

OFFICE OF THE GOVERNOR
STATE OF MONTANA

GREG GIANFORTE
GOVERNOR



KRISTEN JURAS
LT. GOVERNOR

May 2, 2025

The Honorable Brandon Ler
Speaker of the House
State Capitol
Helena, MT 59620

The Honorable Matt Regier
President of the Senate
State Capitol
Helena, MT 59620

Dear Speaker Ler and President Regier:

Montanans don't take kindly to federal overreach, and I'm proud we've consistently stood up against it. As state government, we should be consistent, actively avoiding such overreach here in Montana. Our state should remain a sanctuary for freedom and free enterprise, and let high taxes, high spending, and hyper-regulation remain a feature of deep blue, progressive states.

Such states – like Oregon, Washington, California, and New York, among others – have banned Styrofoam containers, as have Seattle, New York City, and Berkeley, California.

That costly, big-government mandate has reared its head with House Bill 477, which is textbook government overreach. Frankly, I was surprised to receive House Bill 477 which dictates to restaurants, food establishments, bakeries, resorts, hotels, and others what they can and can't use to package food and drinks.

There are at least a few problems with the legislation. First, banning Styrofoam containers, as House Bill 477 seeks to do, will increase costs for restaurants and consumers, which we should avoid given the affordability crisis Montanans and all Americans face. According to estimates, nearly 7,500 Montana establishments would be hit by this mandate and face higher costs.

Second, House Bill 477 grows government by requiring the Montana Department of Environmental Quality to set up a new government program to ban Styrofoam containers for food and beverages, costing Montana taxpayers about \$300,000 over the next four years. I'd prefer to keep government limited, not grow it unnecessarily.

Finally, if policymakers are trying to get rid of Styrofoam, which I'm not, why only target restaurants and food-service establishments? Why not packaging supplies? Though I'm not advocating such an approach, targeting one industry that uses Styrofoam and not another seems inconsistent with the purported purpose of House Bill 477.

On an unrelated but personal note, I don't mind Styrofoam containers. They're lightweight and insulate well, keeping hot food hot and cold food cold. I'll gladly take a cup of coffee in a Styrofoam cup.

Ultimately, whether to use Styrofoam for take-out orders, packaging leftovers, or providing pre-packaged foods should be a matter for a restaurant or a consumer to decide – not the state. The free enterprise system works. We should let it work, not have the heavy hand of big government unnecessarily meddle with it.

Therefore, in accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby veto House Bill 477: "AN ACT ELIMINATING THE USE OF STYROFOAM IN FOOD-RELATED BUSINESSES; PROVIDING EXEMPTIONS; REQUIRING FEES FOR EXEMPTION APPLICATIONS; PROVIDING RULEMAKING AUTHORITY; AUTHORIZING USE OF ACCOUNT; PROVIDING DEFINITIONS; AMENDING SECTION 75-10117, MCA; AND PROVIDING AN EFFECTIVE DATE."

Sincerely,

A handwritten signature in blue ink, appearing to read "Greg Gianforte", is written over a printed name and title.

Greg Gianforte
Governor

Enclosure

cc: Legislative Services Division
Christi Jacobsen, Secretary of State