

Montana Conservation Community
Legislative Hotlist, House of Representatives
Week 11: Mar. 16 – Mar. 21, 2009

Feature bills- Support energy efficiency:

HB 641, Energy efficiency weatherization standard, Rep. Art Noonan (D-Butte). This measure is a common-sense solution to rising energy costs and economic pressures facing Montanans. The bill requires major gas and electric utilities serving more than 20,000 customers to study potential energy savings throughout their systems by 2020; set biennial goals for reducing energy through 2020; implement all cost-effective measures; and pay into a low-income energy services program fund if the goals are not met. If implemented, Montana rate-payers will save more than \$140 million by 2020. FRET, 03/23/2009, 3pm, Rm 172. Anne Hedges, MEIC, 461.9546, ahedges@meic.org, or Chuck Magraw, NRDC, 449.3375, c.magraw@bresnan.net.

HB 645, Appropriate federal stimulus money, Rep. Jon Sesso (D-Butte). This bill should be amended to designate \$20 million for energy efficiency improvements in K-12 school facilities. This is one of the best ways that we can utilize stimulus money to create jobs and provide ongoing financial benefits in the form of reduced energy bills for schools. Joint Appropriations Subcommittee on Education, pending committee vote. Contact Matt Leow, Northern Plains Resource Council, 396.1766, or matt@northernplains.org.

HB 646, Montana High Performance Schools and Economic Stimulus Act, Rep. Wanda Grinde (D-Billings). This bill creates an energy efficiency program for Montana K-12 schools, and will ensure that Montana get the biggest bang for buck from stimulus dollars spent on energy efficiency in schools. House Appropriations, 3/18/09, Rm 102. Contact Matt Leow, Northern Plains Resource Council, 396.1766, or matt@northernplains.org.

Also Support:

HB 254, Monitor and report on greenhouse gas emissions, Rep. Phillips (D-Bozeman). This bill requires the state to monitor and report on greenhouse gas emissions and develop a proposal that would reduce those emissions in Montana. Natural Resources, pending committee vote. Contact Matt Leow, Northern Plains, 396.1766, or matt@northernplains.org.

HB 413, Use coal tax to fund energy efficiency in public education facilities, Rep. Peterson (R-Billings). This bill allows the state to lend schools money from the coal tax trust (without "busting the trust") to address increasing energy efficiency gaps. Pending 2nd reading. Contact Matt Leow, Northern Plains, 396.1766, or matt@northernplains.org.

HB 425, Give public notice and hearings for oil/gas leases on state land, Rep. Pomnichowski (D-Bozeman). This bill requires the DNRC to notify the public before selling oil and gas leases, and improves transparency in oil and gas leasing on state land. The measure makes the locations of lease nominations public knowledge, requires notices of lease sales within affected counties, posts maps online, directly notifies potentially affected land-owners,

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and allows the option of a public meeting if local folks need more information. Pending 2nd reading. Contact Mark Aagenes, Montana Trout Unlimited, or 544.9265, or mark@montanatu.org.

HB 502, Establish carbon sequestration standards, Rep. Phillips (D-Bozeman). This bill creates carbon sequestration standards, requiring verification and monitoring to ensure that sequestration is done safely and effectively, and places liability with the developer. Unlike SB 66, this bill identifies the State and not the landowner as the owner of the pore space. This provision of the bill may be a point of contention for some landowners. Natural Resources, pending committee vote. Contact Matt Leow, Northern Plains, 370.3183, or matt@northernplains.org.

SB 200, Restrict phosphorus cleaning products in certain areas, Sen. Erickson, (D-Missoula). Phosphorus is a naturally occurring element, and an important nutrient for a healthy ecosystem. But too much phosphorus in our rivers and streams results in heavy algae blooms that harm water quality. This bill bans phosphorus-containing household cleaning products in the Clark Fork River basin, and sets up a framework for other counties voluntarily, or when DEQ releases water quality nutrient criteria standards. Natural Resources, 03/18/2009, 3pm, Rm 472. Contact Brianna Randall, Clark Fork Coalition, 370.5289.

SB 424, Control disposal of mercury thermostats, Sen. Barkus (R-Kalispel). HB 424 would prohibit the sale of thermostats in Montana that contained mercury after Jan. 1, 2010. It would require the manufacturers to establish a collection and recycling program for thermostats containing mercury. FRET, pending committee vote. Contact Linda Gryczan, Women's Voices for the Earth, 431.3635.

SB 437, Clarify fish pond licensure, Sen. Perry (R-Manhattan). This bill makes illegal the practice of using exempt wells as the water supply for licensed fishponds. FW&P, 03/17/2009, 3pm, Rm 152. Contact Mark Aagenes, Montana Trout Unlimited, 544.9265, or mark@montanatu.org.

SB 475, Require notice of oil or gas lease sale, Sen. Esp (R-Big Timber). This bill requires the DNRC to notify the public before selling oil and gas leases, and generally improves transparency in oil and gas leasing on state land. The measure makes the locations of lease nominations public knowledge, requires notices of lease sales within affected counties, posts maps online, and directly notifies potentially affected landowners. FRET, pending committee vote. Contact Mark Aagenes, Montana Trout Unlimited, 544.9265, or mark@montanatu.org.

Please oppose:

SB 257, Revise definition of renewable energy resource, Sen. Keane (D-Butte). The Renewable Energy Standard (Sen. Tester, SB 415, 2005) requires utilities to acquire 15% of their energy from renewable sources by the year 2015. It is successfully spurring the growth of the clean, renewable wind industry. This bill undermines the act by allowing the owners of large hydroelectric dams to retroactively count routine upgrades toward the requirements of the renewable energy standard, decreasing statewide incentives to develop new renewable

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sources. FRET, pending committee vote. Contact Matt Leow, Northern Plains, 406.393.1766, matt@northernplains.org or Anne Hedges, MEIC, 461.9546, or ahedges@meic.org.

SB 288, Require bond for challenge to natural resource development, Sen. Hinkle (R-Thompson Falls). This bill further weakens the ability of Montanans to protect private property from industrial activities that are not following the law. It raises the amount of a bond that the public would have to post to protest a permit issued and eliminates the courts ability to waive the bond "in the interest of justice." Judiciary, pending committee vote. Contact Anne Hedges, MEIC, 461.9546, or ahedges@meic.org.

SB 292, Revise coal severance tax, Sen. Gebhardt (R-Roundup). This bill revises the coal severance tax to reclassify auger mining as underground mining rather than strip mining, thereby reducing the taxable rate. This would result in a reduction in potential coal tax revenues to the state. Taxation, pending committee vote. Contact Matt Leow, Northern Plains, 393.1766, or matt@northernplains.org.

SB 417, Revise environmental impact laws, Sen. Keane (D-Butte). This bill destroys the Montana Environmental Policy Act (MEPA), the state's premier vehicle for citizen participation and environmental review. It eliminates the ability to sue under MEPA, and declares that the environmental reviews (EA and EIS) resulting from MEPA cannot be used by the very agencies that write them to inform decisions. Furthermore, the bill shifts the purpose of the act entirely, and insists environmental reviews are only meant to inform the legislature, wasting taxpayer money to complete now useless environmental review. FRET, 03/18/2009, 3pm, Rm 172. Contact Janet Ellis, Montana Audubon, 431.9157 or jellis@mtaudubon.org.

SB 440, Exempt air quality permits from MEPA review, Sen. Gebhardt (R-Roundup). This bill exempts all air permits from having to comply with the Montana Environmental Policy Act. If air permits are exempt from the MEPA many of the most significant impacts from a project would not be disclosed to the public. FRET, pending committee vote. Contact Anne Hedges, MEIC, 461.9546, or ahedges@meic.org.

SB 481, Exempt economic stimulus projects from MEPA, Sen. Barkus (R-Kalispell). Shovel ready projects should be non-controversial, and ready to roll. If they are ready for action today, they've already been through environmental review. This measure may encourage projects that exclude the public from participation, or projects without environmental review. FRET, pending committee vote. Contact Anne Hedges, MEIC, 461.9546, or ahedges@meic.org.

This hotlist is compiled by Montana Conservation Voters (contact Sarah Cobler, 581.2284 or sarah@mtvoters.org) as an educational service to lawmakers and citizens, weekly tracking key conservation-related legislative actions.