Montana House Conservation HOTLIST Week 13: April 1st, 2019

Please Support:

**SB 24**, Increase optional light motor vehicle registration fee for parks and recreation, Sen. Terry Gauthier (R-Helena), H-Fish, Wildlife & Parks, Support. This bill would increase funding for trails and outdoor recreation by increasing the voluntary motor vehicle registration donation from six to nine dollars to generate an additional estimated $1.8 million for trails, State Parks, and fishing access sites. Contact Noah Marion, Montana Wilderness Association, 406.624.9622, nmarion@wildmontana.org.

**SB 191**, Allow counties to establish a coal trust fund, Sen. Duane Ankney (R-Colstrip), H-Energy, Support. The bill would allow counties to set aside revenue from coal extraction to help cover eventual costs of transition. Contact Anne Hedges, MEIC, 406.461.9546, ahedges@meic.org OR Cody Ferguson, Northern Plains Resource Council, 509.845.9309, cody@northernplains.org.

**SB 245**, Establish commercial property assessed clean energy program, Sen. Mary McNally (D-Billings), Transmitted to Second House, Support. Montana businesses and organizations often face high utility bills due to old or inefficient structures in need of efficiency upgrades but the upfront cost of these upgrades can pose a financial challenge. SB 245 offers a Commercial Property Assessed Clean Energy (C-PACE) program to overcome this financing gap, generating economic development and jobs and saving money in the long run and allows property owners can make energy and water efficiency upgrades to their properties using 100% upfront financing from private capital lenders who opt-into the program. C-PACE financing uses the same system we use to finance streetlights, sidewalks, parks – as an assessment on the annual property tax bill. The program allows finance terms for up to 20 years, so property owners are cash flow positive from the start. This is a voluntary program. Contact Cody Ferguson, NPRC, 509.845.9309, cody@northernplains.org.

**SB 337**, Revise income tax credit for alternative energy generation, Sen. Jeffrey Welborn (R-Dillon), Transmitted to Second House, Support. Existing hydro dams that do not currently have electricity generators would be granted access to an existing tax credit for installing electricity generators. Contact Brian Fadie, Montana Environmental Information Center, 406.210.7591, bfadie@meic.org.

**HJ 38**, Interim study of bonding and decommissioning for energy resources, Rep. Daniel Zolnikov (R-Billings), House Floor 2nd Reading 4/1, Support. HJ 38 calls for a study of existing laws related to bonding, decommissioning, and reclamation for power plants in Montana of all fuel types. Contact Brian Fadie, MEIC, 406.443.2520, bfadie@meic.org.

Please Oppose:

**SB 48**, Revise variances to water quality standard, Sen. Tom Richmond (R-Billings), H-Natural Resources, Oppose. SB 48 would allow DEQ to write rules and grant variances to polluters that are not complying with water quality standards. Although the bill was drastically amended in Senate Natural Resources, it’s still missing important side-boards that would guarantee the public has meaningful input into the rules or the issuance of the variances by DEQ. Contact Anne Hedges, MEIC, 406.461.9546, ahedges@meic.org.

**SB 68**, Remove residency requirements for aerial hunting permits, Sen. Bruce Gillespie (R-Etheridge), H-FWP, Oppose. This bill removes the residency requirement for pilot participation in the state’s aerial predator control program. This program licenses between 16-24 pilots a year. This bill was amended to make sure animals not classified as predators, like grizzly bears and wolves are not affected. Contact Betsy Bradborg, Sierra Club, 406-437-1762, betsy@sbslink.com.

**SB 93**, Require decommissioning and bonding for certain solar, Sen. Tom Richmond (R-Billings) H-Energy, Oppose. SB 93 only requires solar power plants to post decommissioning bonds, not coal or gas power plants. Last session a bill passed that only targeted wind energy with this requirement. Now this bill only targets solar. Yet coal and gas power plants, which create far more pollution, do not have this requirement. SB 93 does not actually accomplish the intended goal of seeing power plants decommissioned and the sites reclaimed. Coal and gas plants must be included. Contact Brian Fadie, MEIC, 406.443.2520, bfadie@meic.org.

**SB 199**, Prohibit PSC from altering certain contract lengths, Sen. Tom Richmond (R-Billings), H-Energy, Oppose. This is another bait-and-switch bill that would allow NorthWestern Energy to overcharge its customers.
without PSC oversight. The bill is stated to be about contract lengths with small scale renewable developers but explicitly excludes them. It is really a ploy to force the PSC to pass along NorthWestern’s imprudent costs of any of its power plants, including but not limited to the Colstrip plant. Contact Brian Fadie, Montana Environmental Information Center, 406.210.7591, bfadie@meic.org.

SB 252, Revise Major Facility Siting Act Amendment Process, Sen. Duane Ankney (R-Colstrip), H-Energy, Oppose. This bill would allow the owners of the Colstrip plant to avoid going through a public process and obtain coal from a mine other than the neighboring Rosebud mine, thereby increasing costs, decreasing revenue to the state of Montana and its workers, and importing coal from Wyoming. Contact Anne Hedges, MEIC, 406.461.9546, ahedges@meic.org

SB 299, Generally revise laws related to sage grouse conservation, Sen. Mike Lang (R-Malta), H-Natural Resources, Oppose. SB 299 represents the first major legislative attempts to gut the sage-grouse Stewardship Act. This bill would exempt certain current land-uses from provisions of the plan, lower the bar for mitigation plan approval, reduce the mitigation value of conservation easements and add a number of oversight team reporting requirements. The bill requires the program to balance economic incentives with conserving sage-grouse for each independent project, losing focus of the big picture - balancing sage-grouse conservation with the state-wide socioeconomic impact of a potential Endangered Species Listing. Contact Amy Seaman, MT Audubon, 406.210.9449, aseaman@mtaudubon.org or Whitney Tawney, Montana Conservation Voters, 406.254-1593, whitney@mtvoter.org

SB 300, Generally revise property laws to protect property rights, Sen. Kenneth Bogner (R-Miles City), H-Judiciary, Oppose. SB 300 would create a basic right to use property. This is a broad expansion of property rights that could result in a new takings claim. Amendments could fix the bill but if they aren’t applied, the bill should be defeated. Contact Anne Hedges, MEIC, 406.461.9546, ahedges@meic.org

SB 329, Allow for extension of state coal leases, Sen. Tom Richmond (R-Billings), H-Natural Resources, Oppose. SB 329 would require the state to extend the lease for the Otter Creek coal mine for another decade. The extension would deprive the state of the revenue that a new lease would require. A similar bill was vetoed by Gov. Bullock in 2017. Contact Cody Ferguson, NPRC, 509-845-9309, cody@northernplains.org

SB 331, Establish the Montana energy security act, Sen. Tom Richmond (R-Billings), Transmitted to Second House, Oppose. SB 331 may be a different bill number than Richmond's SB 278, but it's exactly the same concept. This bill gives NorthWestern Energy control over the amount of money its customers would be forced to pay for the Colstrip power plant. SB 331 bypasses the normal oversight of the Montana Public Service Commission and allows NorthWestern to pass on to customers all remediation and decommissioning costs for its existing and any new interest in the Colstrip plant, along with $40 million in whatever costs NorthWestern desires for an increased ownership share of the plant. Contact Anne Hedges, MEIC, 406.461.9546, ahedges@meic.org

HB 722, Allow transfer of hard rock mining permit, Rep. Steve Gunderson (R-Libby), House Floor 3rd Reading 4/1, Oppose. Allows the Department of Environmental Quality to use remediation bonds at hardrock mines to be used for things other than remediation. The bill says that DEQ can use remediation bonds for "maintenance, monitoring, and other actions," rather than requiring increased bonds to cover those ongoing activities at the mine. This bill will deplete funding available for actual remediation work. Contact Derf Johnson, MEIC, djohnson@meic.org, 406.581.4634.

HB 764, Generally revise electric vehicle laws, Rep. Denley Loge (R-St. Regis), House Floor 3rd Reading 4/1, Oppose. HB 764 puts a $100 annual additional fee on electric vehicle registrations and $40 on plug-in hybrid electric vehicles. At last estimate there were less than 500 electric vehicles in Montana, putting this technology squarely in the very early adopter phase. These vehicles help reduce local air pollution across Montana, but HB 764 makes no account of these benefits. Contact Brian Fadie, MEIC, 406.443.2520, bfadie@meic.org.

The Weekly Hotlist is published as an educational service to lawmakers and citizens by the Conservation Working Group, comprised of the organizations listed below. Contact Alex Rich, Montana Conservation Voters at 406.254.1593 ext. 2.