

2023 Montana Legislature REPORT & VOTING RECORD



The following report summarizes Montana Audubon's legislative priorities and outcomes during the 68th Montana Legislature. The report covers 12 bills that fall under three main topics, Wildlife & Habitat, Climate & Energy, and Land Use & Water, that are central to supporting our mission.

Use this record to understand our policy positions and actions and please share widely with others to make it clear just how many regulations affect wildlife and habitat every legislative year. Review these votes, and if your local representatives were champions for our issues thank them! Otherwise, please voice your concerns and keep speaking up.

Report on the 2023 Montana Legislature



During the 2023 Legislature, Montana Audubon lobbied on 50 bills, supporting 16 and opposing 34; Of the 50 bills, 17 bills pertained to Wildlife & Habitat, 11 to Climate & Energy, and 14 to Land Use & Water. Two additional bills dealt with public lands & recreation, and almost half of all bills we worked on had positive outcomes for our mission, meaning bad bills were defeated or good bills were passed. As a way to process the many issues facing us this session, we turned to our standing policy positions on Air Quality, Climate Change, Conservation Easements, Fossil Fuels, Grassroots Advocacy, Public Lands & Recreation, Renewable Energy, State Agencies, State Lands, Subdivisions, Taking Wildlife, and Water Quality & Quantity.

Wildlife bills in the 68th session were defined by our state's desire to wrest grizzly bear management from the federal government and continue to lower wolf numbers. But following the 2021 session's changes that allow night hunting of wolves, bounties for wolf trappers, and the use of dogs to hunt black bears, the United States Fish & Wildlife Service (USFWS) categorized Montana's management of these predator species as insufficient to conserve grizzly bears into the future. This USFWS reaction led to the failure of several very bad wolf harvest bills and likely contributed to the failure of the Hunt, Fish, Trap referendum, HB 372. Though we opposed SB295, the state's new proposal for managing grizzly bears once delisted from the Endangered Species Act, the measure

passed, putting in place vague language about managing grizzly bear threats and mortality moving forward.

Non-wildlife issues were defined by the administration's efforts to cut red tape by eliminating regulation. Deregulation was aimed at future greenhouse gas emissions; air quality pollutants; and water quality threats from unchecked development, like rapid residential growth. Included in the deregulation was the repeal of Montana's energy policy, strong opposition to local government action on climate change (HB 241 and SB 228), and strong opposition to state government acknowledging the need to address climate change at all (HB 971).

Fortunately, funding for projects like Habitat Montana was retained; however the state's primary mechanism for increasing wildlife habitat funding, the conservation funding put aside via the I-190 recreational marijuana initiative, was left on the table through the veto of SB 442.



Since 1981, Montana Audubon has lobbied at the Capitol during our state's legislative session. This year's efforts were led by Director of Policy & Science, Amy Seaman (left) and Legislative Assistant, Peter Dudley (right). They spent four months tracking bills, attending hearings, testifying on bills, producing legislative alerts, and advocating one-on-one with legislators.

House of Representatives

Name	Party	District	Town	Wildlife & Habitat				Climate & Energy				Land Use & Water				Rating
				HB 372	HB 521	SB 295	SB 442	HB 241	HB 971	SB 228	SB 557	HB 473	HB 576	SB 158	SB 285	
Abbott, Kim	D	83	Helena	+	+	-	+	+	+	+	+	+	+	+	+	100%
Anderson, Fred	R	20	Great Falls	-	+	-	+	-	-	-	-	-	-	-	-	17%
Barker, Brad	R	58	Roberts	-	+	-	-	-	-	-	-	-	+	-	-	17%
Baum, Denise	D	47	Billings	+	+	+	+	+	+	+	+	+	+	+	+	100%
Bedey, David	R	86	Hamilton	-	+	-	-	-	-	-	-	-	-	-	-	8%
Bergstrom, James	R	30	Buffalo	-	+	-	+	-	-	-	-	-	-	-	+	25%
Bertoglio, Marta	R	75	Clancy	-	-	-	+	-	-	-	-	-	-	-	+	17%
Binkley, Michele	R	85	Hamilton	-	+	-	+	-	-	-	-	-	-	-	-	17%
Bishop, Laurie	D	60	Livingston	+	+	+	+	+	+	+	+	+	+	+	+	100%
Brewster, Larry	R	44	Billings	-	+	-	+	-	-	-	-	-	-	-	-	17%
Brockman, Tony	R	9	Kalispell	-	+	-	+	-	-	-	-	-	-	-	-	17%
Buckley, Alice	D	63	Bozeman	+	+	+	+	+	+	+	+	+	+	-	+	92%
Butcher, Ed	R	29	Winifred	-	+	-	+	-	-	-	-	-	-	-	-	17%
Buttrey, Ed	R	21	Great Falls	-	+	-	+	-	-	-	-	-	-	-	-	17%
Caferro, Mary	D	81	Helena	+	+	+	+	+	+	+	+	+	+	+	+	100%
Carlson, Jennifer	R	69	Manhattan	-	+	-	+	-	-	-	-	-	-	-	-	17%
Carter, Bob	D	98	Missoula	+	+	+	+	+	+	+	+	+	+	+	-	92%
Cohenour, Jill	D	84	East Helena	+	+	-	+	+	+	+	+	+	+	+	+	92%
Deming, Lee	R	55	Laurel	-	+	-	+	-	-	+	-	-	-	-	-	25%
Dooling, Julie	R	70	Helena	+	+	-	+	-	-	-	-	-	-	-	+	42%
Duram, Neil	R	2	Eureka	-	-	-	+	-	-	-	-	-	-	-	-	8%
Essman, Sherry	R	52	Billings	-	+	+	+	-	-	-	-	-	-	-	-	25%
Etchart, Jodee	R	48	Billings	-	+	-	+	-	-	-	-	-	-	-	-	17%
Falk, Terry	R	8	Kalispell	-	-	-	-	-	-	-	-	-	-	-	-	0%
Fern, Dave	D	5	Whitefish	+	+	-	+	+	+	+	+	+	+	-	+	83%
Fielder, Paul	R	13	Thompson Falls	-	-	-	-	-	-	-	-	-	-	-	-	0%
Fitzgerald, Ross	R	17	Power	+	+	-	+	-	-	-	-	-	+	-	-	33%
Fitzpatrick, John	R	77	Anaconda	+	+	-	+	-	-	-	-	-	-	-	-	25%
France, Tom	D	94	Missoula	+	+	+	+	+	+	+	+	+	+	+	+	100%
Frazer, Gregory	R	78	Deer Lodge	-	+	-	+	-	-	-	-	-	-	-	-	17%
Galloway, Steven	R	24	Great Falls	-	-	-	+	-	-	-	-	-	-	-	-	8%
Gillette, Jane	R	64	Bozeman	-	+	-	+	-	-	-	-	-	-	-	-	17%
Gist, Steve	R	25	Cascade	-	+	-	+	-	-	-	-	-	-	-	-	17%
Green, Paul	R	41	Hardin	-	+	-	+	-	-	-	-	-	-	-	-	17%
Gundersen, Steve	R	1	Libby	-	-	-	+	-	-	-	-	-	-	-	-	8%
Hamilton, Jim	D	61	Livingston	+	+	-	+	+	+	+	+	+	+	+	+	92%
Harvey, Derek	D	74	Butte	+	+	+	+	+	-	+	+	+	+	-	+	83%
Hastings, Naarah	R	50	Billings	-	+	-	-	-	-	-	-	-	-	-	+	17%
Hawk, Donavon	D	76	Butte	+	+	+	+	+	-	+	+	+	+	-	+	83%
Hellegaard, Lyn	R	97	Missoula	-	+	-	-	-	-	-	-	-	-	-	-	8%
Hinkle, Caleb	R	68	Belgrade	-	-	-	-	-	-	-	-	-	-	-	-	0%
Hinkle, Jedediah	R	67	Belgrade	-	+	-	-	-	-	-	-	-	-	-	-	8%
Hopkins, Mike	R	92	Missoula	-	+	-	+	-	-	-	-	-	-	-	-	17%
Howell, SJ	D	95	Missoula	+	+	+	+	+	+	+	+	+	+	+	+	100%
Jones, Llew	R	18	Conrad	-	+	-	-	-	-	-	-	-	-	-	-	8%
Karlen, Jonathan	R	96	Missoula	+	+	-	+	+	+	+	+	+	+	+	+	92%
Kassmier, Joshua	R	27	Fort Benton	-	-	-	+	-	-	-	-	-	-	-	A	9%
Keenan, Bob	R	10	Bigfork	-	-	-	-	-	-	-	-	-	-	-	-	0%
Keogh, Connie	D	91	Missoula	+	+	+	+	+	+	+	+	+	+	+	+	100%
Kerns, Scott	R	23	Great Falls	-	+	-	+	-	-	-	-	-	-	-	-	17%

House of Representatives

Name	Party	District	Town	Wildlife & Habitat				Climate & Energy				Land Use & Water				Rating
				HB 372	HB 521	SB 295	SB 442	HB 241	HB 971	SB 228	SB 557	HB 473	HB 576	SB 158	SB 285	
Kerr-Carpenter, Emma	D	49	Billings	+	+	+	+	+	+	+	+	+	-	+	+	92%
Kmetz, Greg	R	38	Miles City	-	+	-	+	-	-	-	-	-	-	-	-	17%
Knudsen, Casey	R	33	Malta	-	-	-	+	-	-	-	-	-	-	-	-	8%
Knudsen, Rhonda	R	34	Culbertson	-	+	-	+	-	-	-	-	-	-	-	-	17%
Kortum, Kelly	D	65	Bozeman	+	+	+	+	+	+	+	+	+	+	+	+	100%
Brandon, Ler	R	35	Savage	-	+	-	+	-	-	-	-	-	-	-	-	17%
Loge, Denley	R	14	Saint Regis	-	+	-	+	-	-	-	-	-	-	-	-	17%
Lynch, Jennifer	D	73	Butte	+	+	+	+	+	-	+	+	+	+	-	+	8%
Malone, Marty	R	59	Pray	-	+	-	+	-	-	-	+	-	-	-	-	25%
Marler, Marilyn	D	90	Missoula	+	+	+	+	+	+	+	+	+	+	+	+	100%
Marshall, Ron	R	87	Hamilton	-	+	-	+	-	-	-	-	-	-	-	-	17%
Matthews, Eric	D	66	Bozeman	+	+	+	+	+	+	+	+	+	+	+	+	100%
Mercer, Bill	R	46	Billings	-	+	-	-	+	-	-	-	-	-	-	+	25%
Miner, Russ	R	19	Great Falls	-	+	-	+	-	-	-	-	-	-	-	-	17%
Mitchell, Braxton	R	3	Columbia Falls	-	-	-	-	-	-	-	-	-	-	-	-	0%
Moore, Terry	R	54	Billings	-	+	-	-	-	-	-	-	-	-	-	-	8%
Nave, Fiona	R	57	Columbus	-	-	-	-	-	-	-	-	-	-	-	-	0%
Nicol, Nelly	R	53	Billings	-	+	-	+	-	-	-	-	-	-	-	-	17%
Nikolakakos, George	R	26	Great Falls	-	+	-	+	-	-	-	+	-	-	-	+	33%
Oblander, George	R	40	Billings	-	+	-	+	-	-	-	-	-	-	-	+	25%
Parry, Garry	R	39	Colstrip	-	A	-	+	-	-	-	-	-	-	-	-	9%
Phalen, Bob	R	36	Lindsay	-	+	-	+	-	-	-	-	-	-	-	-	17%
Read, Joe	R	93	Ronan	-	+	-	+	-	-	-	-	-	-	-	-	17%
Regier, Matt	R	4	Kalispell	-	-	-	-	-	-	-	-	-	-	-	-	0%
Regier, Amy	R	6	Kalispell	-	+	-	+	-	-	-	-	-	-	-	-	17%
Reksten, Linda	R	12	Polson	-	+	-	+	-	-	-	-	-	-	-	-	17%
Romano, Melissa	R	81	Helena	+	+	+	+	+	+	+	+	+	+	+	+	100%
Runningwolf, Tyson	D	16	Browning	+	+	+	+	+	+	+	+	+	+	+	+	100%
Rusk, Wayne	R	88	Corvallis	+	+	-	+	-	-	-	-	-	-	-	-	25%
Schillinger, Jerry	R	37	Circle	-	+	-	+	-	-	-	A	-	-	-	-	18%
Seekins-Crowe, Kerri	R	43	Billings	-	+	-	+	-	-	-	-	-	-	-	-	17%
Sheldon-Galloway, Lola	R	22	Great Falls	-	-	-	+	-	-	-	-	-	-	-	-	8%
Smith, Laura	D	79	Helena	+	+	+	+	+	+	+	+	+	+	+	+	100%
Smith, Tanner	R	11	Lakeside	-	+	-	-	-	-	-	-	-	-	+	-	17%
Smith, Frank	D	31	Poplar	+	A	-	+	+	+	-	+	+	+	+	+	82%
Sprunger, Courtenay	R	7	Kalispell	-	+	-	+	-	-	-	-	-	-	-	-	17%
Stafman, Ed	D	62	Missoula	+	+	+	+	+	+	+	+	+	+	+	+	100%
Stewart-Peregoy, Sharon	R	42	Crow Agency	+	+	+	+	+	+	+	+	+	+	+	+	100%
Sullivan, Katie	D	89	Missoula	+	+	+	+	+	+	+	+	+	+	+	+	100%
Thane, Mark	D	99	Missoula	+	+	+	+	+	+	+	+	+	+	+	+	100%
Tuss, Paul	D	28	Havre	+	+	-	+	+	+	+	+	+	+	+	+	92%
Vinton, Sue	R	56	Billings	-	+	-	-	-	-	-	-	-	-	-	-	8%
Walsh, Kenneth	R	71	Twin Bridges	-	+	-	+	-	-	-	-	-	+	-	-	25%
Weathermax, Marvin	D	15	Browning	E	A	+	E	+	+	+	E	+	+	+	+	100%
Welch, Tom	R	72	Dillon	-	+	-	+	-	-	-	-	-	+	-	-	25%
Windy Boy, Jonathon	D	32	Box Elder	+	+	+	+	+	+	+	+	+	+	+	+	100%
Wirth, Zack	R	80	Wolf Creek	-	+	-	+	-	-	-	-	-	-	-	A	18%
Yakawich, Mike	R	51	Billings	-	+	-	+	-	-	-	-	-	-	-	-	17%
Zephyr, Zoey	D	100	Missoula	+	-	+	+	+	+	+	+	+	+	+	+	92%
Zolnikov, Katie	R	45	Billings	-	-	-	+	-	-	-	-	-	-	-	-	8%

Montana Senate

Name	Party	District	Town	Wildlife & Habitat				Climate & Energy				Land Use & Water				Rating
				HB 372	HB 521	SB 295	SB 442	HB 241	HB 971	SB 228	SB 557	HB 473	HB 576	SB 158	SB 285	
Bartel, Dan	R	15	Lewistown	-	+	-	+	-	-	-	-	+	-	-	-	25%
Beard, Becky	R	40	Elliston	E	-	E	+	-	-	-	-	+	-	-	-	20%
Bogner, Kenneth	R	19	Miles City	-	-	-	+	-	-	-	-	-	-	-	-	8%
Boldman, Ellie	D	45	Missoula	+	+	+	+	+	+	+	+	+	+	+	+	100%
Brown, Bob	R	7	Trout Creek	-	+	-	+	-	-	-	-	-	-	-	-	17%
Cuffe, Mike	R	1	Eureka	-	+	-	+	-	-	-	-	-	-	-	-	17%
Curdy, Willis	D	49	Missoula	+	+	+	+	+	+	+	+	+	+	+	+	100%
Dunwell, Mary Ann	D	42	Helena	+	+	+	+	+	+	+	+	+	+	+	+	100%
Ellis, Janet	D	41	Helena	+	+	+	+	+	+	+	+	+	+	+	+	100%
Ellsworth, Jason	R	43	Hamilton	-	+	-	+	-	-	-	-	-	-	-	-	17%
Emrich, Daniel	R	11	Great Falls	E	-	E	+	-	-	-	-	+	-	-	-	20%
Esp, John	R	30	Big Timber	-	+	-	+	-	-	-	-	-	-	-	-	17%
Fitzpatrick, Steve	R	10	Great Falls	-	+	-	+	-	-	-	-	-	-	-	-	17%
Flowers, Pat	D	32	Belgrade	+	+	-	+	+	+	+	+	+	+	+	+	92%
Fox, Mike	D	16	Hays	+	+	-	+	+	+	+	+	+	+	+	+	92%
Friedel, Chris	R	26	Billings	E	+	E	+	-	-	-	-	+	-	-	-	30%
Fuller, John	R	4	Kalispell	-	+	-	+	-	-	-	-	+	-	-	-	25%
Gillespie, Bruce	R	9	Ethridge	-	+	-	+	-	-	-	-	-	-	-	-	17%
Glimm, Carl	R	2	Kila	-	+	-	+	-	-	-	-	-	-	-	-	17%
Gross, Jen	D	25	Billings	+	+	-	+	+	+	+	+	E	+	+	+	91%
Hayman, Denise	D	33	Bozeman	+	+	+	E	+	+	+	+	+	+	+	E	100%
Hertz, Greg	R	6	Polson	-	+	-	+	-	-	-	-	-	-	-	-	17%
Hinebauch, Steve	R	18	Wibaux	-	+	-	+	-	-	-	-	-	-	-	-	17%
Kelker, Kathy	D	24	Billings	+	+	+	+	+	+	+	+	+	+	E	+	100%
Lang, Mike	R	17	Malta	-	+	-	+	-	-	-	-	+	-	-	-	35%
Lenz, Dennis	R	27	Billings	-	-	-	+	-	-	-	-	-	-	-	-	8%
Lynch, Ryan	D	37	Butte	+	-	-	+	+	+	+	+	+	+	+	+	83%
Mandeville, Forrest	R	29	Columbus	-	-	-	+	-	-	-	-	-	-	-	-	8%
Manzella, Theresa	R	44	Hamilton	-	+	-	+	-	-	-	-	-	-	-	-	17%
McClafferty, Edie	D	38	Butte	+	+	+	+	+	+	+	+	+	+	+	+	100%
McGilvray, Tom	R	23	Billings	-	-	-	+	-	-	-	-	-	-	-	-	8%
McKamey, Wendy	R	12	Great Falls	-	-	-	+	-	-	-	-	-	-	-	-	8%
Molnar, Brad	R	28	Laurel	-	+	-	-	-	-	+	-	-	+	-	-	25%
Morigeau, Shane	D	48	Missoula	+	+	+	+	+	+	+	+	+	+	+	+	100%
Noland, Mark	R	5	Bigfork	-	+	-	+	-	-	-	-	-	-	-	-	17%
O'Brien, Shannon	D	46	Missoula	+	+	+	+	+	+	+	+	+	+	+	+	100%
Olsen, Andrea	D	50	Missoula	+	+	+	+	+	+	+	+	+	+	+	+	100%
Pope, Christopher	D	31	Bozeman	+	+	+	+	+	+	+	+	+	+	+	+	100%
Regier, Keith	R	3	Kalispell	-	+	-	+	-	-	-	-	-	-	-	-	17%
Sales, Walt	R	35	Manhattan	+	+	-	+	-	-	-	-	+	-	-	-	33%
Salomon, Daniel	R	47	Ronan	+	+	-	+	-	-	-	-	-	-	-	-	25%
Small, Jason	R	21	Busby	+	+	-	+	-	-	-	-	-	-	-	+	33%
Tempel, Russ	R	14	Chester	-	+	-	+	-	-	-	-	+	-	+	-	33%
Trebas, Jeremy	R	13	Great Falls	-	-	-	+	-	-	-	-	-	-	-	-	8%
Usher, Barry	R	20	Billings	-	+	-	+	-	-	-	-	-	-	-	-	17%
Vance, Shelley	R	34	Belgrade	-	-	-	+	-	-	-	-	+	-	-	-	17%
Vermeire, Terry	R	39	Billings	+	+	-	+	-	-	-	-	-	-	-	-	25%
Webber, Susan	D	8	Browning	+	+	+	+	+	+	+	+	+	+	+	+	100%
Welborn, Jefferey	R	36	Dillon	+	+	-	+	-	-	-	-	+	-	-	-	33%
Zolnikov, Daniel	R	22	Billings	-	E	-	+	-	-	-	-	+	-	-	-	18%

Bill Descriptions

Wildlife & Habitat Protection - House Sponsored Bills

HB 372: Establish right to hunt in constitution

Sponsor: Representative Paul Fielder (R-Thompson Falls)

Audubon Position: *Oppose*, a vote against this bill is a vote for our position on *Taking Wildlife*

House Action: Passed 3rd Reading 64-34

Senate Action: Passed 3rd Reading 26-21

Status: Failed to obtain 100 vote Constitutional Referendum threshold

Description: This referendum would make hunting, fishing and trapping rights in Montana's constitution despite these opportunities being protected currently under the "Preservation of harvest heritage" clause. This bill could allow special interest groups to challenge wildlife management policies or fees, placing the financial burden on agencies to defend themselves.

HB 521: Revise laws related to conservation licenses on state lands

Sponsor: Representative Denley Loge (R-St. Regis)

Audubon Position: *Support*, a vote for this bill is a vote for our position on *State Lands*

Senate Action: Passed 2nd Reading 39-10

House Action: Passed 3rd Reading 81-16

Status:

Description: This bill creates a conservation license for state land users over the age of 12 that costs \$8 and is good for a year. The income from the license will support both the Department of Natural Resource Conservation (DNRC) and Fish, Wildlife & Parks (FWP).



Grizzly image: Jean Beaufort wikicommons

Wildlife & Habitat Protection - Senate Sponsored Bills

SB 295: Revising laws to accommodate for grizzly bear delisting

Sponsor: Senator Bruce Gillespie (R-Ethridge)

Audubon Position: *Oppose*, a vote against this bill is a vote for our position on *Taking Wildlife*

Senate Action: Passed 3rd Reading 35-12

House Action: Passed 3rd Reading 73-27

Status: Signed by the Governor

Description: This bill lays out Montana grizzly bear management regulations should they be delisted from the Endangered Species Act. The bill unfortunately stresses

lethal management of grizzly bears over other methods and fails to completely clarify when a grizzly bear can be killed if it is threatening livestock or people. The bill allows bears to be killed on public land if the Department of Fish, Wildlife, and Parks, (FWP) finds the animal is threatening livestock or people though the term threatening in is not defined in the bill.

SB 442: Allow marijuana tax revenues to be used for county road maintenance

Sponsor: Senator Mike Lang (R-Malta)

Audubon Position: *Support*, a vote for this bill is a vote for our position on *State Lands*

Senate Action: Passed 2nd Reading 49-1

House Action: Passed 2nd Reading 82-16

Status: Vetoed by the Governor

Description: Despite the title, 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. Amendments to the bill made it the best plan to distribute marijuana revenue in a way that protects and supports our public lands, veterans, health care, and rural communities.

Climate Change & Energy - House Sponsored Bills

HB 241: Prohibit government from requiring buildings be constructed with solar panels

Sponsor: Representative Josh Kassmier (R-Fort Benton)

Audubon Position: *Oppose*, a vote against this bill is a vote for our position on *Climate Change & Renewable Energy*

Senate Action: Passed 3rd Reading 34-16

House Action: Passed 2nd Reading 63-37

Status: Signed by the Governor

Description: This bill bans local governments from adopting solar ready "stretch codes" passed by the Montana

KEY

+ = Vote in favor of Audubon's position

- = Vote against Audubon's position

A = Legislator absent

D/R = Democrat ; Republican

FWP = MT Fish, Wildlife & Parks

HB = House Bill

SB = Senate Bill

Department of Labor and Industry in 2022. Voluntary stretch codes allow solar-ready building requirements for new construction where jurisdictions chose to add solar as a cheap, convenient, and efficient option for building owners.

HB 971: Revise Montana Environmental Policy Act

Sponsor: Representative Josh Kassmier (R-Fort Benton)

Audubon Position: *Oppose*, a vote against this bill is a vote for our positions on *Clean Air, Water Quality &*

Quantity, Public Lands & Recreation, and Grassroots Advocacy

Senate Action: Passed 3rd Reading 26-21

House Action: Passed 3rd Reading 64-34

Status: Signed by the Governor

Description: This bill prohibits the Department of Environmental Quality (DEQ) from considering climate change when analyzing environmental impacts and accepting public comment for major state projects under the Montana Environmental Policy Act (MEPA). MEPA is often referred to as a “look before you leap” law because it requires state agencies to consider the environmental, economic, social and cultural impacts of proposed projects prior to approval of such things as air, water and mining permits.



Climate Change & Energy - Senate Sponsored Bills

SB 228: Prohibit governments from banning petroleum fuels

Sponsor: Senator Jason Small (R-Busby)

Audubon Position: *Oppose*, a vote against this bill is a vote for our positions on *Fossil Fuels & Climate Change*

Senate Action: Passed 3rd Reading 33-17

House Action: Passed 3rd Reading 68-32

Status: Signed by the Governor

Description: This bill prohibits local governments from regulating any petroleum fuel, even to protect public health, safety, or welfare, from any type of petroleum product (e.g. oil or gas). It would force local governments to allow compressor stations, gas stations and pipelines,

gas power plants, petroleum refineries, and more, regardless of size or impact, near residential properties, and schools.

SB 557: Revise MEPA relating to litigation

Sponsor: : Senator Mark Noland (R-Bigfork)

Audubon Position: *Oppose*, a vote against this bill is a

vote for our position on *Grassroots Advocacy*

Senate Action: Passed 3rd Reading

House Action: Passed 3rd Reading 65-33

Status: Signed by the Governor

Description: This bill makes anyone challenging a MEPA decision by an agency disclose all donors (e.g. members of a non-profit), pay for the agency to provide a record, and pay a very large financial bond before the judicial process takes place. It also essentially makes the disclosure of impacts and the public’s right to participate in MEPA optional for state agencies such as FWP, DEQ, and DNRC.

Land Use & Water - House Sponsored Bills

HB 473: Revise selenium standard for Lake Koochanusa

Sponsor: Representative Steve Gunderson (R-Libby)

Audubon Position: *Oppose*, a vote against this bill is a vote for our position on *Water Quality & Quantity*

Senate Action: Failed blast motion 23-26

House Action: Passed 2nd Reading 64-36

Status: Failed

Description: This bill would have changed the site-specific selenium standard in Lake Koochanusa from .8 micrograms a liter and replace it with the statewide standard of 1.5 micrograms per liter. The site specific standard was determined after years of study and stakeholder involvement to be protective of beneficial uses in Lake Koochanusa and the Kootenai River versus a proposed arbitrary standard that would benefit of a Canadian coal mining corporation.

HB 576: Revise laws related to water and coal mining

Sponsor: Rep. Rhonda Kundsden (R-Culbertson)

Audubon Position: *Oppose*, a vote against this bill is a vote for our position on *Water Quality & Quantity*

Senate Action: Passed 3rd Reading 33-16

House Action: Passed 3rd Reading 75-25

Status: Signed by Governor

Description: 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 nondegradation review and re-de

fine 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.

Land Use & Water - Senate Sponsored Bills

SB 158: Revise family transfer laws

Sponsor: Senator Jason Ellsworth (R-Hamilton)

Audubon Position: *Oppose*, a vote against this bill is a vote for our position.

Senate Action: Passed 2nd Reading 33-16

House Action: Failed 2nd Reading 65-34

Status: Signed by the Governor

Description: This bill allows greater exemptions for home-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 further subdivide their lots without public and local government review.

SB 285: Revise Subdivision Sanitation Laws

Sponsor: Senator Carl Glimm (R-Kila)

Audubon Position: *Oppose*, a vote against this bill is a vote for our position on *Subdivisions*

Senate Action: Passed 2nd Reading 35-15

House Action: Failed 2nd Reading 65-32

Status: Signed by the Governor

Description: This bill exempts sewage disposal facilities that are located more than half a mile from surface waters, or lower in elevation from them, from nondegradation review. The bill exempts developments from

storm water drainage review if they are exempt from normal subdivision review requirements, as under the family transfer exemption. New rule-making will take pace via Department of Environmental Quality to implement the law.



Thank You!

Collectively these bills present major changes avoided and enacted that affect birds and wildlife across this great state. It takes a coalition to make legislative work possible; from partner organizations to citizens and generous donors, all supporting our calls to action! Thank you for contacting legislators, attending lobby days and returning many times to rally for wildlife and a healthy environment. As always, we will return with the 69th legislature in 2025.

To learn more about Montana Audubon’s work at the Legislature, including specifics about legislation, visit our website or email info@mtaudubon.org.



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P.O. Box 595
Helena, MT 59624