

## Montana Senate Conservation Hotlist Week 4: January 23, 2023

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### PLEASE SUPPORT:

**SB 32- Revising pipeline safety regulation penalties, Sen. Mike Cuffe (R- Eureka), Bill passed out of Senate Natural Resources Committee on 1.17 with 11-0 vote, Support.** SB 32 would increase the penalties that the Montana Public Service Commission is able to assess for pipeline safety violations. The increase is necessary to assure that state law complies with federal standards and that Montana maintains primacy over the program. For more info, contact Derf Johnson, MEIC, 406-581-4634 or [djohnson@meic.org](mailto:djohnson@meic.org).

**SB 83- Create Western Montana conservation commission, Sen. Mike Cuffe (R- Eureka), Hearing scheduled in Senate Natural Resources for 1.23, Support.** This bill would combine the Flathead Basin Commission and the Columbia Basin Conservation Commission to create a single conservation coordinating entity for the Columbia basin in western Montana. The bill outlines the administration and appointment of the 16 voting and the optional non-voting members. We support a regional commission that is charged with monitoring water quality and quantity issues, as well as coordinating among state and federal agencies, and British Columbia on cross boundary concerns. It is important to also ensure that tribes and their significant contributions to leading aquatic invasive species management are fully considered. For more information, please contact Ann Schwend, MEIC, 406-4596-1013 or [aschwend@meic.org](mailto:aschwend@meic.org) or Amy Seaman, MT Audubon, 406-210-9449 or [aseaman@mtaudubon.org](mailto:aseaman@mtaudubon.org).

**SB 147- Create State Energy Conservation Standards, Sen. Chris Pope (D-31), Hearing held in Senate Energy and Telecommunications Committee on 1.17, Support.** SB 147 would require publicly regulated utilities, such as NorthWestern Energy, to study and procure cost-effective energy conservation strategies. Energy conservation is the best way to save customers money and decrease their need for more energy, particularly during times when energy demand is high and supply is low. The bill would require utilities to regularly study conservation opportunities and implement conservation programs that reduce consumption of energy by at least 1%, as a factor of their average annual electricity sales. The bill would also give the Public Service Commission authority to establish and oversee a conservation assessment program that includes: incentives for utilities that develop conservation and efficiency programs; metrics to evaluate successful implementation of the programs and compliance with SB 147; and assurances that the utility is studying and considering least-cost conservation and energy efficiency investments at regular intervals. For more information contact Ian Lund, MEIC, 406-333-1858 or [ilund@meic.org](mailto:ilund@meic.org).

*The Weekly Hotlist is published as an educational service to lawmakers and citizens by the Conservation Working Group, composed of the organizations listed below. Contact Molly Bell, Montana Conservation Voters at 406-698-9440*

Clark Fork Coalition \* Montana Audubon \* Montana Conservation Voters \* Montana Environmental Information Center  
Montana Renewable Energy Association \* Northern Plains Resource Council

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### PLEASE OPPOSE:

**SB 55- Join Interstate Mining Compact Commission, Sen. Steve Hinebauch (R-Wibaux), Hearing scheduled in Senate Natural Resources Committee on 1.25, Oppose.** This bill would authorize Montana to join the Interstate Mining Compact Commission as a full member. The bill would require \$30,000 of state funds in membership fees annually, which would otherwise be dedicated towards other programs at the Montana Department of Environmental Quality. The Commission opposes reforming and modernizing the regulation of hardrock mining on public lands. For more information, please contact Derf Johnson, MEIC, 406-581-4634 or [djohnson@meic.org](mailto:djohnson@meic.org) and Caroline Canarios, Northern Plains Resource Council, 406-248-1154 or [caroline@northernplains.org](mailto:caroline@northernplains.org).

**SB 85- Require management of grizzly bears at sustainable levels upon delisting, Sen. Mike Lang (R-Malta), Bill passed out of Senate Fish and Game Committee with 10-2 vote on 1.20, Oppose.** This bill states that grizzly bears will be managed at numbers upon delisting from the federal Endangered Species Act to keep them from returning to the list. It lacks any language that Montana will manage for a healthy population that is connected, with bears moving between the established recovery zones. For more information, contact Amy Seaman, MT Audubon, 406-210-9449 or [aseaman@mtaudubon.org](mailto:aseaman@mtaudubon.org).

**SB 97- Implement renewable portfolio standard production tax for property tax relief, Sen. Keith Regier (R-Kalispell), Hearing held in Senate Taxation on 1.18, Oppose.** SB 97 increases the tax burden on large scale renewable energy projects by 500%. Currently, renewable energy generators must pay a \$0.0002 or 0.02¢ per kilowatt-hour license tax. This bill would require covered generators to pay an additional 0.1 ¢ per kilowatt-hour tax on renewable energy generation. This bill targets generators larger than 25 MW, meaning it primarily applies to large-scale wind projects, though excluding legacy hydroelectric projects. This bill discourages renewable development and could cause projects that would be built in Montana to be relocated to other states with more favorable taxation laws. The full list of impacted generation resources [can be found here](#). For more information, contact Ian Lund, MEIC, 406-333-1858 or [ilund@meic.org](mailto:ilund@meic.org) and Makenna Sellers, Montana Renewable Energy Association at (406) 214-9405 or [makenna@MontanaRenewables.org](mailto:makenna@MontanaRenewables.org)

**SB 158- Revise family transfer law, Sen. Jason Ellsworth (R-Hamilton), Bill passed out of Senate Local Government Committee on 1.16 with 6 to 3 vote, Oppose.** SB 158 would allow a lot owner within an existing subdivision to divide a portion of their lot and transfer the newly created lot(s) to members of their immediate family without triggering the typical subdivision and environmental review process. This leaves neighbors of this newly divided land within an existing subdivision unable to comment. The bill is unclear as it appears to allow the first 5 family members that receive a lot through this exemption to potentially further subdivide their lot, all without public review, and with cursory local government review. The unmitigated cumulative impacts on traffic, water resources, access, local fire and safety could be harmful for an area. For more information, please contact Ann Schwend, MEIC, 406-456-1013 or [aschwend@meic.org](mailto:aschwend@meic.org).

**SB 159- Restrict use of Eminent Domain, Sen. Becky Beard (R-Elliston), Bill passed out of Senate Judiciary on 1.19 with a 7 to 4 vote, Oppose.** SB 159 would restrict local governments from using eminent domain to acquire new property for trails and natural areas. Many local governments are trying to complete and build out trail systems to improve recreational opportunities and create more livable communities. There are also federal grants that prioritize trail completion. This bill would stand in the way of communities that want to exercise local control

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regarding their infrastructure needs. For more information, please contact Molly Bell, MCV, 406-698-9440 or [molly@mtvoters.org](mailto:molly@mtvoters.org).

**SB 178- Generally revise crypto currency laws, Sen. Daniel Zolnikov (R-Billings), Hearing in Senate Business, Labor and Economic Affairs on 1.25, Oppose.** This bill would prevent the Public Service Commission (PSC) from setting rates on cryptocurrency mining operations, prevent taxation of crypto and prevent local governments from exercising certain powers over residential and industrial crypto “mines.” Local governments also should have the authority to make siting and land use decisions for their communities. For more information, contact Ian Lund, MEIC, 406-333-1858 or [ilund@meic.org](mailto:ilund@meic.org)

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