

**Montana Conservation Community**  
**Legislative Hotlist, House of Representatives**  
Week 12: Mar. 23 – Mar. 28, 2009

**Feature bills- Support energy efficiency:**

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**HB 641, Energy efficiency weatherization standard**, Rep. Art Noonan (D-Butte). This bill was heard today, March 23<sup>rd</sup>, in the House energy committee with an amazing line up of supporters. The measure is a common sense solution to rising energy costs and economic pressures facing Montanans, and 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. The bill will be voted on by FRET soon, please call them and urge a "yes" vote. Contact 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. 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. 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, pending committee vote. Contact Matt Leow, Northern Plains Resource Council, 396.1766, or matt@northernplains.org.

**Also Support:**

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**HB 361, Create energy improvement districts**, Rep. Wiseman (D-Bozeman). This bill authorizes cities and counties to establish Energy Improvement Districts in order to make loans to property owners for energy efficiency and renewable energy upgrades. It creates jobs, reduces energy bills, and diminishes the environmental impact of energy consumption. Local Government, pending committee vote. Contact Linda Gryczan, NCAT, 431.3635

**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. Appropriation, pending committee vote. Contact Matt Leow, Northern Plains, 396.1766, or matt@northernplains.org.

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## Please support, continued

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**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 algal 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. Pending 2nd reading. 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 of 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. Fish and Game, pending committee vote. 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:

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**HB 575, Redefine polluted coal bed methane water as "production water,"** Rep. McChesney (D-Miles City). This bill would threaten senior water rights holders. It overturns a recent district court decision that found there are only two types of water -- groundwater and surface water -- not a third category of "produced" water that the coal bed methane companies claim is theirs to do with what they want in the process of bringing methane to the surface. Natural Resources, pending committee vote. Julia Page, Northern Plains, 223.9923, or julia@northernplains.org.

**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.

## **Please oppose, continued**

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**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. Pending 2nd reading. 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, pending committee vote. 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.*