



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](#) 406.210.9449 or [Dan Roper](#) 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)	This bill <u>removes 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.	Passed House; In 2nd chamber committee	Support

<u>HB 82</u> 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; In 2nd chamber committee	Support amended version
<u>SB 41</u> Sen. Frederick Moore (R-Miles City)	This bill will <u>revise terms for livestock loss</u> prevention grants 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 Senate; In 2nd chamber committee	Support amended version
<u>HB 157</u> 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.	Failed in Committee	Oppose
<u>SB 91</u> Sen. Jedediah Hinkle (R-Belgrade)	This bill would <u>make it legal to hunt from private roads and vehicles</u> , and is in direct opposition to the concepts of fair chase and ethical hunting.	Passed Senate; In 2nd chamber committee	Oppose
<u>HB 228</u> 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 \$500,000 annually, to the Montana Sage-grouse Oversight Team and be used to produce credits and provide grants through the conservation program.	In committee	Support

<u>SB 110</u> 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 funding to be used for management activities such as research, habitat improvement, law enforcement, and education</u> , tasks that often occur during implementation of the management program already.	In Senate Fish and Game Committee	Support
<u>SB 111</u> Sen. Keith Regier (R-Kalispell)	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. Feeding of wild turkeys can spread disease and increase human-wildlife conflicts.	In Senate Fish and Game Committee	Support
<u>HB 286</u> Rep Ray Shaw (R-Sheridan)	This bill would <u>extend the funding of the livestock loss program to include damage done by mountain lions</u> . A "drafting error" led to this bill enabling the livestock loss board to auction off pelts of animals removed through this program, including grizzly bears, which are still endangered under federal law. We opposed the bill in its original form, and upon removal of the provisions we opposed our opposition has changed to a "watch" status.	House Floor	Watch
<u>HB 305</u> Rep Bill Harris (R-Winnet)	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.	Passed out of House Ag. Committee; on House Floor	Oppose
Habitat Protection			

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 hunting and fishing access to lands that might otherwise be inaccessible.	In committee;	Watching
<u>HB 164</u> 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 intent of this bill, taking funds from the general license account compromises other important programs at FWP intended to benefit all of Montana's wildlife.	In committee	Oppose
<u>SB 73</u> Sen. Pat Connell (R-Hamilton)	This bill will remove the termination date on the transfer of funds from the state special revenue account to the predatory animal special revenue account to <u>maintain the state's livestock loss program, that includes funding preventative livestock loss measures.</u>	Passed committee	Support
Climate Change & Energy			
<u>HB 34</u> 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	Tabled In committee	Support

	allow for greater expansion of Montana's growing renewable energy industry.		
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.	In committee	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; In 2nd chamber committee	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 to 5 years. Such short contract lengths would make financing wind and solar projects prohibitively expensive. It is likely that no further wind and solar development would occur if passed.	In committee	Oppose
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> .	In committee;	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.	In committee; Tabled	Support

<u>SJ 5</u> 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.	In committee	Support
General Environmental Protection			
<u>SB 42</u> Sen. Dick Barrett (D-Missoula)	An act <u>revising major facilities siting 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.	Passed Senate Natural Resources Committee	Support
<u>SB 48</u> Sen. Chas Vincent (R-Libby)	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.	Referred to Senate Finance and Claims	Oppose
<u>SB 109</u> Sen. Mike Phillips (D-Bozeman)	SB 109 requires that state agencies preparing environmental assessments and environmental impact statements <u>analyze impacts occurring outside of Montana</u> . This bill restores language previously removed from the Montana Environmental Policy Act (MEPA).	In committee	Support
<u>HB 204</u> 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 weed eradication (40 percent), and aquatic invasive species management (20 percent).	In committee	Watching
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.	In committee; Tabled	Support
HJ 7 Rep. Ellie Hill Smith (D-Missoula)	Requires an interim <u>study on economic impacts of outdoor recreation</u> across Montana.	In committee;	Support
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.	In Committee	Oppose
General Government Policies			
HB 242 Rep. Tom Jacobson (D-Great Falls)	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.	Tabled in committee	Support
SB 98 Sen. Cary Smith (R-Billings)	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.	In committee	Oppose

<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>In Senate Energy Committee</p>	<p>Oppose</p>
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