



The Session's Over . . . but there's still One Thing for You to Do

This is the last issue of Capitol Monitor for the 2011 legislative session. It will be brief, because in two weeks you will be receiving MEIC's comprehensive end-of-session report in the May issue of Down to Earth. But we wanted to send you this summary while the Legislature was still fresh in your mind. And there is one more thing we hope you will do!

The highly contentious session came to an end last week. That means, finally, an end to some of the most egregious attacks on environmental laws we've ever seen – as well as an end to some of the silliest, most unconstitutional, and most mean-spirited bills in recent memory. Hundreds of bills were introduced to do everything from overriding the citizen-approved restrictions on nuclear power plants and cyanide heap-leach mining to gutting the Montana Environmental Policy Act and nullifying federal laws and authorities.

Thanks to your outpouring of telephone calls, e-mail messages, and letters to the editor, and your generous financial support for our lobbying effort, many of the worst bills were killed (see a partial list below). But some were simply impossible to stop. Fortunately, Governor Schweitzer vetoed bills weakening subdivision laws, changing renewable energy standards to include all hydropower, declaring State eminent domain over all federal land, and a very bad modification to State building codes.

But the Republican legislative leaders held on to at least 100 bills right until the very end of the session, to prevent the governor from issuing amendatory vetoes. Those bills are now sitting on the governor's desk awaiting his action in the next week.

So, despite the session having ended, **we must ask you one final time to contact Governor Schweitzer and urge him to veto these five bad bills:**

SB 233 (*Sen. Jim Keane, D-Butte*) Makes compliance with MEPA essentially voluntary

SB 253 (*Sen. Bob Lake, R-Hamilton*) Eliminates renewable energy and energy efficiency income tax credits for homeowners and businesses.

SB 306 (*Sen. Terry Murphy, R-Cardwell*) Significantly undermines the new voter-approved ban on cyanide heap leach mining.

SB 312 (*Sen. Chas Vincent, R-Libby*) Weakens both the law regulating hard rock mining and the Montana Environmental Policy Act.

SB 379 (*Sen. Alan Olsen, R-Roundup*) Effectively eliminates ability of counties to enact zoning.

"We're grateful for Governor Schweitzer's previous vetoes, but he needs to hear from as many Montanans as possible that a few more vetoes are necessary to preserve Montana's environment," said Anne Hedges, MEIC's lead lobbyist. "Since the Governor must act on the bills within 10 days or they become law, there's not a minute to lose."

You can contact the Governor:

By telephone: 406-444-3111.

By e-mail: governor@mt.gov

By online message form: www.governor.mt.gov/contact/commentsform.asp

By U.S. Postal Service mail: Box 200801, Helena, MT 59620.

CAPITOL MONITOR

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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Here are just a few of the bad bills that we helped to DEFEAT:

- HB 244** – would have repealed Montana’s renewable energy standard.
- HB 292** – would have added “and economically productive” to the Constitution’s “clean and healthful environment” clause.
- HB 326** – would have repealed the voter-passed initiative that requires a statewide vote on any nuclear power plant.
- HB 402** – would have prohibited zoning to limit gravel pits in residential areas.
- HB 434** – would have weakened CECRA (the State mini-Superfund law), decreased DEQ’s authority, and limited liability for polluters.
- HB 549** – would have declared global warming to be beneficial.
- HB 550** – would have declared that Montana’s authority took precedence over the EPA’s regulation of greenhouse gases.
- HB 593** – would have eliminated the State’s existing mercury emissions rules for coal plants
- SB 226** – would have greatly discouraged small-scale renewable energy development and net metering.
- SB 323** – would have allowed the legislature to overturn Montana Supreme Court decisions.
- SB 344** – would have require the State to pay whenever a government action or regulation decreased the value of private property.
- SB 383** – would have allowed illegal spot zoning.

One Final Word

The legislature, principally to take away the governor’s opportunity to veto them, has placed an unusually large number of referenda on future statewide ballots. One of them, which will be voted on in June 2012, is SB 268 (Sen. Joe Balyeat, R-Bozeman). This measure would require that Montana Supreme Court justices be elected by district. If enacted, it would significantly undermine the constitutionally mandated, and extremely desirable, independence of the judiciary branch of government.

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