

The Montana Legislature has just completed week 4 of the 2017 session.

The pace of the session is starting to pick up, though, overall, the number of bills considered by the Legislature so far this session seems to be far fewer than are normally considered by any given legislature during the first month.

MWGA BILLS:

1. SB 73 – as you will recall, MWGA is sponsoring legislation to authorize the continued use of general fund funding for use by the Livestock Loss Board. The Livestock Loss Board is the agency that provides compensation to livestock owners in circumstances where wolves and grizzly bears have depredated on livestock. State funding for that program is set to expire at the end of June of 2017. Our bill will authorize continued funding through June of 2023.

The Senate Agriculture Committee held its hearing on this bill earlier this month. The committee is set to vote on this bill on Tuesday January 31, 2017. In a positive development for our legislation, the Governor's budget office has scored this bill as having a zero net impact on the State's general fund. With this budget score, we are in a good position to get this bill passed and signed by the Governor.

2. Draft Grizzly Bear Delisting resolution – MWGA has requested that a draft legislative resolution be introduced and considered which would express the will and desire of the Legislature that Montana's congressional delegation congressional delist the grizzly bear from the Endangered Species List, thereby transferring management of the species back to the State of Montana. At present, we are waiting for our bill sponsor to introduce the resolution.

OTHER BILLS OF INTEREST:

- A. Sage Grouse habitat and protection funding – HB 228

As you will recall from the 2015 Montana legislative session, the Legislature enacted a sage grouse management team and program. The purpose of that program was to institute programs in Montana to protect sage grouse habitat, with the overall goal of keeping sage grouse from being placed on the endangered species list. As part of the 2015 legislation, the Legislature authorized \$10 million for that program. Due to the budget shortfall, the Governor's budget office swept that money back into the general fund, and proposed having the \$10 million allocated in \$2 million dollar increments for the next few fiscal years.

MWGA did not take a position on this bill. However, it is clear that a \$10 million appropriation for this program on one lump sum may have been a bit excessive as the program was not providing anything close to that in grant funding for the past two years.

A newspaper story on that hearing is linked.

http://www.bozemandailychronicle.com/news/mtleg/industry-wildlife-advocates-back-sage-grouse-bill/article_d792d69e-1648-5005-aab1-8b89c134895b.html

B. HB 243 – a bill to make it unlawful for an outfitter to cross private property to reach state trust land if that state land is not otherwise accessible to the public.

The legislature, namely the House FWP Committee, considered perhaps the worst bill of the session to date. This bill, sponsored by Rep. Jacobson, would deny private landowners acting as landowner outfitters recreational use licenses in instances where they hunt state lands otherwise inaccessible to the public. In addition, and incredibly, this bill would impose criminal sanctions on state lessees criminally liable for granting permission to an outfitter to cross their lands to access state land. The constitutional, policy, and logistics problems with this bill are obvious, so I won't comment on the merits of this proposal any further. I expect this bill to be killed immediately.

C. HB 110 – the House considered a bill this week to extend the deadline for filing on water rights that would otherwise be exempt from filing.

DNRC is requesting that water rights holders who hold claims that would otherwise be exempt from filing, such as stock water rights and domestic wells, file on those rights in order to speed up and help the accuracy of the adjudication process. This bill would extend the time for filing on those rights to 2019. MWGA supports this legislation. It's important to keep in mind that if you don't file on these rights, and another user files on them during adjudication, you don't necessarily lose your water right, it just becomes junior to the person or entity that filed on the right.

D. Adding mountain lion kills as a type of kill covered by the livestock loss program

The House Agriculture Committee considered a bill this week that would add mountain lions to the livestock loss program. Currently, the livestock loss program only pays out on verified kills by grizzly bears and mountain lions. This bill estimates that roughly \$70,000 would be paid out for verified mountain lion kills on livestock. MWGA supported this bill conditionally. That is, the Association supported the bill but only if our bill, SB 73, passed first. If our bill does not pass, and the livestock loss program is no longer funded, it makes no sense as a policy matter to authorize the state to pay out on kills for lions which it has no money to use to pay.

E. Looking ahead:

The week of January 30th will be focused primarily on appropriations. Next week, the appropriations committee will consider the budgets of the Department of Livestock, the Department of Agriculture, the Livestock Loss Board and MSU. MWGA will be paying close attention to the governor's budget proposals for MSU extension and experiment stations, which are slated for deep cuts.

HEARINGS

Monday – January 30 – Legislative Day 21

Senate Education and Cultural Resources – Room 422, 3pm

HB119 – Revise quality educator loan assistance program (Seth Berglee)

HB191 – Provide inflationary increase for ANB funding (Seth Berglee)

Senate Local Government – Room 405, 3pm

SB142 – Revise laws related to volunteer emergency personnel and worker's comp insurance (Tom Facey)

HB221 – Revise laws related to public records of municipalities (Donald Jones)

Senate Public Health, Welfare and Safety – Room 317, 3pm

SR4 – Confirm Governor's appointee Director, Dept. of Public Health and Human Services (David Howard)

Senate State Administration – Room 335, 3pm

SB136 – Revise laws related to legislator disclosure of payment for out of state travel (Tom Facey)

SB140 – Allow low-interest coal tax trust fund loans to certain local governments (Duane Ankney)

SB141 – Establish commission to study legislative compensation and conduct (Sue Malek)

HB68 – Revise university system retirement plan participation requirements (Marilyn Ryan)

HB83 – Generally revise elections laws (Bryce Bennett)

House Appropriations – Room 102, 3pm

HB217 – Revise replacement schedule for regular license plates (Randy Brodehl)

HB304 – Statutory appropriation to the department of revenue for cigarette tax stamps (Rob Cook)

HB307 – Create statutory appropriation for radioactive waste account (Kathy Kelker)

House Education – Room 137, 3pm

HB116 – Increase funding for gifted and talented education (Kathy Kelker)

HB232 – Revise laws for dual enrollment at community colleges (Kenneth Holmlund)

HB274 – Allow ANB funding for students with disabilities up to age 22 (Kathy Kelker)

House Energy, Technology, and Federal Relations – Room 472, 3pm

HB216 – Require bonding for wind development (Jim Keane)

House Transportation – Room 455, 3pm

SB33 – Clarify that highway structures not subject to building code requirements (Brian Hoven)

HB299 – Revise outdoor advertising laws (Geraldine Custer)

Tuesday – January 31 – Legislative Day 22

Senate Business, Labor, and Economic Affairs – Room 422, 8am

HB26 – Revise board of housing loan-servicing laws (Tom Welch)

HB138 – Revise licensing of general insurance agent laws (Dave Fern)

Senate Energy and Telecommunications – Room 317, 3pm

SR6 – Confirm Governor's appointee to NW Power Planning Council (Duane Ankney)

SR14 – Confirm Governor appointees to boards related to energy (Duane Ankney)

Senate Finance and Claims – Room 303, 1:30pm (meeting will begin at 1:30pm or upon adjournment of Senate Floor Session)

SB43 – Generally revise laws governing the long-range building program (Jon Sesso)

Senate Fish and Game – Room 422, 3pm

SB110 – Allowing funds in wolf management account to be used for management activities (Mike Phillips)

SB111 – Provide that it is unlawful to feed wild turkeys (Keith Regier)

Senate Judiciary – Room 303, 9am

SB144 – Generally revise landlord tenant laws to allow voluntary electronic notification (Roger Webb)

SB145 – Generally revise laws re when certain individuals may be transferred to DOC (Roger Webb)

HB45 – Generally revise state medical examiner laws (Kimberly Dudik)

Senate Taxation – Room 405, 9am

SR9 – Confirm Governor’s appointee for State Tax Appeals Board (Mark Blasdel)

SR12 – Confirm Governor’s appointee for Director, Dept. of Revenue (Mark Blasdel)

House Agriculture – Room 137, 3pm

SB41 – Revise terms for livestock loss prevention grants (Frederick Moore)

HB272 – Establish label requirements for pasteurized milk (Greg Hertz)

HB305 – Revising laws related to county bounties on predators (Bill Harris)

House Business and Labor – Room 172, 8:30am

HB145 – Adopt NAIC model legislation regarding Annuities (Zach Brown)

House Local Government – Room 172, 3pm

HB300 – Exempt townhouses from certain subdivision sanitation regulations (Adam Hertz)

HB301 – Clarify that local governments can issue bonds for street maintenance projects (Janet Ellis)

Wednesday - February 1 – Legislative Day 23

Senate Business, Labor, and Economic Affairs – Room 422, 8am

SB108 – Prohibit enforcement of a right of first refusal in auto franchise contracts (Gordon Vance)

SB120 – Generally revise practice of dental hygiene laws (Nels Swandal)

Senate Education and Cultural Resources – Room 422, 3pm

SB139 – Revise K-12 school district expansion laws (Duane Ankney)

Senate Judiciary – Room 303, 9am

SB2 – Clarify county commission quorum requirements (Pat Connell)

SR18 – Confirm Governor’s appointees to boards related to public safety (Keith Regier)

SR19 – Confirm Governor appointees to the Judiciary (Keith Regier)

Senate Local Government – Room 405, 3pm

SB151 – Create local government interim committee (Dee Brown)

HB200 – Revise laws regarding shared equity properties (Dave Fern)

SR15 – Confirm Governor appointees to Board of County Printing (Roger Webb)

Senate State Administration – Room 335, 3pm

SB23 – Allow in-house counsel to be deputy commissioner of political practices (Steve Fitzpatrick)

HB102 – Extend bond validating act (Jessica Karjala)

HB159 – Designate Shelby veterans' memorial (Rob Cook)

House Human Services – Room 152, 3pm

HB285 – Establish a palliative care advisory council and education program (Wendy McKamey)

HB293 – Revise requirements related to release of patient immunization information (Kathy Kelker)

Thursday – February 2 – Legislative Day 24

Senate Energy and Telecommunications – Room 317, 3pm

SB132 – Revise tax laws related to pollution control equipment (Tom Richmond)

SJ6 – Resolution urging Regulation Freedom amendment to US constitution (Duane Ankney)

Friday – February 3 – Legislative Day 25

House Human Services – Room 152, 3pm

SB4 – Eliminate certain DPHHS advisory councils and reports (Diane Sands)

SB62 – Certification for behavioral health peer support specialists (Cynthia Wolken)

HB264 – Revise laws related to adverse childhood experiences (Jessica Karjala)