

### Please Oppose:

**SB 86 - Generally revise obligations and conditions for property impacted by coal, Sen. Duane Ankney (R-Colstrip), Senate Energy, Oppose.** The bill would create a new government program to heavily penalize Colstrip owners who must transition to cleaner energy by requiring them to pay DEQ for all potential residential and commercial property value reductions across the state that could be attributed to the closure or pending closure of Colstrip. It also tries to force the transfer water rights and water infrastructure to the town of Colstrip regardless of water rights law or availability of other options for the town to obtain water. *Contact Anne Hedges, MEIC, at 461-9546 or [ahedges@meic.org](mailto:ahedges@meic.org)*

**SB 176 - Generally revise laws related to coal, coal tax, and coal-fired unit remediation, Senator Brad Molnar (R-Laurel), Second Reading, Oppose.** SB 176 is a hodgepodge of Colstrip related issues that makes the future of the plant even more complicated and weakens bonding requirements for plant cleanup. It forces everyone getting coal trust money to sign a pledge to coal, likely violating free speech. It overrides the ownership contract that allows the owners to make joint decisions regarding financial investments at the plant, instead forcing the owners to invest even if they are no longer using the plant or find it uneconomic. *Contact Anne Hedges, MEIC, at 461-9546 or [ahedges@meic.org](mailto:ahedges@meic.org)*

**SB 323 - Generally revise Montana Administrative Procedure Act, Sen. Chris Friedel (R-Billings), Senate Finance and Claims, Oppose.** This bill would prohibit state agencies from adopting any rule if it may cost more than \$1 million to businesses. \$1 million is a very low threshold for rules that have widespread impact, impact hunting on private lands, or that require installation of pollution control equipment. Only the legislature would have the authority to adopt such rules, putting the executive branch, that is in charge of adopting rules, at the mercy of the legislative branch. This would increase political pressure and prevent agencies from implementing important programs including those that are required under federal law, such as the clean air act, the clean water act, solid and hazardous waste laws and so much more. SB 323 applies to all government rules including those at the Departments of Public Health and Human Services, Revenue, Business & Labor, Commerce, Fish Wildlife & Parks, Environmental Quality and others. *Contact Anne Hedges, MEIC, at 461-9546 or [ahedges@meic.org](mailto:ahedges@meic.org)*

**SB 379 - Generally revise coal-fired generation laws, Sen. Steve Fitzpatrick (R-Great Falls), Second Reading, Oppose.** This bill would cost NorthWestern customers well over \$1 billion to pay for Colstrip and would remove Public Service Commission oversight for all of NorthWestern expenditures in the plant for decades to come regardless of whether those costs are prudently incurred. *Contact Anne Hedges, MEIC, at 461-9546 or [ahedges@meic.org](mailto:ahedges@meic.org)*

**HB 448 - Increasing the cap on non-residential net metering systems, Rep. Joshua Kassmier (R-Fort Benton), Senate Energy, Oppose.** The bill was hijacked by Northwestern Energy and anti-solar interests. The original bill attempted to raise the cap for rooftop solar to help Montana's small businesses, schools, and libraries. HB448 received strong bipartisan support until Northwestern stepped in with its anti-solar agenda. As amended, the bill will ensure Northwestern can force the PSC to discriminate against solar owners and take money out of the pockets of Montanans. It will also take jobs away from Montanan's solar professionals by requiring solar owners to hire non-solar installers, who lack experience with these systems, to conduct operational and maintenance tasks. Montanans want to make their own decisions about solar energy, not have them dictated to them by the utility. *Contact Andrew Valainis, Montana Renewable Energy Association, at 401-965-5170 or [andrew@montanarenewables.org](mailto:andrew@montanarenewables.org)*

**HB 481 - Protect critical infrastructure, Rep. Steve Gunderson (R-Libby), Senate Judiciary, Oppose.** The bill would severely increase penalties for trespassing on or tampering with energy

## **Senate Conservation Hotlist, 04/05/2021**

infrastructure property, despite existing laws that cover trespassing and vandalization. HB 481 would have huge repercussions for farmers and ranchers with energy infrastructure on their land; if, for instance, a rancher backed into an exposed pipeline with a tractor, they could be liable for felony charges and extremely high fines. It could also threaten to bankrupt organizations deemed "guilty by association" for acts of vandalism that they did not cause. The bill intimidates Montanans from using their first amendment rights to peaceful protest with vague language and harsh reprimands. *Contact Makenna Sellers, NPRC, at 406-850-4491 or [makenna@northernplains.org](mailto:makenna@northernplains.org)*

**HB 498 - Clarify jurisdiction of board of oil and gas conservation, Rep. Steve Gunderson (R-Libby), Second Reading, Oppose.** HB 498 would make it more difficult for local governments to place reasonable sideboards and conditions on oil and gas development that occurs within a zoning district. Under citizen-initiated zoning, citizens are able to create bottom-up decisions regarding the future of their communities. This could take away the ability for local communities to place reasonable restrictions on oil and gas development, such as water quality protections, best practices for fire prevention, etc. *Contact Anne Hedges, MEIC, at 461-9546 or [ahedges@meic.org](mailto:ahedges@meic.org)*

**HB 527 - Require draft proposals before initiating a county zoning/planning board, Rep. Fiona Nave (R-Columbus), Second Reading, Oppose.** HB 527 is opposed by the MT Assn of Realtors, Montana Assn of Counties, MEIC; Citizens in Stillwater County. HB 527 would functionally eliminate citizen-initiated zoning (CIZ) districts for the entire state. These CIZ's have been used to protect property rights well over 100 times across the state from Ravalli County (that has 41 CIZ districts) to Richland County and many, many places in between. *Contact Anne Hedges, MEIC, at 461-9546 or [ahedges@meic.org](mailto:ahedges@meic.org)*

*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 \**