



## High Priority Half-Time Report

Legislators are heading into their mid-session break, but MEIC is still working hard to support clean energy, clean water, and clean air, and we need your help too! Please make a few telephone calls, send a few e-mails, or talk to your legislators – even though they are on break – and help us protect Montana’s environment.

You can leave a message for individual legislators, as well as House and Senate Committee members, by calling legislative services (406) 444-4800 from 7:30 A.M. to 5:00 PM. You can reach the governor by calling (406) 444-3111.

### Protecting Water

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

**Status:** *Passed the House, transferred to the Senate.*

**Position:** *Oppose.*

Perhaps the most troubling bill is HB 339. This bill would re-open a loophole that exempted residential wells in subdivisions from having to obtain water rights, and overturn a Supreme Court decision protecting Montana’s water resources and property rights. Developers would again be able to install wells that deplete stream flows, violate senior water rights, increase sprawl, and intensify conflicts among water users. It would be irresponsible to impose arbitrary guidelines for water use in a state with complex hydrology and already over-allocated streams.

**HB 455** (Rep. Forrest Mandeville, *R-Columbus*).

**Status:** *Passed the House, transferred to the Senate.*

**Position:** *Oppose.*

This bill would require the Department of Environmental Quality to rewrite its nondegradation water quality rules for subdivisions. Montana already has laws and regulations preventing pollution of high quality waters. The bill directs DEQ to establish exemptions to nondegradation rules for subdivisions, based on a predetermined arbitrary distance and appears to direct the Board of Environmental Review to adopt whatever rules DEQ develops.

**SB 48** (Sen. Chas Vincent, *R-Libby*).

**Status:** *Passed the Senate, scheduled for a hearing on March 10th in the House Natural Resources Committee.*

**Position:** *Oppose.*

There is no compelling need for Montana to assume jurisdiction over the Federal Clean Water Act’s Section 404 permitting program. However, SB 48 would direct the Department of Environmental Quality to take over the federal dredge and fill permitting program, currently overseen by EPA and Army Corps of Engineers. The bill would require the State to spend \$1.6 million annually.

**SB 28** (Sen. Chas Vincent, *R-Libby*).

**Status:** *Passed the Senate, transferred to the House.*

**Position:** *Oppose.*

The Montana Water Court was established and funded to adjudicate water rights in Montana. Its purpose is limited, but its job is immense. SB 28 would expand the Water Court’s duties beyond adjudication. This bill would allow a developer to avoid district court and instead have the Water Court rule on changes in the use of water rights, new ground water pumping applications, water right transfers, and new surface water right applications. The Water Court does not have the expertise or time to deal with these issues.

### 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.

**MEIC President:** Bob Gentry  
**MEIC Executive Director:** James Jensen

**meic**

P.O. Box 1184, Helena, MT 59624  
Phone (406) 443-2520  
FAX (406) 443-2507  
[meic@meic.org](mailto:meic@meic.org) ♦ [www.meic.org](http://www.meic.org)

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## Renewable Energy

**HB 205** (Rep. Alan Redfield, *R-Livingston*).**Status:** *Passed the House, scheduled for a hearing on March 9th in the Senate Highway and Transportation Committee.***Position:** *Oppose.*

This bill would impose annual fees on electric and hybrid vehicles to supposedly compensate the State for lost gas tax revenue for road maintenance. Hybrid vehicles already pay gas taxes with some vehicles getting as little as 21 miles per gallon. The fee is arbitrary and punitive.

**SB 7** (Sen. Pat Connell, *R-Hamilton*).**Status:** *Passed the Senate, awaiting action in the House Energy Committee.***Position:** *Oppose.*

This bill is an attack on Montana's homeowners and the state's burgeoning rooftop solar electricity industry. The bill would discriminate against net-metering customers (those who generate small amounts of electricity using renewable resources such as solar on their homes and businesses) by saying net metered systems cannot be subsidized by other users. The bill ignores the fact that the system is full of users who are subsidized by others, and the bill ignores the value that solar installations add to the system.

**SB 32** (Sen. Pat Connell, *R-Hamilton*).**Status:** *Passed the Senate and House, awaiting action by the Governor.***Position:** *Oppose.*

This bill would undermine Montana's Renewable Energy Standard by repealing the section of law that requires NorthWestern Energy to purchase a small portion of its electricity from community renewable energy projects, such as small-scale wind and solar projects. These projects help to diversify NorthWestern's portfolio, protect and create jobs, and provide economic benefits to communities across the state.

**SB 78** (Sen. Keith Regier, *R-Kalispell*).**Status:** *Passed the Senate, scheduled for a hearing on March 8th in the House Energy, Technology, and Federal Relations Committee.***Position:** *Oppose.*

This bill attacks solar energy development in Montana by mandating changes to rules set by Public Service Commission. It would mandate net metering credits be valued at avoided cost, a highly technical determination. It discriminates against net metering customers by adding a new, separate fee on net metering customers, ostensibly to cover utility infrastructure costs. These customers already pay this cost in the rates they pay for electricity purchased from the utility. Net metering customers would be paying twice for infrastructure.

**HB 219** (Rep. Zach Brown, *D-Bozeman*).**Status:** *Passed the House, transferred to the Senate.***Position:** *Oppose.*

This bill would require NorthWestern Energy to conduct a cost-benefit study of net metering by April 2018. The Public Service Commission would be able to use the results to make changes to the net metering program. But utility experts say a cost-benefit study should only be done when at least 1% of a utility's electricity needs are being met by net metering. Currently, net metering contributes only 0.07% of NorthWestern's electricity needs. A premature analysis will produce unreliable results. It is very concerning that NorthWestern, a monopoly utility that is aggressively hostile toward net metering, will be conducting the study.

RETURN SERVICE REQUESTED

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