



BILL TABLE – 2017 MONTANA LEGISLATURE

This table contains the bills we are working on during the 2017 Montana Legislature. For more information, contact Amy Seaman at 406-210-9449 or Dan Roper at 704-222-6989.

Acronym legend - FWP: MT Fish, Wildlife & Parks; DNRC: Dept. of Natural Resources & Conservation

Legislation we are tracking falls in these categories:

- [Wildlife](#)
- [Habitat Protection](#)
- [Wildlife Program Funding](#)
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Legislation at the 2017 Montana Legislature			
Bill Number/ Sponsor	Description	Status	Audubon Position
Wildlife			
HB 98 Rep. Janet Ellis (D-Helena)	Originally, this bill <u>removed spotted skunks from the Montana list of predator species</u> , and the amended version would reclassify the species as furbearers, allowing for greater management by the Fish, Wildlife, and Parks Department. This bill was amended further in the Senate to classify	Passed House; Failed Senate	Oppose Amended Version

	foxes and other species as furbearers, and we now oppose.		
HB 82 Rep. Jacob Bachmeier (D-Havre)	In its original form, this bill would allow the Department of Agriculture to <u>classify birds and almost any wildlife as “pests”</u> . An amendment to this bill in committee would reinstate side-boards in the definition of pest, and reassure that MT Fish, Wildlife, and Parks has authority over non-game wildlife.	Passed House and Senate; Signed by Gov.	Support amended version
SB 41 Sen. Frederick Moore (R-Miles City)	This bill will <u>revise terms for livestock loss prevention grants</u> by eliminating specific proactive measures, such as fencing or purchasing hay or feed from statute. This is intended to ensure that funds are not allocated or misused, but utilized for proactive preventative measures that reduce human-wildlife conflict, address economic losses to livestock operators, and recognize the complex natures of managing livestock in areas where large predators live.	Passed House and Senate; Signed by Gov.	Support amended version
HB 157 Rep. Forrest Mandeville (R-Columbus)	This bill seeks to <u>remove the restrictions on possession of domestically-bred foxes</u> . Allowing individuals to have foxes as pets, including non-native fox species, could pose a threat to native fox populations and moves one step in the direction of the commercialization of wildlife. Amendments further define domestic, feral and wild fox.	Passed House: Tabled in Senate Committee	Oppose even with amendments
SB 91 Sen. Jedediah Hinkle (R-Belgrade)	This bill would <u>make it legal to hunt from private roads and vehicles</u> , and is in direct contrast to the concepts of fair chase and ethical hunting.	Passed Senate and House; Signed by Gov.	Oppose
SB 110 Sen. Mike Phillips (D-Bozeman)	This bill would clarify that funding in the state’s wolf management account could be used by FWP on aspects of wolf management beyond collaring and lethal control. Passage of this bill <u>would allow</u>	Tabled in committee; Failed	Support

	<p><u>funding to be used for management activities such as research, habitat improvement, law enforcement, and education</u>, tasks that often occur during execution of the management program already.</p>		
<p>SB 111 Sen. Keith Regier (R-Kalispell)</p>	<p>This bill would <u>prohibit the supplemental feeding of wild turkeys</u> in the same manner that feeding wild bears, mountain lions, and other game animals such as deer is prohibited. This would be a statewide ban.</p>	<p>Passed the Senate; in second chamber committee</p>	<p>Support</p>
<p>HB 305 Rep Bill Harris (R-Winnet)</p>	<p>This bill removes the provisions of Montana Law that assign a bounty value to animals such as wolves, mountain lions, and coyotes. It allows the board of county commissioners to determine the dollar amounts to be paid for animals defined as predators. This legislation does not exclude wolves, which only recently came off the Endangered Species List. Currently funding for bounties comes from a self-assessed fee on livestock (51% of livestock owners in a county elect this fee). We oppose this type of program because it incentivizes commercialization of wildlife and it is not proven to be effective predator control.</p>	<p>Passed House and Senate; Signed by Gov.</p>	<p>Oppose</p>
<p>HJ 15 Rep. Steve Gunderson (R-Libby)</p>	<p>Resolution urging Congress to delist the Grizzly Bear in Montana from the Endangered Species Act and prevent the decision from being litigated.</p>	<p>Passed House; Amended and Passed Senate</p>	<p>Oppose</p>
<p>SJ 8 Sen. Mike Phillips (D-Bozeman)</p>	<p>Joint Resolution urging Wyoming to discontinue artificial feeding of elk on public lands.</p>	<p>Passed Senate; Tabled in House FWP</p>	<p>Support</p>
<p>SJ 9 Sen. Mike Phillips (D-Bozeman)</p>	<p>Requires an interim study regarding risks and responses to chronic wasting disease and ungulate populations in Montana.</p>	<p>Passed Senate; In House FWP</p>	<p>Support</p>
<p>SJ 19 Sen. Mike Phillips (D-Bozeman)</p>	<p>Resolution requesting removal of brucella abortus from federal list.</p>	<p>Passed Senate; Passed House Ag.; Awaiting Floor Vote</p>	<p>Support</p>

<u>SB 236</u> Sen. Jennifer Fielder (R-Thompson Falls)	This bill calls for an amendment to Montana’s constitution asserting the right to hunt, fish, and trap. The bill includes additional provisions that would complicate wildlife management, according to FWP.	Passed Senate; In House Judiciary	Oppose
<u>SB 247</u> Sen. Mike Phillips (D-Bozeman)	This bill was amended to require reporting of neonicotinoid use in Montana. These pesticides are linked to negative impacts on bees, pollinators like moths and butterflies, birds, aquatic invertebrates and small fish.	Passed committee; Failed Senate Vote: 25-25	Support
<u>HB 367</u> Rep. Becky Beard (R-Thompson Falls)	This bill creates a voluntary check off to donate money to USDA wildlife services for lethal control of wolves	Passed House and Senate; Gov. Proposed Amendments	Oppose
Habitat Protection			
<u>HB 424</u> Rep. Zach Brown (D-Bozeman)	This bill allows the Renewable Resource Grant and Loan program to fund projects that improve source watersheds as recognized in the current state water plan.	Passed House and Senate	Support
<u>HB 575</u> Rep. Denley Loge (R-Saint Regis)	Creates an access fee for fishing access sites and wildlife management areas to pay for maintenance of sites, managing aquatic invasive species, and eradication of noxious weeds.	Tabled House Fish, Wildlife, and Parks; Failed	Support
Wildlife Program Funding			
<u>HB 5</u> Rep Jim Keane (D-Butte)	Funding authorization for FWP’s capital projects, including Habitat Montana, Upland Game Bird Enhancement Program, Migratory Bird Program, Big Horn Sheep Auction Funds and Fishing Access Site Acquisition. Funding for these programs comes from sportsmen and women’s license dollars and is earmarked specifically for these programs, and not authorizing them simply means the funds stay in the bank. These funds cannot be used for other things, and by not authorizing them there is no savings to any other program. The funds support conservation and enhancement of critical wildlife habitat, and provide greater	Passed House; In Senate Finance and Claims	Support

	hunting and fishing access to lands that might otherwise be inaccessible.		
HB 151 Rep. Nancy Ballance (R-Hamilton)	This bill creates a statutory appropriation of \$350K a year for mandatory use for shooting range grants. Amendments removed the penalty for willingly misusing the funds. Current funding levels are sufficient to fund grant applications thus far and this is not a wise use of hunting and fishing dollars.	Passed 1st committee; Tabled in House Appropriation ; Failed	Oppose as amended
HB 164 Rep. Kelly Flynn (R-Townsend)	This bill would <u>revise the distribution of base hunting license revenue</u> to fund Block Management (hunting access). While we support the bill's intent, taking funds from the general license account compromises other important programs at FWP intended to benefit all of Montana's wildlife.	Tabled in committee; Failed	Oppose
HB 204 Rep. Alan Redfield (R-Livingston)	This bill would <u>require the annual purchase of a \$25 fishing access site (FAS) maintenance decal</u> for each boat operated on Montana waters, including rafts, canoes, kayaks, and other vessels. The funds would go to FAS maintenance and improvement (40 percent), noxious weeds (40 percent), and aquatic invasive species (20 percent).	Tabled in House FWP committee; Failed	Neutral
HB 228 Sen. Jim Keane (D-Butte)	House Bill 228 sets up a <u>funding cycle for the Sage-grouse Stewardship Account</u> that will move \$2 million annually from the General Fund into the stewardship account starting in FY 2017 and continuing to FY 2021. The money will provide operating funds, approximately \$400,000 annually, to the Montana Sage-grouse Oversight Team and be used to produce credits and provide grants through the conservation program.	Passed House; Awaiting Senate Floor Vote	Support
HB 434 Rep. Kelly Flynn (R-Townsend)	This bill establishes the Montana Wildlife Habitat Improvement Act and creates an advisory council that may permit up to 2 million in annual grants for integrated weed	Passed House; In Senate Fish and Game	Support

	management programs. These programs are intended to improve habitat for wildlife.		
HB 651 Rep. Matt Regier (R-Kalispell)	HB 651 would fundamentally change the Habitat Montana program, a 30 year conservation success story, by shifting the focus from habitat conservation to access. It would also create a redundant and unnecessary position to work on issues already addressed by multiple state agencies.	Failed House Vote	Oppose
Climate Change & Energy			
HB 34 Rep. Daniel Zolnikov (R-Billings)	This bill would <u>increase the net metering size cap</u> for government entities (cities and counties, schools and universities, state agencies and tribal entities) from 50 to 250 kilowatts. Raising the 50 kilowatt cap would allow for greater expansion of Montana's growing renewable energy industry.	Tabled in committee; Failed	Support
HB 52 Rep. Daniel Zolnikov (R-Billings)	This bill would <u>grandfather existing net metering customers</u> under any future changes to the rate structure of net metering, creating greater certainty for solar businesses and consumers and protecting their investments in clean energy.	Tabled in committee; Failed	Support
SB 32 Sen. Keith Regier (R-Kalispell)	This bill would hurt Montana's clean energy job sector by <u>repealing the Community Renewable Energy Projects (CREPs) provision</u> of Montana's Renewable Energy Standard. Community renewable energy projects are locally owned projects that put clean energy on the grid right here in Montana. Passage of this bill would mean the loss of otherwise guaranteed clean energy and jobs across Montana.	Passed Senate and House; Vetoed by Gov.	Oppose
SB 102 Sen. Tom Richmond (R-Billings)	This bill <u>tries to limit the maximum contract length for new wind and solar projects</u> seeking to utilize the federal Public Utilities Regulatory Policy Act (PURPA) from 25 years	Passed Senate 25-24; Tabled in House FRET Committee	Oppose

	to 5 years. Such short contract lengths would make financing wind and solar projects prohibitively expensive. It is likely no further wind and solar development would occur if passed.		
HB 216 Sen. Jim Keane (D-Butte)	HB 216 requires that the Department of Environmental Quality (DEQ) administer a <u>wind generation bonding program</u> . The bonding requirements are more stringent than those for fossil fuel industries.	Passed House; Awaiting Senate Floor Vote	Oppose
HB 215 Rep. Mary Ann Dunwell (D-Helena)	In 1999, the legislature created a tax breaks for oil and gas companies that lowers taxation of oil and gas during the most profitable period of extraction. This bill would <u>reduce this oil and gas tax holiday</u> , providing millions of dollars each year in revenue to state and local governments, including revenue that could be spent to benefit wildlife and mitigate environmental impacts from oil and gas extraction.	Failed in committee	Support
SJ 5 Sen. Mike Phillips (D-Bozeman)	This bill <u>requires an interim study to evaluate the future of coal mining and burning in Montana</u> , including threats to the coal industry, impacts to the state and local government resulting from a reduction in coal revenue, and a look at alternative sources of energy to replace coal.	Passed Senate; Awaiting Floor Vote	Support
SJ 10 Sen. Mike Lang (R-Malta)	Joint resolution urging completion of the Keystone Pipeline.	Passed Senate and House	Oppose
SB 190 Sen. Mike Phillips (D-Bozeman)	Establishes monitoring and reporting requirements for greenhouse gas emissions in Montana and requires development of a least-cost emissions reduction plan.	Failed Senate	Support
HB 504 (Rep. Bryce Bennett (D-Missoula)	This bill, the “Solar Jobs and Energy Freedom Act” was one of the key energy bills of the session for renewable energy advocates in Montana. The bill would remove barriers to investing in net metering systems for homeowners and businesses.	Tabled in committee; Failed.	Support

General Environmental Protection

<p>SB 42 Sen. Dick Barrett (D-Missoula)</p>	<p>An act <u>revising major facilities sighting act</u>. Reducing the sighting corridor from 1 mile to 500 feet while allowing a high level of coordination between the Department of DEQ and the applicant. The original bill did not require public notice of “adjustments” to the corridor after a certificate has been awarded. The bill was amended to reinstate this public process.</p>	<p>Passed Senate; in House Natural Resources</p>	<p>Support as amended</p>
<p>SB 48 Sen. Chas Vincent (R-Libby)</p>	<p>This bill <u>directs DEQ to assume the dredge-and-fill permitting program</u> under Section 404 of the Clean Water Act. Currently the program is administered by the US Army Corps of Engineers. This bill is expected to cost Montana taxpayers almost \$1.7 million with almost no benefit to Montanans or our environment. Amendments have pushed the funding out one biennium</p>	<p>Passed Senate; Tabled in House Natural Resources</p>	<p>Oppose</p>
<p>SB 109 Sen. Mike Phillips (D-Bozeman)</p>	<p>SB 109 requires state agencies preparing environmental assessments and environmental impact statements <u>analyze impacts occurring outside of Montana</u>. This restores language previously removed from the Montana Environmental Policy Act.</p>	<p>Tabled in committee; Failed</p>	<p>Support</p>
<p>HB 593 Rep. Nate McConnell (D-Missoula)</p>	<p>This bill would require that mines proposed in sulphide ore bodies post a bond that is 50% greater than the normally calculated bond amount. Sulphide ore, when exposed to air and water, can cause a chemical process that leads to acid mine drainage, a pollutant that has damaged the water quality and aquatic life of several Montana rivers and streams. This bill would also require that operating mines conduct an independent audit every three years to assure that the mining company is complying with all existing laws and their permit, and that the bond amount is adequate for reclamation.</p>	<p>In House Natural Resources; Failed Motion to Bring to Floor</p>	<p>Support</p>

SB 337 Sen. Duane Ankney (R-Colstrip)	This bill would eliminate board of environmental review.	Passed Senate; Awaiting Floor Vote	Oppose
SB 363 Sen. Chas Vincent (R-Libby)	Funding bill for Aquatic Invasive Species (AIS) control and prevention	Passed Senate; Awaiting House Vote	Support; watch amendments
SB 235 Sen. Tom Richmond (R-Billings)	This bill would allow the Montana Land Board to extend coal leases on state lands beyond their traditional 10-year term if the Board finds such leases to be in the “interest of the state”. This bill does not provide any opportunity for open, public process, including public notice or an opportunity for public comment, and does not require an Environmental Impact Statement if the Board votes to extend the lease. The State would also forego the potential revenue from negotiating a new lease.	Passed Senate; In House Natural Resources	Oppose
Public Lands, Recreation & Parks			
HB 154 Rep. Willis Curdy (D-Missoula)	This bill would <u>limit the use of exploding targets on state lands</u> , including state parks, primitive parks, state recreation areas, etc. during the fire season of May 1 - October 31 of each year.	Tabled in committee	Support
HJ 7 Rep. Ellie Hill Smith (D-Missoula)	Requires an interim <u>study on economic impacts of outdoor recreation</u> across Montana.	Passed House; Tabled in Senate Fish and Game	Support
HJ 9 Rep. Kerry White (R-Bozeman)	This is a resolution asking Congress to remove wilderness protections for Montana’s wilderness study areas.	Passed House and Senate	Oppose
HJ 11 Rep. Virginia Court (R-Billings)	Joint resolution honoring public lands and stating that the Montana Legislature will oppose the sale or transfer of public lands.	Failed motion to bring to floor vote: 47-50	Support

SJ 17 Sen. Diane Sands (D-Missoula)	Joint resolution honoring public lands and stating that the Montana Legislature will oppose the sale or transfer of public lands.	Failed motion to bring to floor vote: 18-32	Support
HB 491 Rep. Virginia Court (R-Billings)	Creates designation of Montana Public Lands Day on March 1st of each year. Significantly amended in Senate committee.	Passed House; Tabled in Senate Fish and Game	Support; Oppose Amended Version
HB 295 Rep. Tom Jacobson (D-Great Falls)	This bill would increase the maximum fine for blocking public access on a recognized county road from \$10 to \$500.	Failed motion to bring to floor vote: 48-51	Support
HB 324 Rep. Bradley Hamlett (D-Cascade)	Revise laws related to the administration of Montana State Parks. This bill separates Parks from Fish, Wildlife and Parks and keeps them administratively linked.	Passed House and Senate	Oppose
Subdivisions & Land Use Planning			
HB 339 Rep Carl Glimm (R -Kila)	This bill is an attempt to codify state regulations on permitting for “exempt wells” – those that operate without a water right permit and pump less than 35 gallons per minute and produce less than 10 acre feet of water. These wells are often used in rural areas for stock water or for homes, but are taken advantage of by large water users like subdivisions. This <u>bill allows an unlimited number of exempt wells to be used in certain areas</u> and threatens our rivers and current water rights holders.	Passed House; Awaiting Senate Vote	Oppose
SB 248 Sen. Mark Blasdel (R-Kalispel)	This bill creates an exempt well exemption for wells drilled on land divided as a family parcel. In some instances trading family parcels has been used to subdivide land and current law allows for methods to allow family parcels to share water.	Passed Senate; Awaiting Floor Vote	Oppose
HB 455 Rep Forrest Mandeville (R-Colombus)	Review nondegradation rules for subdivisions	Passed House; Tabled in Senate Local Gov.	Oppose

General Government Policies

<p><u>HB 242</u> Rep. Tom Jacobson (D-Great Falls)</p>	<p>This bill would submit to Montana voters an amendment to the Montana Constitution to <u>change the existing coal trust fund to a natural resources trust fund by including taxes on oil and gas production</u> beginning in 2020 at 5% of total oil and gas collections, and increasing 5% each year until it reaches 30% in 2025. The allocation remains at 30% in perpetuity after 2023.</p>	<p>Tabled in committee;</p>	<p>Support</p>
<p><u>SB 98</u> Sen. Cary Smith (R-Billings)</p>	<p>This is an extreme “takings” bill, which if implemented <u>would require state and local governments to financially compensate property owners any time a law, rule, regulation, or ballot initiative resulted in a reduction in their property values.</u> Essentially, this bill would make regulating land use and environmental quality extremely expensive and difficult.</p>	<p>Failed Senate Vote: 20-30</p>	<p>Oppose</p>
<p><u>SJ 6</u> Sen. Duane Ankney (R-Colstrip)</p>	<p>This resolution <u>calls for a Regulation Freedom Amendment to the U.S. Constitution.</u> This is part of a nationwide push by far-right, out-of-state interest groups to limit the rule-making authority of agencies like the EPA and Department of Interior. While passage of the resolution would be largely symbolic at the moment, it sends the wrong message to Congress about the importance of the regulations intended to protect our land, air, water, and wildlife.</p>	<p>Passed Senate; Passed House FRET; Awaiting Floor Vote</p>	<p>Oppose</p>