

## Montana House Conservation Hotlist Week 6: February 8, 2021

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### Please Support:

**HB 99, Revise laws related to utility preapproval, Rep. Denise Hayman (D-Bozeman), House Energy, Executive Action, Support.** Endorsed by the Energy and Telecommunications Interim Committee, this bill would eliminate utility pre-approval. Unlike most utilities, NorthWestern can ask the Montana Public Service Commission to approve the purchase of an electricity generating resource (such as did with the hydroelectric system or gas plants) and pass all of the costs and risks on to customers instead of allowing its shareholders to bear the initial risk. This creates a disincentive for the utility to do its due diligence on whether a generating resource is a sound investment. Instead, the utility can shift the burden to the PSC who has a short review timeframe and insufficient resources leaving customers to bear the risk of a potentially uneconomic investment. *Contact Anne Hedges, MEIC, at 461-9546 or [ahedges@meic.org](mailto:ahedges@meic.org).*

**HB 182 - Revising laws related to utility deadband mechanisms, Rep. Laurie Bishop (D-Livingston), House Energy, Executive Action, Support.** HB 182 would change the amount of money NorthWestern Energy could collect from customers when it fails to accurately project its expenses. The bill would amend a grossly unfair law that allows NorthWestern to collect 90% of the costs above its projected costs from customers and only requires the company's shareholders to pay 10%, thus eliminating the impetus for the utility to make accurate projections. HB 182 would allow the Public Service Commission to determine how much an electric utility must absorb for cost overruns instead of passing those costs onto customers. *Contact Anne Hedges, MEIC, at 461-9546 or [ahedges@meic.org](mailto:ahedges@meic.org).*

**SB 59, Revise laws related to integrated least-cost resource planning, Senator Mary McNally (D-Billings) House Energy, Hearing 2/08, Support.** SB 59 would allow utilities to submit Resource Procurement Plans every two or three years instead of the current legal requirement to do so every three years. This bill helps Montana Dakota Utilities coordinate its resource planning with the requirements of other states. *Contact Conor Ploeger, MEIC, at 443-2520 or [cploeger@meic.org](mailto:cploeger@meic.org).*

**HB 265, Phase out use of styrofoam in food-related businesses, Rep. Marilyn Marler (D-Missoula), House Business and Labor, Hearing 2/09, Support.** HB 265 will phase out the use of styrofoam for food-related business in Montana throughout the next five years. Starting in 2024, restaurants will have to stop using styrofoam to serve food and beverages. In 2025, restaurants, resorts, and hotels will have to stop using styrofoam for to-go boxes or pre-packaged food. And in 2026, food packaging plants will have to stop using styrofoam. *Contact Conor Ploeger, MEIC, at 443-2520; [cploeger@meic.org](mailto:cploeger@meic.org) or Ruben Castren, MontPIRG, at 406-212-2557 or [ruben@mtpirg.org](mailto:ruben@mtpirg.org).*

### Please Oppose:

**HB 170 - Revise laws to include renewable hydrogen, Rep. Tom Welch (R-Dillon), House Taxation, Executive Action, Oppose.** HB 170 would dramatically lower the tax rate for any facility that uses "green hydrogen." Green hydrogen means that the hydrogen was formed using renewable energy technology. However, HB 170 gives the extremely low property tax rate of 1.5% of market value to any gas-fired power plant that uses as little as 8% hydrogen meaning that a plant that burns 92% gas would qualify for the 1.5% tax rate. *Contact Anne Hedges, MEIC, at 461-9546 or [ahedges@meic.org](mailto:ahedges@meic.org).*

**HB 224 - Allow for the snaring of wolves in Montana by licensed trappers, Rep. Paul Fielder (R-Thompson Falls), Second Reading Oppose.** This bill would require that Montana Fish, Wildlife and Parks allow the use of snares for wolf trapping. It would cause problems with unintended catch of native wildlife species, be problematic for hound hunters pursuing mountain

lions, and is unnecessary micro-management of Montana FWP. *Contact Nick Gevock, MWF, at 533-9432 or [ngevock@mtwf.org](mailto:ngevock@mtwf.org)*

**HB 245 - Revising electricity supply resource procurement approval, Rep. Larry Brewster (R-Billings), House Energy, Executive Action, Oppose.** HB 245 is an anti-consumer bill that would make it easier for NorthWestern Energy to overcharge customers. The bill increases the burden on the Public Service Commission when it decides whether NorthWestern Energy can charge customers for expensive electricity generating resources such as pricey new gas plants (or five). The bill shortens the timeframe for the PSC to make that decision. These fundamental shifts put consumers in the crosshairs of higher electricity rates in order to benefit NorthWestern's shareholders. *Contact Anne Hedges, MEIC, at 461-9546; or [ahedges@meic.org](mailto:ahedges@meic.org) or Makenna Sellers, NPRC, at 406-850-4491 or [makenna@northernplains.org](mailto:makenna@northernplains.org).*

**HB 273 - Eliminate restrictions on nuclear facility development, Rep. Derek Skees (R-Kalispell), House Energy, Hearing 2/08, Oppose.** HB 273 will repeal laws pertaining to the Major Facility Siting Act. Under the Act, voters have to approve or reject a proposed nuclear facility and HB 273 will repeal that language. Repealing this language severely weakens the public's say in whether or not Montana pursues nuclear energy, and, instead, forces Montanans to deal with the repercussions whether they want the nuclear facility or not. *Contact Conor Ploeger, MEIC, at 443-2520 or [cploeger@meic.org](mailto:cploeger@meic.org).*

**SB 115 - Establish acquisitions requiring land board consideration, Senator Keith Regier (R-Kalispell) House Fish Wildlife and Parks, Hearing 2/09, Oppose.** This bill would require that conservation easement paid for by hunters under the Habitat Montana program go to the state Land Board for approval. It adds bureaucracy, creates uncertainty for ranch families who want to protect their ranches and provide public access, and will result in far fewer easements extending public access. *Contact Nick Gevock, MWF, at 533-9432 or [ngevock@mtwf.org](mailto:ngevock@mtwf.org)*

**HB 241 - Revise hunting laws relating to tribal boundaries, Rep. Joe Read (R-Ronan) House Fish Wildlife and Parks, Hearing 2/09, Oppose.** HB 241 will revise laws related to Tribal hunting boundaries, by opening fee title lands within Montana Indian Reservations to the public for hunting. Posed as an effort to increase public access to hunting opportunities, this idea will actually reignite previously litigated issues about who has access to hunt on fee title lands. Tribal members have this express right, and have worked with state agencies already to allow access. This bill will damage previous collaborations between Montana's sovereign Tribal Nations and our state agencies. *Contact Amy Seaman, MT Audubon, at 406-210-9449 or [aseaman@mtaudubon.org](mailto:aseaman@mtaudubon.org).*

**HB 320 - Prohibit sales of federal land transferred to Montana, Rep. Steve Gunderson (R-Libby) House Natural Resources, Hearing 02/08, Oppose.** - *Contact Nick Gevock, MWF, at 533-9432 or [ngevock@mtwf.org](mailto:ngevock@mtwf.org)*

**SB 53, Revise permitting laws for rock products mining, Senator Jeff Welborn (R-Dillon) Senate Natural Resources, Second Reading, Oppose.** This bill would exempt the permitting of decorative rock quarries from having to conduct an environmental review under the Montana Environmental Policy Act. Currently, rock quarries are permitted under the Hardrock Mining Reclamation Act, and are often evaluated under a "checklist" environmental assessment to assure that the environmental consequences of the proposal are fully considered. *Contact Derf Johnson, MEIC, at 406-443-2520 or [djohnson@meic.org](mailto:djohnson@meic.org)*

**Bad Hunting Bills - Oppose.** Several bills are proposed that will micro-manage Montana Fish, Wildlife and Parks, put things in state statute that should be under the state Fish and Wildlife Commission, and favor certain hunters over others. They include: **HB 242, Establish a muzzleloader heritage season, Rep. Caleb Hinkle, R-Belgrade; HB 225, Establish wolf trapping season dates, Rep. Paul Fielder, R-Thompson Falls.**

*The Weekly Hotlist is published as an educational service to lawmakers and citizens by the Conservation Working Group, composed of the organizations listed below. Contact Jake Brown, Montana Conservation Voters at 406-855-7821 or Whitner Chase, Montana Conservation Voters at 407-235-8203.*

*\* Clark Fork Coalition \* Environment Montana \* Montana Audubon \* Montana Conservation Voters \* Montana Environmental Information Center (MEIC) \* Montana Public Interest Research Group (MontPIRG) \* Montana Wilderness Association \* Montana Wildlife Federation \* Northern Plains Resource Council \* Montana Smart Growth Coalition \**