Legislative Bulletin
Weeks 3 & 4 - February 1, 2019

New bills coming down the pipeline
Proposed laws would protect Montana from Keystone XL

This week, Senate and House committees heard bills regarding the Keystone XL pipeline. Separate bills were brought before the legislature by Fort Peck Senator Frank Smith (D-Poplar) and Representative Bridget Smith (D-Wolf Point) (no relation). Northern Plains stands in solidarity with the tribal communities threatened by the possible construction of the Keystone XL tar sands pipeline.

Both bills, **SB 97** and **HB 271**, would improve Montana’s pipeline siting and environmental review process to place more value on safety – mandating leak detection and safety valves – to protect our state’s water bodies. The bills also give more weight to our historical, archeological, and cultural assets.

Northern Plains member and Chair of the Water Commission of the Assiniboine and Sioux Tribes, Bill Whitehead, testified on behalf of Senate Bill 97 earlier this week.

A tireless proponent for the safety of Montanans, Whitehead says, “The Keystone XL Pipeline poses a direct threat to the water supply of the Assiniboine and Sioux Nations and the residents of Montana’s four northeastern counties—more than 30,000 people, including myself, my family and relatives whose lives are tightly woven with Earth’s water, air, land, and animals as part of our identity. That’s why I oppose the construction and operation of the Keystone XL pipeline.”

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- Bill Whitehead

C-PACE bill sponsor update

The legislature is always filled with twists and turns, and we’ll continually work to update you when any of those affect our A-priority bills. This week we want to say, “Thank you!” to Senator Kenneth Bogner (R-Miles City) for getting our **C-PACE** bill (**LC 1835**) through the important and tedious drafting process. He brought a thoughtful eye and made numerous helpful improvements.

Senator Bogner handed off C-PACE sponsorship this week to Senator Mary McNally (D-Billings). She will soon introduce the bill into the Senate and champion it the rest of the way.

Thank you, Sen. McNally, for all of the time and effort you have dedicated to getting C-PACE ready to cross the finish line!
LC 1273: MONTANA COUNTRY-OF-ORIGIN LABELING ACT

Sponsored by Sen. Al Olszewski, (R-Kalispell), this bill would restore country of origin labeling for beef and pork sold in Montana to give our ranchers and farmers a fair shake and give Montana consumers the information they want. LC 1273 would require that placards be placed in meat counters to inform consumers about where the meat was born, raised, harvested, and processed. The bill is in drafting—we expect it to be introduced and heard in the Senate Agriculture, Livestock and Irrigation Committee soon!

LC 1835: MONTANA COMMERCIAL PROPERTY-ASSESSED CLEAN ENERGY ACT

Sponsored by Sen. Mary McNally (D-Billings), this bill would provide business owners and agricultural producers access to 100% upfront financing to make energy efficiency and renewable energy improvements to their properties. C-PACE allows business and property owners to start saving money on their energy bills from day one. This bill is good for Montana businesses, promotes energy independence, and immediately addresses the impacts of climate change. C-PACE financing will be repaid through long-term loans (up to 20 years) through an assessment on the property. The bill is in drafting—we expect it to be introduced and heard in the Senate Energy and Telecommunications Committee soon.

HB 22: LEVEL THE PLAYING FIELD FOR RENEWABLE ENERGY

Sponsored by Rep. Laurie Bishop (D-Livingston), this bill would extend the contract length for renewable energy projects to 25 years to make them more competitive for inclusion in Montana’s utilities’ energy portfolios—a necessary step to encourage the transition to clean, renewable energy. HB 22 is expected to be heard in the House Federal Relations, Energy, and Telecommunications Committee soon.

HB 118: GET THE LEAD OUT...OF MONTANA’S PUBLIC SCHOOLS

Sponsored by Rep. Julie Dooling (R-Helena), this bill would create a grant program to pay for removing lead from the drinking water in Montana schools—an invisible but serious health threat to our children and our communities. We expect this bill to be heard in the House Natural Resources Committee soon.

HB 193: CARBON TAX FOR LARGE POLLUTERS

Sponsored by Rep. Mary Ann Dunwell (D-Helena), this bill would levy a $10/ton tax on carbon from sources emitting 25,000 metric tons or more of carbon every year and would use the revenue for economic development, fund health initiatives, and bolster the general fund. Taxing carbon would put powerful market pressures on power plants to reduce their carbon pollution and would be an important step forward in beginning to address climate change.

The bill had a lively hearing on January 31 in the House Taxation Committee. The committee will likely vote soon.

📢 TAKE ACTION: Contact the committee and tell them to vote yes on HB 193!

HB 271: REQUIRE OIL PIPELINES TO AVOID HERITAGE AND TRIBAL CULTURAL SITES

Sponsored by Sen. Bridget Smith (D-Wolf Point). Similar to SB 97, this bill would require a more thorough environmental review of proposed pipeline projects, but it goes one step further in requiring that pipelines be routed to avoid identified heritage and tribal cultural sites. This bill was heard in the House Natural Resources Committee on January 30.

SB 66: REQUIRE BETTER ENVIRONMENTAL REVIEW FOR OIL PIPELINES

Sponsored by Sen. Tom Richmond (R-Billings) and requested by the Department of Environmental Quality, this bill would improve the process by which the department reviews and enforces reclamation requirements for gravel pits. It would clarify what gravel pit operators are required to submit to the agency and tighten up the time frames for review of reclamation plans. This will save the state money and result in speedier reclamation, which is good for landowners who have gravel pits on their property and good for the environment.

This bill will be heard in the Senate Natural Resources Committee soon.
**BILL POSITIONS**

**BILLS WE SUPPORT (Cont’d)**

**SB 97: REQUIRE BETTER ENVIRONMENTAL REVIEW FOR OIL PIPELINES**

Sponsored by Sen. Frank Smith (D-Poplar), this bill would require a more thorough environmental review of major oil pipelines like the Keystone XL including evaluating impacts on heritage sites. This bill was heard in the Senate Natural Resources Committee on January 30.

**CONTACT YOUR LEGISLATORS**

**EMAIL:** Go to https://leg.mt.gov and click “Message a Legislator” on the right side of the page.

**PHONE:** Call (406) 444-4800 and leave a message for up to five legislators or for an entire committee.

**BILLS WE OPPOSE (Cont’d)**

**HB 203: TO ALLOW THE STATE OF MONTANA TO BUY AND RUN COLSTRIP POWER PLANT**

Sponsored by Rep. Rodney Garcia (R-Billings), this bill would allow the state of Montana to issue up to $500 million in bonds to buy and run the Colstrip coal-fired power plant. Investing in coal at a time when coal-fired generation is increasingly uneconomical and uncompetitive compared to natural gas, wind, and solar is irresponsible. It would leave Montanans yoked to the aging, expensive plant and shrinking market for coal-fired energy, and potentially on the hook for hundreds of millions of dollars in cleanup! This bill was heard in the House Energy, Telecommunications, and Federal Relations Committee on Monday, January 21.

**SB 28: TAX GIVEAWAY TO OIL COMPANIES**

Sponsored by Sen. Tom Richmond (R-Billings), this bill would keep the state tax rate for any oil produced through “enhanced oil recovery” (pumping carbon dioxide or other gases or chemicals in the ground to increase production in old and low-performing wells) at the low level of 5.8% vs. 9% or 12% even when the price goes over $54 a barrel. This is a giveaway to oil companies that deprives state coffers of much-needed funds. This bill was heard on January 11 in the Senate Taxation Committee. **The bill was passed out of committee and was debated by the full Senate the week of January 21.**

**📢 TAKE ACTION:** SB 28 is scheduled to be heard on February 5 in the House Taxation Committee. Call committee members and ask them to vote no on SB 28.

**SB 33: WOULD LIMIT THE PUBLIC’S RIGHT TO PARTICIPATE IN SUBDIVISION DECISIONS**

Sponsored by Sen. Tom Richmond (R-Billings), this bill would reduce transparency and public participation in the subdivision approval process for phased developments. It eliminates existing public hearing requirements in subdivision review and requires governing authority to certify a subdivision’s application for completeness within 20 days for each phase of development. This bill was heard by the Senate and Local Government Committee on January 16.

**BILLS WE OPPOSE**

**HB 144: WOULD KILL TAX CREDITS FOR ENERGY CONSERVATION AND SO MUCH MORE!**

Sponsored by Rep. Alan Redfield (R-Livingston), this bill would end tax credits that Montanans use to make energy conservation investments in their homes, as well as more than two dozen other tax credits. In addition to energy conservation, HB 144 would eliminate several other tax credits for landowners and businesses. HB 144 leaves other tax credits alone, including those involving capital gains and donations to churches and other tax-exempt groups. This bill was heard in the House Taxation Committee on Thursday, January 24.
Despite near-blizzard conditions, close to 100 members came out to voice their support for Clean Power for All in Montana. Attendees chanted, cheered, and raised hand-painted signs advocating for our flagship clean energy bill, Commercial Property-Assessed Clean Energy (C-PACE.)

Ed Gulick, Billings architect and chair of Northern Plains’ Clean Energy Task Force, closed the rally with these inspiring words, “C-PACE will create jobs, conserve energy, and save money for Montana! We can have true energy independence and genuine energy democracy in Montana. We can have Clean Power for All in Montana, but we must act now!”

Clean Power for All rally gets big turnout in midst of snowstorm

Rally-goers braved a strong winter storm and held up signs in support of C-PACE clean energy legislation at the Clean Power for All rally on January 23rd.

Photo by Tim Crawford
A PEN IS WORTH A THOUSAND SWORDS

Did you know? Letters to the editor (LTEs) are one of the most read sections of the newspaper!

LTEs are a fun, empowering way to get your point across – and if you need help, we’re happy to assist! We can help you frame your message in a way that demands attention—both from readers and legislators. Call our Communications Director, Dustin Ogdin, at (406) 248-1154, for guidance, editing, or general questions.

**STEP 1:** Select your subject matter. Letters need to be brief, so try keep your topic as narrow as possible—just one bill, for example.

**STEP 2:** Know your word limit. Most papers have a word limit of 250, but some are shorter, and some are longer. Call the paper(s) or Dustin to inquire.

**STEP 3:** Write your letter. Do not use sarcasm or irony – it doesn’t make sense to most readers. Be clear and concise. It is okay to borrow text from our bill descriptions. Write to an eighth grade reading level.

**STEP 4:** Sleep on it. You will always be able to make good adjustments to your own writing if you look at it again with fresh eyes.

**STEP 5:** Ask for editing. Editing should include both proof-reading for typos but also looking at the content: Is this clear? Is this persuasive? Be open to your editor’s suggestions.

**STEP 6:** Submit your letter – to as many papers as you want! Submitting it electronically leads to the most likelihood that it will get printed. You need to include your name and phone number, and usually your address. They will not print your full address but might print your town.

**STEP 7:** Receive a phone call from the paper verifying who you are and that you submitted that letter.

**STEP 8:** If you haven’t heard from the paper and your LTE hasn’t been printed, wait a week, then call to follow up and encourage them to print your letter.

**STEP 9:** When your letter prints, think about sharing it on social media, sending a copy of it to your legislator, and spreading it around in other ways.

**Step 10:** Rest easy knowing that you’ve performed a helpful civic duty 📝
SAVE THE DATE!

Join Northern Plains Resource Council and Red Lodge Call to Action for Citizen Lobby Training on Feb. 11 in Red Lodge. Learn how you can be an effective lobbyist and get your point across! Not only will this training teach you how to approach legislators and frame your message, but it will give you the confidence to go to Helena this session and make a difference on issues that matter to you.

We’re lucky to have direct access to our legislators here in Montana -- let’s take advantage of it! Citizen lobbying is one of the most powerful ways to shape legislation and, in turn, shape our future. We hope to see you there!

**Hot soup will be provided to those attending the training but please bring a side dish or dessert to share!**

Questions? Contact Sydney at (406) 248-1154 or email sydney@northernplains.org

SAVE PAPER, TIME AND POSTAGE

Send us your email address to receive our electronic Legislative E-Bulletin only, every Friday.

Send it to info@northernplains.org