

**MINUTES**  
**MONTANA HOUSE OF REPRESENTATIVES**  
**68th LEGISLATURE - REGULAR SESSION**  
**COMMITTEE ON (H) LOCAL GOVERNMENT**

**Call to Order:** Chair Rep. Larry Brewster-R, on February 14, 2023 at 3:00 PM, in 472

**ROLL CALL**

**Members Present:** Rep. Larry Brewster, Chair (R)  
Rep. Marta Bertoglio, Vice Chair (R)  
Rep. Jill Cohenour, Vice Chair (D)  
Rep. Laurie Bishop (D)  
Rep. Sherry Essman (R)  
Rep. Steven Galloway (R)  
Rep. Steve Gist (R)  
Rep. Scot Kerns (R)  
Rep. Kelly Kortum (D)  
Rep. Jennifer Lynch (D)  
Rep. Kerri Seekins-Crowe (R)  
Rep. Mark Thane (D)  
Rep. Katie Zolnikov (R)

**Excused:** Rep. Steve Gunderson (R)  
Rep. Linda Reksten (R)  
Rep. Courtenay Sprunger (R)

**Staff Present:** LuCinda Blair, Secretary  
Laura Sankey Keip, Research Analyst

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

Hearing and Date Posted:  
HB 413 02/11/2023

Executive Action:  
HB 291 DO PASS  
HB 295 DO PASS  
HB 299 DO PASS  
HB 323 BE TABLED

**HEARING ON HB 413 – Repeal laws of preemption of local government on auxiliary containers**

**Opening Statement:**

15:01:00 Rep. Ed Stafman (D), HD 62, opened the hearing on HB 413, Repeal laws of preemption of local government on auxiliary containers.

**Proponent Testimony:**

15:06:33 Thomas Jodoin, Montana League of Cities and Towns (MTLCT)  
15:08:24 Isaac Cheek, Cottonwood Environmental Law Center (CELC)  
15:11:20 Tom Waldorf, Gallatin Valley Beyond Plastics  
15:14:03 Matthew Passini, Montana Environmental Information Center (MEIC)  
15:16:40 Youpa Stein, Self  
15:19:23 June Safford, Self  
15:23:20 Liz Ametsbichler, Self  
15:25:35 Jeremy Drake, Self  
15:27:30 Teresa Quatraro, Self  
15:32:50 Heidi Noyes, Self  
15:36:35 Katie Harrison, Self  
15:39:45 Gwen Jones, Missoula City Council  
15:42:18 Connie Campbell-Pearson, Self  
15:43:20 Kat Elam, Forward Montana  
15:44:18 Mike Lilly, Cottonwood Environmental Law Center (CELC)  
15:46:20 Natalie Meyer, City of Bozeman

**Opponent Testimony:**

15:48:20 Brad Griffin, Montana Retail Association (MRA)  
15:50:10 Brad Longcake, Montana Petroleum Marketers and Convenience Store Operators (MPMCSA)

**Informational Witness Testimony:**

None

**Questions from Committee:**

15:52:48 Rep. Scot Kerns  
15:54:00 Rep. Ed Stafman  
15:47:30 Rep. Mark Thane  
15:58:15 Brad Griffin, MRA  
15:59:55 Rep. Steven Galloway  
16:02:00 Rep. Courtenay Sprunger  
16:03:30 Natalie Meyer, Bozeman  
16:04:30 Rep. Kelly Kortum  
16:05:30 Rep. Steve Gist  
16:05:53 Brad Longcake, MPMCSA

**Closing Statement:**

16:06:30 Rep. Ed Stafman (D), HD 62, closed the hearing on HB 413.  
  
16:11:30 **Recessed**  
16:30:10 **Reconvened**

**EXECUTIVE ACTION ON HB 291 – Revise local government investment laws**

16:30:30 **Motion:** Vice Chair Marta Bertoglio moved that **HB 291 DO PASS**.  
**Vote:** Motion carried unanimously by voice vote.

**EXECUTIVE ACTION ON HB 295 – Revise nepotism laws relating to small communities**

16:32:01 **Motion:** Vice Chair Marta Bertoglio moved that **HB 295 DO PASS**.

**Discussion:**

16:32:45 Vice Chair Jill Cohenour  
16:33:20 Rep. Courtenay Sprunger  
**Vote:** Motion carried unanimously by voice vote.

**EXECUTIVE ACTION ON HB 299 – Revise resolution and ordinance requirements re: land use regulation enforcement**

16:34:25 **Motion:** Vice Chair Marta Bertoglio moved that **HB 299 DO PASS.**

**Vote:** Motion carried 15-1 by voice vote with Rep. Zolnikov, voting no.

**EXECUTIVE ACTION ON HB 323 – Revise laws related to child protective teams**

16:35:40 **Motion:** Vice Chair Marta Bertoglio moved that **HB 323 DO PASS.**

16:36:10 **Substitute Motion:** Rep. Scot Kerns moved that **HB 323 BE TABLED.**

**Vote:** Motion carried 15-1 by voice vote with Rep. Zolnikov, voting no.

**ADJOURNMENT**

Adjournment: 16:36:58

---

LuCinda Blair, Secretary

Additional Documents: EXHIBIT(230214LOH)



*The Big Sky Country*

# MONTANA HOUSE OF REPRESENTATIVES

## LOCAL GOVERNMENT COMMITTEE

### ROLL CALL

DATE: 2.14.23

NAME	PRESENT	ABSENT/EXCUSED
VICE CHAIR BERTOGLIO	X	
VICE CHAIR COHENOUR	X	
REP. BISHOP	X	
REP. GALLOWAY	X	
REP. GIST	X	
REP. GUNDERSON		X
REP. KORTUM	X	
REP. SPRUNGER		X
REP. ZOLNIKOV	X	
REP. THANE	X	
REP. REKSTEN		X
REP. SEEKINS-CROWE	X	
REP. LYNCH	X	
REP. ESSMANN	X	
REP. KERNS	X	
CHAIR BREWSTER	X	

16 MEMBERS



House Standing Committee Report

February 14, 2023

page 1 of 1

To the Speaker,

We, your committee on **(H) Local Government** recommend that **House Bill 291** (first reading copy – white) **Do Pass**.

Signed: 

*Rep. Larry Brewster-R, Chair*

-End-

**Committee Vote:**

**Yes 16, No 0**

*JA 2-15-23  
c7:15am*



House Standing Committee Report

February 14, 2023

page 1 of 1

To the Speaker,

We, your committee on **(H) Local Government** recommend that **House Bill 295** (first reading copy – white) **Do Pass**.

Signed: \_\_\_\_\_

*Rep. Larry Brewster-R, Chair*

-End-

**Committee Vote:**

**Yes 16, No 0**

*HB 295-23  
e7/15am*



House Standing Committee Report

February 14, 2023

page 1 of 1

To the Speaker,

We, your committee on **(H) Local Government** recommend that **House Bill 299** (first reading copy – white) **Do Pass**.

Signed: \_\_\_\_\_

*Rep. Larry Brewster-R, Chair*

-End-

**Committee Vote:**

**Yes 15, No 1**

*HB 299-2023  
e 7:18am*

## BILL TABLED NOTICE

### House (H) Local Government

### The House (H) Local Government TABLED

HB323-Revise laws related to child protective teams- Rep. Caleb Hinkle

by motion, on Tuesday February 14, 2023, (PLEASE USE THIS ACTION DATE IN LAWS BILL STATUS).

  
\_\_\_\_\_  
(For the Committee)

  
\_\_\_\_\_  
(For the Chief Clerk of the House)

10:21am, 2-15-23  
(time) (date)



The Big Sky Country

MONTANA HOUSE OF REPRESENTATIVES

LOCAL GOVERNMENT COMMITTEE

ROLL CALL VOTE

Voice Vote

BILL NUMBER HB 291

DATE 2.14.23

MOTION Do Pass

NAME	AYE	NO	PROXY
VICE CHAIR BERTOGLIO			
VICE CHAIR COHENOUR			
REP. BISHOP			
REP. GALLOWAY			
REP. GIST			
REP. GUNDERSON			
REP. KORTUM			
REP. SPRUNGER			
REP. ZOLNIKOV			
REP. THANE			
REP. REKSTEN			
REP. SEEKINS-CROWE			X
REP. LYNCH			
REP. ESSMANN			
REP. KERNS			
CHAIR BREWSTER			

16 MEMBERS



The Big Sky Country

MONTANA HOUSE OF REPRESENTATIVES

LOCAL GOVERNMENT COMMITTEE

ROLL CALL VOTE  
Vote

BILL NUMBER HB 295

DATE 2-14-23

MOTION Do Pass

NAME	AYE	NO	PROXY
VICE CHAIR BERTOGLIO			
VICE CHAIR COHENOUR			
REP. BISHOP			
REP. GALLOWAY			
REP. GIST			
REP. GUNDERSON			X
REP. KORTUM			
REP. SPRUNGER			
REP. ZOLNIKOV			
REP. THANE			
REP. REKSTEN			X
REP. SEEKINS-CROWE			X
REP. LYNCH			
REP. ESSMANN			
REP. KERNS			
CHAIR BREWSTER			

16 MEMBERS



*The Big Sky Country*

# MONTANA HOUSE OF REPRESENTATIVES

## LOCAL GOVERNMENT COMMITTEE

### ROLL CALL VOTE

BILL NUMBER HB 299

DATE 2-14-23

MOTION \_\_\_\_\_

NAME	AYE	NO	PROXY
VICE CHAIR BERTOGLIO			
VICE CHAIR COHENOUR			
REP. BISHOP			
REP. GALLOWAY			
REP. GIST			
REP. GUNDERSON			
REP. KORTUM			
REP. SPRUNGER			
REP. ZOLNIKOV		X	
REP. THANE			
REP. REKSTEN			
REP. SEEKINS-CROWE			
REP. LYNCH			
REP. ESSMANN			
REP. KERNS			
CHAIR BREWSTER			

16 MEMBERS



The Big Sky Country

MONTANA HOUSE OF REPRESENTATIVES

LOCAL GOVERNMENT COMMITTEE

ROLL CALL VOTE

BILL NUMBER HB 323

DATE 2.14.23

MOTION ~~Do pass~~ Tabled

NAME	AYE	NO	PROXY
VICE CHAIR BERTOGLIO			
VICE CHAIR COHENOUR			
REP. BISHOP			
REP. GALLOWAY			
REP. GIST			
REP. GUNDERSON			X
REP. KORTUM			
REP. SPRUNGER			
REP. ZOLNIKOV		X	
REP. THANE			
REP. REKSTEN			X
REP. SEEKINS-CROWE			X
REP. LYNCH			
REP. ESSMANN			
REP. KERNS			
CHAIR BREWSTER			

16 MEMBERS



The Big Sky Country

MONTANA HOUSE OF REPRESENTATIVES  
AUTHORIZED  
COMMITTEE PROXY  
68<sup>TH</sup> LEGISLATIVE SESSION

I request to be excused from the LOCAL GOVERNMENT Committee.

I desire to leave my proxy vote with Rep. GALLOWAY / BIST.

PLEASE USE PEN

BILL	MOTION (Include AMENDMENT #)	AYE	NO
HB 291		✓	
HB 295		✓	
HB 299		✓	
HB	323 tabled		

BILL	MOTION (Include AMENDMENT #)	AYE	NO

I authorize my vote to be matched with that of Rep. GALLOWAY / BIST for any amendments proposed on this date.

Rep. [Signature] STEVE GUNDERSON \_\_\_\_\_  
(Signature) (Print Name) (Meeting Date)



The Big Sky Country

MONTANA HOUSE OF REPRESENTATIVES
AUTHORIZED
COMMITTEE PROXY
68TH LEGISLATIVE SESSION

I request to be excused from the Local Government Committee.

I desire to leave my proxy vote with Rep. Bertoglio

PLEASE USE PEN

Table with columns: BILL, MOTION (Include AMENDMENT #), AYE, NO. Contains handwritten entries for bills 291, 295, 323 (table), and 299.

Table with columns: BILL, MOTION (Include AMENDMENT #), AYE, NO. (Empty)

I authorize my vote to be matched with that of Rep. Bertoglio for any amendments proposed on this date.

Rep. Linda E Reiksten (Signature)

Linda E Reiksten (Print Name)

14 Feb 23 (Meeting Date)



The Big Sky Country

MONTANA HOUSE OF REPRESENTATIVES
AUTHORIZED
COMMITTEE PROXY
68TH LEGISLATIVE SESSION

I request to be excused from the Local Gov't Committee.

I desire to leave my proxy vote with Rep. Zelnikov

PLEASE USE PEN

Table with 4 columns: BILL, MOTION (Include AMENDMENT #), AYE, NO. Handwritten entries: 291 do pass, 295 do pass, 299 do pass, 323 table.

Table with 4 columns: BILL, MOTION (Include AMENDMENT #), AYE, NO. (Empty)

I authorize my vote to be matched with that of Rep. Brewster for any amendments proposed on this date.

Rep. [Signature] (Signature)

Kern Seelkins-Crowe (Print Name)

(Meeting Date)



*The Big Sky Country*

MONTANA HOUSE OF REPRESENTATIVES

VISITOR REGISTER

LOCAL GOVERNMENT COMMITTEE

DATE 2-14-23

BILL NO: HB 413

SPONSOR(S): Rep. Stafman

SHORT TITLE: \_\_\_\_\_

Please leave prepared testimony with the clerk.  
Witness Statement forms are available if you care to submit written testimony.

PLEASE PRINT                      PLEASE PRINT                      PLEASE PRINT                      PLEASE PRINT

Name	Representing	Support	Oppose	Informt1
Isaac Cheek	Cottonwood Environmental Law Center	✓		
Jeremy Drake	Strategy Zero Waste Solutions	✓		
Liz Ametsbichler	Citizen	✓		
Brad Griffin	MT Retail Assoc		X	
THOMAS JODOIN	MLCT	✓		
BRAD LONGCAKE	MPMCSA		X	
Yopa Stein	Volunteer <sup>Co-Chair - Livable Families for Climate</sup>	✓		
Heidi Noyes	Eco Montana	✓		
Jane Safford	Gallatin Valley Beyond Plastics	✓		
Tom Waldoy	Gallatin Valley Beyond Plastics	✓		
Matthew PASSINI	MEIC	✓		
Jeresa Puatraso	Gallatin Valley Beyond Plastics	✓		



## Some Problems with Plastic – at a Glance

- Since 1950, the production of plastic has increased 70-fold, while the human population has tripled. Humans have produced over 10 billion tons of plastic in that time.
- Only 9% of plastic has ever been repurposed or recycled. Currently, the American rate of plastic recycling is about 5%.
- The rest is still with us. Some has been incinerated, some sits in landfills, and between 8 and 15 million tons of plastic enter the ocean each year.
- By 2025 (two years from now) ,scientists estimate that for every 3lbs of fish in the ocean, there will be 1lb of plastic. By 2050, there will be more plastic than fish.

### Some Health Impacts of Plastic

- Plastic is made of fossil fuels and chemical additives – so many additives that 50% of many plastics are chemical by weight.
- Plastic is stable, but it is not inert. The added chemicals leach out at every phase of the plastic life cycle, including during use as items like straws, eating utensils, food packaging, and baby toys.
- Many present health risks that scientists are only beginning to understand, and which are irreversible.
- A significant percentage of plastic additives, for instance, are endocrine disruptors, which mimic hormones and interrupt vital processes all over the human body. *There are no safe levels of endocrine disrupting chemicals.*
- Endocrine disruptors are especially dangerous for babies and children. For instance, fetal exposure to endocrine disrupting plasticizers has been linked to autism and ADHD, which is now present in 1 in 6 children. At current rates, one in two children will be on the autism spectrum by 2045.
- Endocrine disruptors interfere with metabolism and contribute to obesity and type 2 diabetes.
- Endocrine disruptors contribute to early puberty in girls and declining fertility. They are associated with a dramatic reduction in human sperm count since the 1970s.

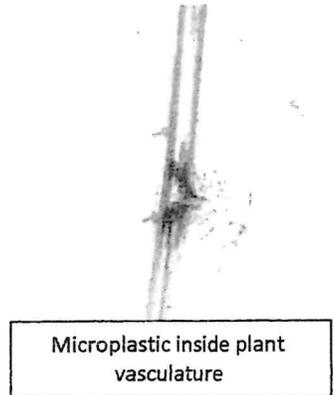


## Some Hazards of Microplastic

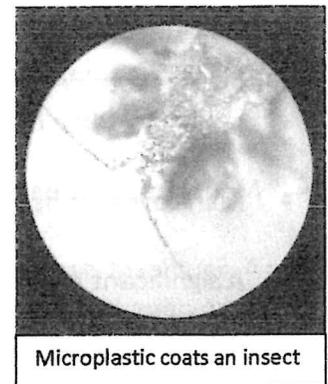
- Plastic cannot break down in nature. Instead, it breaks *up* – first into visible fragments, then gradually into pieces as small as a grain of rice or sand (microplastics). Eventually, plastic particles become smaller than a human blood cell (nanoplastics).
- These pieces are so tiny that they evaporate with water and become part of the hydrological cycle. They rain down onto every corner of the globe, and travel on wind currents as dust.
- Microplastics have been found at the peak of Mt. Everest and the bottom of the Mariana Trench. In Montana, they have been identified in the snow at Big Sky and Teton Pass, the watershed of the Gallatin River, and Flathead Lake.
- Microplastics are ingested by every creature that drinks water or breathes air, including all the fish and wildlife in Montana. In addition to Montana's water bodies, they are now present in every inch of the food web. They can even be taken up into the vasculature of plants.
- Scientists estimate the humans ingest or breathe in a credit card worth of plastic a week – about 5g.
- Inhaled and ingested microplastics do not simply “pass” through the digestive system. They have been found within human tissue, including lungs, intestines, veins, and even the placenta. They have also been identified in human blood, breast milk, and meconium (the first stool of the newborn infant).
- Presently, there is no known method for “cleaning up” the macro, micro, and nano plastics diffused throughout the environment.



Microplastic on a snowflake



Microplastic inside plant vasculature



Microplastic coats an insect

## There is Hope in Action

- Many applications of single use plastics are not essential. Packaging can be reduced and eliminated. Reusable items like bags and water bottles can be promoted over single use ones. The solutions are in our hands.
- Allowing towns, cities, and counties to pass local ordinances will allow Montanans try solutions locally, and demonstrate which measures work best to protect the environment and the health of our beautiful state.



[www.livableclimate.org](http://www.livableclimate.org)

### Plastics and Human Health Links

- The Minderoo-Monaco Commission on Plastics and Human Health project will be publishing a report in the *Annals of Global Health* in March, 2023. It's going to be a compendium of what is known to date...The report will enumerate the harms of plastic "across its life cycle."
- Plastics' Impact on Human Health by Pediatrician and toxicologist, Dr. Philip J. Landrigan
- Hidden Health Hazards of Plastic by Jenny Davies, MD MPH JD, (CafCu Public and Environmental Health Director). A webinar hosted by the Beyond Plastics Virtual Group (Webinar)
- More about chemicals in plastics
  - Hazardous Chemicals in Plastic Products
  - 7 Harmful Chemical Types in Plastics
  - There are Thousand More Toxic Chemicals in Plastic than We Thought

### Microplastic Pollution Links

1. The Gallatin Microplastics Initiative surveyed microplastics contamination in the watershed of Southwestern Montana's Gallatin River, which is one of the three rivers making up the headwaters of the Missouri-Mississippi watershed, the largest in the United States. Seventy-two sample locations were seasonally sampled (4x/years) for two consecutive years. 774 of total samples were collected by 117 volunteers from 50 tributary sits and 22 main Gallatin River sites...Fifty-seven percent of Gallatin samples contained microplastic pollution.

## Microplastic Pollution Links Continued

2. In a study during the summer of 2019 Environment Montana tested samples from 50 fishing access sites across Montana. They found tiny bits of plastic in 66% of those water bodies.
3. A visiting Chinese researcher working with the University of Montana's Flathead Lake Biological Station found microplastics in the samples collect at 12 sites along Flathead Lake
4. Research from **Montana State University** found Microplastics contaminate Montana snow and rain. The study found fibers of polyester and other pieces of microplastic in dozens of snow samples taken from Big Sky Resort, Teton Pass and other Rocky Mountain sites. (Christine Foreman, associate professor in the Department of Chemical and Biological Engineering in **MSU's** Norm Asbjornson College of Engineering).
5. Scientists found more than 1,000 tons of microplastics are deposited onto protected lands in the western United States each year, equivalent to more than 123 million plastic water bottles.

### Some additional resources:

- *How Bad Are Plastics Really?* Article in **The Atlantic** by Rebecca Altman
- ***A Poison Like No Other: How Microplastics Corrupted Our Planet and Our Bodies*** by Matt Simon
- ***Thicker Than Water*** by Eric Cirino (accessible overview)
- ***Countdown*** by Shanna H. Swan (chapter about the risks and harm of chemicals and plastics)

[www.livableclimate.org](http://www.livableclimate.org)

<https://www.beyondplastics.org/>



WITNESS  
STATEMENT

HB 413 - public comment  
Local Government Committee hearing  
2/14/23

Jeremy Drake, resident of Missoula, 59903

Hello,

I am here today to voice my support for HB 413.

On Feb 3, a train derailed in Ohio. The toxic chemicals released into the environment resulted in an evacuation order. Chemicals used in the production of plastic.

In parts of Texas and Louisiana, known as Cancer Alley, where much of the single-use plastic is produced, the harmful impacts are a daily issue, not an isolated incident.

The choices we make here in Montana have impacts elsewhere.

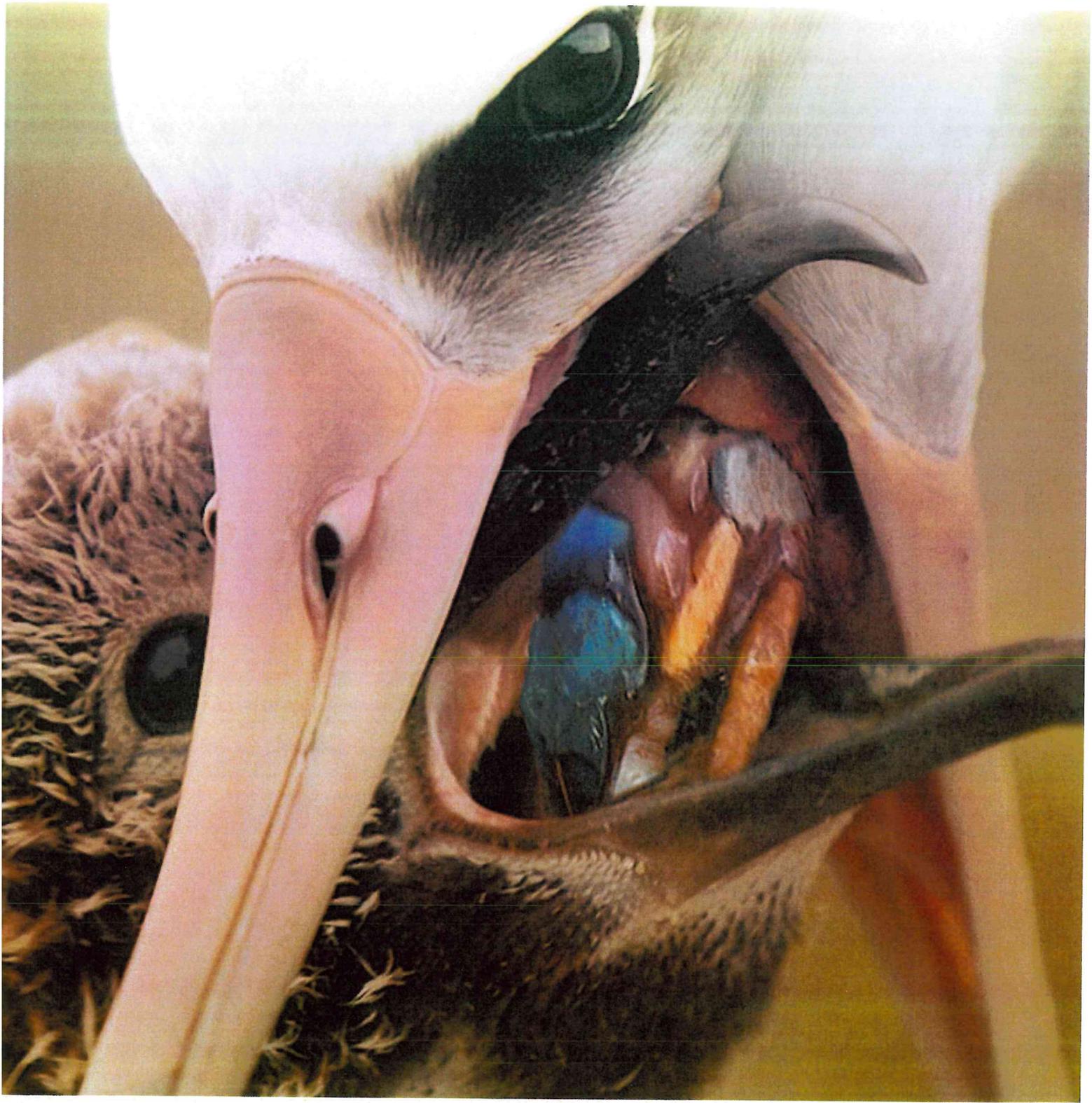
By repealing HB 407 and restoring local government control, you can allow Montana communities to be a part

of the solution to the plastic  
problem.

Please support HB 413.

Thank you.

EXHIBIT #3  
DATE 2-14-23  
UR HB 413



WITNESS  
STATEMENT

Good afternoon members of the Local Government committee. Thank you for this opportunity to speak to you today. My name is Liz Ametsbichler (spell). I also am here to ask you to vote YES on HB 413 to repeal HB 407.

I was born and raised in Montana and have a deep loyalty to my beloved state. Although I have traveled and lived in other states and other countries, I have always been thrilled to return to Montana. I inherited this passion from my parents, who (also) felt privileged to live here. My father was an evangelical minister who served churches around the state. The beauty of Montana enthralled mom and dad, and they believed that the Bible instructed MAN to be stewards of this beautiful place and take good care of it – to honor God. My father was also an avid fisherman. He fished as many trout streams and rivers as he could. He would turn over in his grave if he knew how polluted our pristine waterways have become with microplastics. He also would be appalled at the blatant disregard of stewardship with which we treat this one and only planet of ours, especially through plastic pollution. Plastics are not just an environmental eyesore scattered throughout the landscape, they also present an ominous and imminent danger to our health, especially as they break down and release toxicity into our air, our water, and our bodies. Please vote FOR HB 413 to repeal the current governmental overreach that prohibits local governments from regulating single-use plastic and thereby from guaranteeing their citizens the constitutional right to a “clean and healthful” environment.

Thank you.

E. Policies implementing and enforcing this constitution shall be by a majority vote of the Executive Board after consultation with the Representative Council.

F. A quorum for Executive Board meetings shall be seven (7) E.B. members. The Executive Board can conduct official business only if a quorum is present.

#### ARTICLE IV. MEMBERSHIP

A. Membership shall be consistent with the terms and conditions of the CBA. It is open to University of Montana faculty -- professional and paraprofessional employees -- and excludes only those designated as excluded in CBA 3.100 (Recognition).

B. Members who retire from their positions are eligible to continue as retired UFA members. Members who assume administrative positions that make them temporarily ineligible for membership may continue as members, but without privileges of voting or holding office.

C. Membership is accomplished and maintained by payment of dues consistent with the CBA and UFA policy.

D. There shall be three categories of members: UFA members, UFA supporters, and agency fee payers. Members may change categories consistent with the CBA and UFA policy.

1. **UFA members** shall pay the representation fee and all other dues and shall have full voting membership in the UFA. Members are eligible to serve as officers or Executive Board members or to serve on the MEA-MFT Representative Council.

2. **UFA supporters** are not members of UFA/MEA-MFT and shall pay the representation fee and all other dues and shall have voting rights for at-large positions on the Executive Board of the UFA. UFA supporters may serve on the Representative Council or as at-large-members of the Executive Board. Supporters are allowed to vote, along with members and agency fee payers, on the ratification of contracts.

3. **Agency fee payers** are not members of UFA/MEA-MFT and must identify themselves in writing to the UFA by September 30<sup>th</sup> each year. They will be assessed only the representation fee, calculated by subtracting the average percent of the "non-chargeable" expenses of the five previous calendar years from a given year's assessment. Agency fee payers have ~~voting rights only on the ratification of contracts,~~ and are not eligible to serve on the Executive Board or the Representative Council.

E. No person shall be barred from membership or the privileges thereof on the basis of race, sex, sexual preference, religious faith, or political activities or beliefs.

Thank you Mr. Chairman. My name is Isaac Cheek. I am a resident of Bozeman, and I am testifying on behalf of Cottonwood Environmental Law Center.

HB 413 is a clean fix to HB 407, a bill that unnecessarily restricted local governments from addressing plastic pollution in a way that accounts for unique regional differences.

Since the passage of HB 407, cities, towns, small businesses, citizen groups, and individuals from across the state have worked together to restore local decision-making power. HB 413 is the culmination of this effort.

Passing HB 413 would not take *any* power away from the state. With its passage, statewide plastic regulations would still be lawful and *welcome*. HB 413 simply allows for the state *and* local governments to tackle the issue of plastic pollution.

This is critical because it allows for solutions that account for different regional priorities.

For example: a UofM study found a significant presence of microplastics in Flathead Lake, as shown in the supporting documents I submitted. If an upstream community, like Kalispell, wishes to address this with a local ordinance, they should be allowed to. But the City of Hardin should not necessarily have to pass that same ordinance.

Local governments in MT *want* to address plastic pollution. The Billings City Council is in majority support of *this bill*. The City of Bozeman passed a resolution on December 20th, 2022, requesting the repeal of HB 407 so that they can address the plastic issue. The City of Missoula passed a similar resolution just last week.

Businesses and individuals across the state are speaking up for local decision-making power. You've heard from some of them today. When asked about HB 413 in a recent press release, Dale Sexton, Co-owner of Dan Bailey's Outdoor Company in Livingston, said:

***"As the co-owner of a small Montana business in the fishing industry, I support restoring power to local governments to protect the environment."***

Kelly Dean Wiseman, General Manager of Bozeman Community Food Co-op, said:

***"As a major employer in Bozeman, with over 200 employees, we expect our state government to recognize and honor local control to the greatest extent possible."***

HB 407, while well-intentioned, unnecessarily restricts local power. Now, you have the ability to restore this power, while still maintaining the state's right to take action on this issue. Cottonwood Law, standing alongside local governments, small businesses, healthcare professionals, and numerous citizen groups, strongly encourage you to vote in favor of HB 413.

Thank you for your time.