

Summer Magazine 2019

Montana Message by Brad Longcake

Greetings from Montana! These past few months have flown by in a flurry of activity. We came into the new year busy with preparations and meetings to be ready for the 66th Montana Legislative session and hit the ground running in January. Prior to the session, we began working with DEQ on the 2015 EPA rules that looked to make changes to a number of issues related to our owner operators. The most pressing was related to the low level sup testing methodology that our MT DEQ wanted us to utilize. This new standard would have had our locations having to test six inches above the highest penetration point. This did not fall in line with all of the work the PMAA and others had been working on to help provide an alternative method. The alternative method would allow us to test just six inches above the sump. Initially MT DEQ was not going to accept this option. Our executive group reached out to other states in regards to how each handles the issue, compiled the information, and went back to MT DEQ. It was not an easy undertaking but in the end we were able to convince DEQ to accept this alternative option. This was a significant financial win for our MPMCSA members across the state.

This year's session was the battle of the taxes for the MPMCSA. We faced a number of bills proposing local option tax, a plastic bag tax, a straw tax, numerous alcohol taxes, and fuel taxes. Tobacco sales were a hot topic with a number of bills proposing a ban on all flavored tobacco products. MPMCSA worked closely with DEQ on a number of programs, including proposed changes to water standards above and beyond what EPA requires. One of our biggest challenges of the session was a proposal initiated by DEQ to dismantle the petro board. Much like the song that will not end, it was the bill that would not die. The petro board is designed to be the mediator between the DEQ and the owner/operator. As you can imagine, eliminating the board would have been a major issue for our members. Prior to the board's creation, DEQ ran the program and it struggled financially. Today the board has a positive balance and continues to use a common sense approach to be financially responsible with the tax money collected from the people of Montana. We vigorously opposed this bill with significant input from members across the state.

We were able to defeat the efforts to eliminate the board but the large sum of money had drawn a lot of attention. The next wave of attack was to take the 5 million dollars and we had to defend the board and money five different times. Unfortunately, it was determined behind closed doors during the finance and claims process to allow DEQ to be given 1 million from the fund. This process did not allow for any stake holder input. The money is to be used to clean up releases, but now DEQ has the ability to spend it without the petro board input. We are working to get a legislative audit of the petroleum tank board program to help identify areas of strength and areas of improvement to help ensure that we do not have to fight this issue next session.

The petro board fight came down to the 11th hour of the session but fortunately the legislature went home and now we are moving on to more enjoyable business. We enjoyed getting together with all of our fellow marketers and association partners at our convention and trade show. We had a great lineup of speakers. We had golf and shooting for anyone who wanted to participate, and a 4-wheeler was given away again. The winner will be announced in the upcoming Fall magazine.

This session was a great reminder of the value that MPMCSA brings to its members. We continue to ensure that the rights of our members are put at the forefront of these issues. I will continue to engage our legislative members in the interim to build relationships in order to ensure that our voice is heard. There will continue to be issues, but with a proactive approach and our hyper vigilante interactions, we continue to put our members at an elevated position when it comes to all issues that affect the MPMCSA.

Brad Longcake
MPMCSA Executive Director