

MACD LEGISLATIVE AD HOC COMMITTEE

DRAFT Minutes Friday, 20th November 2020 ZOOM

When you see the word *Note* in italics, what follows is a clarification or update added to the minutes. Red ink indicates a recommendation to the MACD Board of Directors.

1. In attendance: Jim Simpson, Jeff Pattison, Greg Jergeson. Others in attendance included Chris Evans, Jeff Ryan, Jane Holzer, Autumn Coleman, Conner Mertz, and Rebecca Boslough. Jeff Tiberi staffed the zoom.
2. The minutes of 16th October LAHC zoom were approved as is.
 - a. Tasks follow up from those minutes:
 - i. TASKS NOT COMPLETED
 1. WSA letter to Congressional delegates - ltr drafted but not yet sent
 2. DNRC budget flowchart - too many budget changes at DNRC, LAHC advises to wait
 3. Meet and Greet - ltr to partners drafted but not yet sent, lots of unknowns, including current limitations on gatherings. **LAHC recommends to the MACD Board to consider dropping the January date and waiting until early in the session to reconsider holding it in the Springtime, based on the pandemic status. The MACD Spring Board meeting may be a time to consider, perhaps when WPIC or EQC is in Helena.**
 - ii. TASKS COMPLETED
 1. Legislative packet updated and on the MACD website
 2. A Conservation District introductory letter was sent to Governor-elect Gianforte and Transition Manager Mike Milburn. As a result, Districts were invited to apply for employment and board/commission appointments in the new Administration. All 58 Districts were notified.
 3. Legislative panel was a success. It is recorded if readers wish to listen to the hour long session. Contact MACD for the link.
 - iii. STANDING ITEMS
 1. Supervisor election law, currently known as LC 0567 but soon to have a bill number when the draft is completed, is in the pipeline. REP. JESSICA KARJALA (D) - HD48, <https://leg.mt.gov/legislator-information/roster/individual/6707> from Billings and on the SAVA Interim Committee <https://leg.mt.gov/committees/interim/2019sava/> that approved the bill draft, will carry the bill.

(NOTE: Representative Karjala likely has enough background but MACD should touch base with her and ask if she has any questions. If anyone from Yellowstone Conservation District would like to be in on that zoom please let us know.)

2. I-190 update - Jim Simpson. Jim said we've made a number of contacts with legislators concerning our interest in the tax receipts that could be collected from the sale of recreational marihuana. He suggested that a poll of the Districts needs to be made to gauge their interest before MACD moves further down this pike. The LAHC agreed. MACD will develop and administer the poll in the next two weeks.

(NOTE: There is at least one bill draft request that addresses distributions for those tax revenues, and we are trying to find out the details to see if Districts are included. See

[http://laws.leg.mt.gov/legprd/LAW0210w\\$BSIV.ActionQuery?P_BILL_DFT_NO5=LC0863&Z_ACTION=Find&P_SESS=20211](http://laws.leg.mt.gov/legprd/LAW0210w$BSIV.ActionQuery?P_BILL_DFT_NO5=LC0863&Z_ACTION=Find&P_SESS=20211) where you may read the text of the bill when it is ready)

3. Floodplain Legislative Resolution: Lewis and Clark Conservation District Board Chairman Jeff Ryan and Administrator Chris Evans were on the zoom regarding this issue, and provided background. Their District has been working with partners on a legislative resolution (Not a MACD resolution) to address cumbersome FEMA policies <https://www.fema.gov/> that Districts encounter on stream restoration projects. There was an adopted 2015 MACD resolution that dealt with this issue, but with some differences. See <https://macdnet.org/resolutions/15-01-clarification-and-coordination-of-310-and-floodplain-permitting/>
The Lewis and Clark bill draft will be located on [http://laws.leg.mt.gov/legprd/LAW0210w\\$BSIV.ActionQuery?P_BILL_DFT_NO5=LC1023&Z_ACTION=Find&P_SESS=20211](http://laws.leg.mt.gov/legprd/LAW0210w$BSIV.ActionQuery?P_BILL_DFT_NO5=LC1023&Z_ACTION=Find&P_SESS=20211)
Senator Janet Ellis is the sponsor. If you can't wait and want the most current copy please contact Jeff Ryan at jeff@rfryan.com
The LAHC asked that the Lewis and Clark resolution be sent to the MACD Board of Directors with a recommendation from the LAHC to support it during the Session.
Jim also asked that the MACD Board address in a broader manner the way the board wishes to manage MACD resolutions as opposed to legislative resolutions that pertain to conservation Districts, including a decision process.
4. Another **legislative** resolution (that may or may not end up as a bill) concerning soil health was discussed. It may be seen in the August LAHC meeting minutes. See <https://macdnet.org/wp-content/uploads/2020/08/LAHC-Minutes->

[DRAFT-21-August-2020.pdf](#) There was a lengthy discussion about the Conservation District role regarding soil health. Jeff Pattison mentioned that this is part of the “narrative” that Districts need to develop to tell our story. We need to answer the question “What happens if we disappear?” **The LAHC recommended that the MACD Board of Directors approve appearing in front of committees that will hear this resolution/bill as an informational witness. They suggested that the role of Districts, NRCS, and the five experiment stations across Montana be woven into the testimony.** If the Board approves this, LAHC asked Jeff to organize the testimony with help from Stephanie Adams.

5. There are 1,200+ bill draft requests currently on the legislators website. Laurie Zeller has identified 150 with titles that may impact Districts. There will be more. Here are just a few:
 - a. LC 0862 – Generally revise distributions and/or appropriations of special revenue funds (Llew Jones)
 - b. LC 0863 – Implement recreational marijuana appropriations and define eligible use (Llew Jones)
 - c. LC 0864 – Generally revise habitat enhancement laws and provide funding (Llew Jones)
 - d. LC0943 - Eliminate Coal Severance Tax SSR accounts
 - e. LC0487 - Reduce and redistribute the CSTNote that “LC” is the designation of a bill while it is being drafted. The designation will move to a Bill number after it is formally introduced.

NOTE: Jeff and Laurie will meet next week and start placing all 150+ bill draft requests on a computer-based “preference list” that is maintained by legislative staff. The link and password to that site will be made available to all 58 Districts.

3. New Business:

- a. Conservation District FY22/23 funding moved into the General Fund. The Executive has proposed to move funding for the Districts from the Coal Severance Tax to the General Fund. It is not known if the new Administration will agree with this proposed shift, and the Gianforte Administration likely will have its own ideas. This shift, if approved, has both pros and cons, with both being educated guesses at best.
- b. MACD Convention update ref Resolutions
 - i. Flathead Resolution Update. This MACD resolution passed by a wide margin at the MACD Convention. Resource Conservationist Hailey Graf earlier this year worked with Flathead area legislators to find help should

the resolution pass. The newly-elected President of the Senate Mark Bladell expressed interest. There was discussion about the management needs of other rivers in Montana and how those needs would impact this resolution. Could the Flathead resolution be watered down? The LAHC recommends keeping this issue local, with the idea that once through this process we may develop a template for the other rivers that we could use in the future.

Note: MACD set up a meeting before Thanksgiving to develop an action plan regarding this resolution and how to proceed. Both river councils were invited.

- ii. Pallid Sturgeon and NACD Northern Plains and MRRIC [MRRIC](#). This resolution did not specifically ask for a legislative action, but the LAHC would like to pursue this pathway. Consequently, a member of the LAHC will seek a legislator to sponsor this as a legislative resolution during the Session. Because it was adopted by the Districts, MACD will support it during the hearings.
 - iii. Stockwater - Did not pass.
 - c. Session updates and rumors - They will meet in person, one senator resigned due to the pandemic, leadership has been chosen (email already sent to the Districts with this news), committee will be selected soon, there may be more breaks in the Session and it may last weeks longer.
4. Open mic: Autumn Coleman mentioned a bill that would allow irrigation districts a different approach to debt management. Jeff Tiberi mentioned that mitigation corridors is another issue that could impact the Districts. We adjourned at 8:45 AM.



If your way is blocked find another way.