



## Things Are Heating Up

Until now the 2017 legislative session focused on attacking clean energy. Many legislators seem intent on preventing Montanans from powering their homes and businesses with solar energy, or on stopping development of Montana's outstanding wind resource. This approach will leave Montana "in the dust" as well as harm Montana's workers, tax revenue, businesses, home owners, and the environment. Unfortunately, the bad ideas don't stop there. Right now there are numerous bills to overturn important court decisions that protect clean water, to force government to pay for or eliminate regulations that decrease property values regardless of the need for the regulations, to decrease taxes and regulation on oil and gas development, and much, much more. We need your help to stop these bad ideas from becoming law!

But we are also fighting back. There are bills being introduced to move Montana toward cleaner energy and we need your help. Please make at least one call to your legislators and ask them to protect clean water, clean air, and clean energy, or better yet, make calls to your legislators on all of the bills listed in this issue and help us convince legislators and the governor that a clean environment is good for Montana. As always, more information on the 2017 Legislature can be found on our website at [www.meic.org](http://www.meic.org).



### Contact Gov. Bullock and the House Energy Committee, and Ask them to Block Bad Clean Energy Bills

There are many bad clean energy bills working their way through the legislature that would significantly harm clean energy development in Montana. You can leave a message for the House Energy, Technology, and Federal Relations Committee by calling **(406) 444-4800** and you can reach the governor by calling **(406) 444-3111**.

**SB 7** (Sen. Pat Connell, R-Hamilton).

**Status:** *Passed the Senate, hearing held in the House Energy, Technology, and Federal Relations Committee on 2/3.*

**Position:** *Oppose.*

This bill would to discriminate against net metering by saying that customers using net metering may not be cross-subsidized by other customers, despite the fact that many customers on the grid are currently subsidized by others. For example, customers in rural and remote areas require higher costs to provide service due to the extensive transmission and distribution lines that need to be built and maintained to provide service. Despite these higher costs, rural and remote customers pay the same rate as customers in densely populated urban areas who do not cost the grid as much to maintain.

**SB 78** (Sen. Keith Regier, R-Kalispell).

**Status:** *Passed the Senate, likely to be referred to the House Energy, Technology, and Federal Relations Committee.*

**Position:** *Oppose.*

This bill would direct the Montana Public Service Commission to create a new rate class for net metering utility customers by July 1, 2018 and would reduce the credit rate for net metering customers from the retail rate to an avoided cost rate. The legislature is establishing avoided cost, which is a specific methodology of determining rates. This should be left to the PSC, which has the expertise to make such determinations. This bill would make investing in and installing distributed renewable energy technologies impractical and could harm distributed renewable energy businesses in Montana.

**SB 102** (Sen. Pat Connell, R-Hamilton).

**Status:** *Passed the Senate, likely to be referred to the House Energy, Technology, and Federal Relations Committee.*

**Position:** *Oppose.*

This bill would place a 20-year maximum contract length on wind and solar

*continued over*

### Contact your legislators

#### Who are my legislators?

Visit [www.votesmart.org](http://www.votesmart.org), and search by address.

#### Online:

Visit [www.meic.org](http://www.meic.org) for profiles and contact information of every Montana legislator.

#### By Phone:

Leave a message for your legislator: **(406) 444-4800** between 7:30 a.m. and 5:00 p.m. Monday through Friday, and 8 a.m. until adjournment on Saturday.

#### By Mail:

Montana Senate  
P.O. Box 200500  
Helena, MT 59620-0500

Montana House of Representatives  
P.O. Box 200400  
Helena, MT 59620-0400

#### MEIC Bill Tracker:

Visit [www.meic.org](http://www.meic.org) for our legislative bill tracker. Our bill tracker provides you with up-to-date information on proposed legislation and the ability to contact sponsors, committee members, and the governor.



MEIC Lobbyists from left to right: Brian Fadie, Jim Jensen, Anne Hedges, Derf Johnson

**Capitol Monitor** is a publication of the Montana Environmental Information Center designed to keep members informed about environmental issues at the Montana legislature.

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projects trying to utilize a federal law that encourages alternative energy production. Clean energy project developers, as well as the Montana Bankers Association, testified they need 20-year minimum contracts in order to finance projects. Contracts greater than 20 years are standard in the energy industry. NorthWestern Energy requested and received a 25-year revenue guarantee when it built its Spion Kop wind farm in 2012. Independent power producers should receive equal treatment.

**Call your Representative and Ask Her/Him to Protect Our Water**

**HB 339** (Rep. Carl Glimm, R-Kila).

**Status:** *Passed the House on 2nd Reading, 66-34.*

**Position:** *Oppose.*

This bill would functionally overturn a Montana Supreme Court decision issued last year that protected Montana’s water resources and property rights from sprawl. The bill would re-open the exempt well loophole that the Montana Supreme Court wisely closed. It would give developers the right to put in wells for new subdivisions and take groundwater before those who are legally entitled to use that water first. It’s bad policy based on bad science and will deplete streamflows, undermine senior water rights, increase sprawl, and spark conflict among water users. It’s irresponsible, putting development before water security and fisheries. It’s unfair, letting subdivisions cut in line to grab water before everyone else – including those with senior rights. It’s also bad science, imposing arbitrary guidelines for water use in a state with complex hydrology and already over-allocated streams.

**Call your Senator and Ask Her/Him to Vote Against SB 98, a Radical Takings Proposal**

**SB 98** (Sen. Cary Smith, R-Billings).

**Status:** *Hearing held in the Senate Judiciary Committee on 1/27.*

**Position:** *Oppose.*

This bill is an extreme “takings” bill that would force state and local governments to pay property owners any time a regulation decreases the value of any portion of their property, regardless of whether the regulation is needed to protect public health, safety, and welfare. Similar measures have been defeated in previous sessions because these bills would prevent government from balancing the rights of one property owner against those who live downstream or downwind. The bill would require government to favor individual property owners regardless of the harm their actions may cause to their neighbors’ health or property values, or the community as a whole. For example, when the state closes a section of river because it’s too warm, or there is a danger of spreading diseases or invasive species such as mussels, the government could be asked to compensate lost revenue to landowners who profit from the fishing industry.

**Attend the Upcoming Solar Jobs Rally and Citizen Lobby Day**

There are two great ways to support clean energy. Come to the Citizen Lobby Day in Helena on Wednesday, February 22nd where there will be a focus on clean energy legislation. Then attend the Solar Jobs and Energy Freedom Rally happening on Thursday, February 23rd at noon in the Capitol Rotunda. Every voice will count at both events, so please attend both if you can. More information on both events can be found by visiting the Events Page at [www.meic.org](http://www.meic.org).



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