomination from 5% of previous general election votes cast for the successful candidate to 5% of total registered voters of the area a candidate is to be elected to serve. This will make it more difficult for third parties to qualify. Both SB 565 and SB 566 further entrench the 2 party system by nearly ensuring minority parties and independent candidates are unable to make it onto the General Election ballot. This means fewer options and fewer opportunities for Montanans to make their voices heard. For more information contact Molly Bell, MCV, 406-698-9440/molly@mtvoters.org.

SB 566- Require top two primary for U.S. Senate, Sen. Greg Hertz (R-Polson), Awaiting Executive Action in House State Administration, Oppose. This bill changes the rules so that only the top two Senate candidates in the 2024 election advance to the general election. This only applies to the U.S. Senate race and means third parties will most likely not appear on the ballot in November. Majority parties shouldn't be making it easier for their own parties to run unopposed by 3rd party and independent candidates while simultaneously taking away the right of Montanans to vote for their candidate of choice in the General Election. Playing political games and changing the rules of our elections is not what Montanans want their leaders to do in Helena. For more information contact Molly Bell, MCV, 406-698-9440/molly@mtvoters.org.

HB 971-Revise Environmental Policy Act, Rep. Kassmier (R-Fort Benton). Hearing scheduled in House Natural Resources for 4.17, Oppose. This bill would prohibit the MT Department of Environmental Quality (DEQ) from considering climate change when it analyzes environmental impacts and accepts public comment on projects under the Montana Environmental Policy Act (MEPA). Should the MT Supreme Court find that Montanans' constitutional right to a clean and healthful environment requires consideration of climate change then DEQ is exempt from MEPA for all air, oil and gas, and mining permits (hardrock, coal, open cut) regardless of a project's impacts to fish and wildlife, water resources, cultural and historic resources, air quality, vegetation, public safety, and the community. MEPA is often referred to as a "look before you leap" law because it requires state agencies to consider – and the public to comment on – the environmental, economic, social and cultural impacts of proposed projects prior to approval of such things as air, water and mining permits. For more information contact Anne Hedges, MEIC, 406-461-9546/ahedges@MEIC.org or Caroline Canarios, NPRC, 901-651-5930/caroline@northernplains.org

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