



# BILL TABLE – 2023 MONTANA LEGISLATURE

This table contains the bills we are working on during the 2023 Montana Legislature. For more, contact Amy Seaman at [aseaman@mtaudubon.org](mailto:aseaman@mtaudubon.org), or Peter Dudley at [peter@mtaudubon.org](mailto:peter@mtaudubon.org).

**Acronyms: FWP - MT Fish, Wildlife & Parks; DNRC - MT Dept of Natural Resources & Conservation**

**Legislation we are tracking falls in these categories:**

- [Wildlife & Habitat Protection](#)
- [Wildlife Program Funding](#)
- [Climate Change & Energy](#)
- [General Environmental Protection](#)
- [Public Lands, Recreation & Parks](#)
- [Subdivisions & Land Use Planning](#)

Legislation at the 2019 Montana Legislature			
Bill Number/ Sponsor	Description	Status	Audubon Position
<b>Wildlife &amp; Habitat Protection</b>			
<b><a href="#">HB 59</a></b> Rep. Ross Fitzgerald (R- Power)	This bill extends the deadline for the livestock loss program that helps ranchers recover losses caused by wolves, mountain lions, and grizzly bears to cattle, swine, horses, mules, sheep, goats, llamas, and livestock guard animals on state, federal, tribal, and private land. The program helps build support for maintaining the full suite of Montana’s native wildlife, including predators, on the landscape.	Senate Ag, Livestock, and Irrigation Hearing 1/24	Support
<b><a href="#">SB 58</a></b> Sen. Steve Hinebauch (R-Wilbaux)	This bill increases the financial compensation cap offered to landowners for access to their land. Currently compensation is \$13 per hunter day.	Senate Finance & Claims hearing 1/23	Support

<p><b><u>SB 84</u></b> Sen. Bob Brown (R-Trout Creek)</p>	<p>This bill amends the enforcement sections of FWP regulation to add drones to the definition of “aircraft”. While this bill does take a positive step towards reducing the likelihood that drones are being used to kill, take, shoot, locate, concentrate, pursue, drive, rally, or stir up game animals or game birds, species like wolves need to be added to make the intent of the enforcement request clear. Many other species, like grizzly bears, deer, elk, and antelope are listed verbatim. As written, we oppose it, but adding wolves would be a simple fix.</p>	<p>Bill passed as amended 1/20</p>	<p>Oppose</p>
<p><b><u>SB 85</u></b> Sen. Mike Lang (R-Malta)</p>	<p>This bill states that grizzly bears will be managed at numbers upon delisting from the federal Endangered Species Act to keep them from returning to the list. It lacks language ensuring a healthy population that is well-connected with bears moving between the established recovery zones to bring better genetic diversity to the populations. It also lacks language ensuring that other threats to grizzly bears are eliminated and should include education and more preventative measures for management.</p>	<p>Bill passed as amended 1/20</p>	<p>Oppose</p>
<p><b>Wildlife Program Funding</b></p>			
<p><b><u>HB 5</u></b> Rep. Mike Hopkins (R-Hopkins)</p>	<p>This bill contains funding authorization for FWP’s capital projects, including Habitat Montana, Upland Game Bird Enhancement Program, Migratory Bird Program, Bighorn 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. Not authorizing them simply means the funds stay in the bank. The funds support conservation and enhancement of critical wildlife habitat, and provide great hunting and fishing access opportunities.</p>	<p>Sent to Committee Joint Appropriations 1/25</p>	<p>Support</p>

<p><a href="#">HB 217</a> Rep. Gary Perry (R-Colstrip)</p>	<p>This simple bill increases non-resident game bird licenses from \$50 to \$150 for non-residents. It proposed changing resident costs from \$6.50 to \$10 but that was amended out of the bill. Money from the sale of these licenses is used for the protection, conservation and development of wetlands in Montana.</p>	<p>House Committee Executive Action - Bill Passed as Amended 1/19, 19-0</p>	<p>Support</p>
<p><b>Climate Change &amp; Energy</b></p>			
<p><a href="#">HB 60</a> Rep. Denley Loge (R-St. Regis)</p>	<p>This bill would make electric and plug-in hybrid vehicle ownership more expensive by charging an annual registration fee of \$130 for electric and \$70 for hybrid vehicles weighing less than 6000 lbs and \$190 for vehicles between 6,000 and 10,000 lbs, including electric trucks. Higher weight hybrids will have to pay \$100 each year, and even heavier vehicles may pay up to \$1,100. The goal of a registration fee is to replace gas tax revenue lost because EVs don't pay for gasoline, and are therefore not paying for road and highway maintenance. While EV registration fees are not uncommon, Montana's fees would be higher than many other states. These fees will undercut the financial benefits of switching to more affordable battery-powered vehicles. Hopefully the fee can come down during the next few months so we can remove our opposition.</p>	<p>House committee hearing on 1/23</p>	<p>Oppose</p>
<p><a href="#">SB 147</a> Sen. Chris Pope (D-Bozeman)</p>	<p>SB 147 would require publicly regulated utilities, such as NorthWestern Energy, to study and procure cost-effective energy conservation strategies. Energy conservation is the best way to save customers money and decrease their need for more energy, particularly during times when energy demand is high and supply is low. The bill would require utilities to regularly study conservation opportunities and implement conservation programs that reduce consumption of energy by at least 1%, as a factor of their average annual electricity sales. The bill would also give the Public Service Commission authority to establish and oversee</p>	<p>Senate Hearing held on 1/17</p>	<p>Support</p>

	<p>a conservation assessment program that includes: incentives for utilities that develop conservation and efficiency programs; metrics to evaluate successful implementation of the programs and compliance with SB 147; and assurances that the utility is studying and considering least-cost conservation and energy efficiency investments at regular intervals.</p>		
<p><a href="#">HB 170</a> Rep. Steve Gunderson (R-Libby)</p>	<p>HB 170 would repeal Montana's State Energy Policy. Montana needs an energy policy for our state and its agencies which promotes energy efficiency, conservation, production, and consumption of energy sources that represent the least social, environmental and economic costs and the greatest long-term benefits to Montana citizens. It simply makes no sense to repeal this sound principle which has stood for 30 years, especially now in the face of the increasing impacts of climate change that Montana is experiencing.</p>	<p>Passed Third Reading, 67-32</p>	<p>Oppose</p>
<p><a href="#">SB 97</a> Sen. Keith Regier (R-Kalispell)</p>	<p>SB 97 increases the tax burden on large scale renewable energy projects by 500%. Currently, renewable energy generators must pay a \$0.0002 or 0.02¢ per kilowatt-hour license tax. This bill would require covered generators to pay an additional 0.1 ¢ per kilowatt-hour tax on renewable energy generation. This bill targets generators larger than 25 MW, meaning it primarily applies to large-scale wind projects, though excluding legacy hydroelectric projects. This bill discourages renewable development and could cause projects that would be built in Montana to be relocated to other states with more favorable taxation laws.</p>	<p>Hearing 1/18/2023, Senate Taxation</p>	<p>Oppose</p>

General Environmental Protection			
<p><b><u>HB 85</u></b> Rep. Marty Malone (R-Pray)</p>	<p>This bill would remove the Department of Natural Resources and Conservation requirements for Montana Environmental Policy Act (MEPA) environmental analysis for small ranch infrastructure replacement projects, but is currently written so that it includes large infrastructure projects as well. As written the categorical exclusions from MEPA are too broad to support and go far beyond the intent described in the hearing.</p>	<p>Hearing schedule 1/26 Senate Ag., Livestock, and Irrigation</p>	<p>Oppose</p>
<p><b><u>SB 39</u></b> Sen. Dan Bartel (R-Lewistown)</p>	<p>This bill would exempt human and animal crematoriums from proving their projected emissions and ambient air pollution concentrations would constitute a negligible risk to the public health, safety, and welfare and to the environment, prior to permitting</p>	<p>Bill passed as amended 1/19, 8-3</p>	<p>Oppose</p>
Public Lands, Recreation & Parks			
<p><b><u>HB 261</u></b> Rep. Steve Gunderson (R-Libby)</p>	<p>This bill seeks to define e-bikes under three classes, one of which will essentially define e-bikes as non-motorized vehicles. This would allow e-bikes on all trails and roads including natural surface trails.</p>	<p>Hearing is scheduled in the House Local Government Committee for 1/23</p>	<p>Oppose</p>
Subdivisions & Land Use Planning			
<p><b><u>SB 143</u></b> Sen. John Esp (R-Big Timber)</p>	<p>HB 143 would allow just 20% of landowners in a CIZ to petition the county to hold an election to eliminate the district. This extremely low threshold will likely result in incessant, repeated votes to repeal a CIZ. The 20% threshold is also unfair when you consider the county resources required to hold an election and that a CIZ can only be adopted if a supermajority - 60% of the landowners in the area - petition the county for the CIZ in the first place.</p>	<p>Bill passed as amended 8-1</p>	<p>Oppose</p>

<p><a href="#"><u>HB 211</u></a> Rep. Larry Brewster (R-Billings)</p>	<p>This bill changes the process for accepting public comment during phased subdivision development processes, and changes the standard for information accepted during subsequent phases. We oppose cutting public participation out of this process, that like other subdivision regulations, should be there to minimize cumulative impacts.</p>	<p>Heard 1/17 House Local Government</p>	<p>Oppose</p>
<p><a href="#"><u>SB 158</u></a> Rep. Jason Ellsworth (R-Hamilton)</p>	<p>SB 158 would allow greater exemptions for owners within existing subdivisions to divide and transfer portions of their lots to members of their family without triggering the typical subdivision and environmental review process. This bill leaves neighbors unable to comment and appears to allow the first 5 family members that receive a lot through this exemption to potentially further subdivide their lot, all without public and local government review. This provision can lead to greater cumulative impacts on traffic, water resources, access, emergency resources and fire safety in some areas.</p>	<p>Passed Committee 6-3, 1/17. Heading to the Senate Floor</p>	<p>Oppose</p>
<p><a href="#"><u>HB 241</u></a> Joshua Kassmier (R-HD 27)</p>	<p>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.</p>	<p>Hearing scheduled in House Local Government Committee for 1/24</p>	<p>Oppose</p>