

# Big Energy Pays US State Governments to Ban the Protest Movement From Banning Fracking

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[Susanne Posel: Investigative Headline News](#)

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Anti-fracking measures proposed in Colorado will not appear on the ballot for residents to vote on after they failed to garner the voter support necessary.

One of [the measures](#) “would have required new wells to be at least 2,500 feet from homes and schools” while the other would have provided local governments with the ability “to restrict or ban energy development”.

The proposals required 98,492 signatures, but supporters fell just short of the signatures needed. [Ryan Hughes](#), president of Localized Strategies and leader of the signature petitions, said they might ask the Colorado Secretary of State to review disallowed signatures.

The Colorado Secretary of State [claimed that](#) the petitions “contained potential forgeries”; including three signatures provided “by a circulator named Sdeed Merghani”.

The petitioners [said](#) they “filed more than [the necessary] amount”.

Industry response to this failure resulted in energy corporation’s stocks getting a sudden spike on the stock market.

Journalist Jeff Daniels [explained](#) : “Synergy Resources gained nearly 4 percent on the day, while Bill Barrett Corp. rose more than 4 percent. Also, PDC Energy and Noble Energy climbed 2 percent and about 1.8 percent respectively.”

In states where oil and natural gas is a profitable export, there has been a trend by capitol governments to prevent residents from banning fracking.

Last year, Texas Governor Gregg Abbot made it illegal for residents of any city in the state to ban hydraulic fracturing (fracking) practices with the signing of [House Bill 40](#).

Abbott claimed the ban on the fracking ban does “profound job of helping to protect private property rights,” ensuring that “those who own their own property will not have the heavy hand of local government deprive them of their rights. HB 40 strikes a meaningful and correct balance between local control and preserving the state’s authority to ensure that regulations are even-handed and do not hamper job creation.”

The oil and gas industry [has contributed](#) \$1,519,469 to Abbott, helping to win his place as

governor of Texas, which has turned out to be a sound investment.

Ed Longanecker, president of the Texas Independent Producers & Royalty Owners Association (TIPROA) called HB 40 a “balanced approach that protects the ability of municipalities to reasonably regulate surface activity related to oil and gas development, while offering the regulatory certainty necessary for our industry operations.”

HB 40 helps fracking corporations by presetting a “four-part test for allowing cities to regulate drilling operations above ground, such as emergency response, noise and setbacks. But the law says those controls must be ‘economically reasonable’ and can’t hinder or prohibit the work of a ‘prudent operator’.”

The false-security clause in the bill refers to a “safe harbor” provision that actually protects fracking efforts for 5 years because they are “considered commercially reasonable”.

Cities such as Fort Worth [have more than 2,000](#) active gas producing wells and more development is expected without hindrances from residents.

In order to prevent Denton residents from enacting their ban on fracking, the Texas Oil and Gas Association (TOGA) and the Texas General Land Officer (TGLO) [filed injunctions](#) against the municipality.

Those lawsuits are expected to be rescinded.

Perhaps not surprising, the authors of this bill have direct ties to the oil and gas industry.

State Representative Drew Darby currently “[receives income](#) from Leclair Operating, a petroleum company in Abilene, and has assets in Kachina Pipeline Inc. valued at more than \$25,000.”

The Texans for Public Justice explained State Representative Jim Keffer “who heads the House Energy Resources Committee, [holds an interest](#) in the Emerald Royalty Fund, which specializes in mineral rights. His broad stock portfolio includes shares in more than a dozen oil and gas companies, according to a 2011 filing with the Texas Ethics Commission. He received nearly \$73,000 in the 2011-12 election cycle from the industry.”

House Representative Phil King [has received](#) an estimated \$35,000 from oil and gas industry corporations, and sits on the House Energy Resources Committee.

House Representative Senfronia Thompson [has received](#) \$23,750 from the energy and natural resources industry. Oil and gas gave Thompson \$5,750.

House Representative Rene Oliveira [was given](#) \$69,600 from the energy and natural resources industry in 2012 alone.

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