

Montana Senate Conservation Hotlist: Week of January 27, 2025

	SUPPORT	OPPOSE
SB 63	✓	
SB 188	✓	
SB 21		X
SB 42		X
SB 52		X
SB 81		X
SB 146		X
SB 160		X

PLEASE SUPPORT:

SB 63—Revise law related to the use of motion-tracking devices while hunting, Sen. Pat Flowers (D-Bozeman), Passed Senate Fish & Game (12-4), Support. This bill extends the prohibition on using motion-tracking technology as an aid in hunting to cover a calendar day (not just while in the act of hunting), closing a loophole to protect fair chase hunting in Montana. SB 63 also prohibits a person from relaying motion-tracking information to another person as an aid to hunting. Contact: Matt Leow, MT Backcountry Hunters & Anglers, 406-370-3183, matt@tenaciouscampaigns.com.

SB 188—Revising solar energy policy laws, Sen. Christopher Pope (D-Bozeman), Hearing, Senate Energy, 1/30, 3 pm, Support. The Montana Solar Shares Act enables households and businesses to use shares in an electric generating solar system. Participating customers could individually purchase shares of the larger solar array, and each month receive a credit on their power bill equal to the shares of the energy generated. The bill is enabling, not a mandate. Contact: Caroline Canarios, NPRC, 406-248-1154, caroline@northernplains.org, or Makenna Sellers, MREA, 406-850-4491, makenna@montanarenewables.org.

PLEASE OPPOSE:

SB 21—Allowing legislative and executive leadership to vacate a writ of mandamus, Sen. Barry Usher (R-Billings), Hearing, Senate Judiciary 1/30, 8am, Oppose. This bill would ostensibly allow for elected officials, such as the governor and legislators, to vacate a writ of mandamus issued by a court that would compel that official to follow the law. This bill likely violates separation of powers principals, and would allow for elected officials to ignore writs of mandamus, which are granted when the government has a clear legal duty, but is failing to comply with that duty. Contact: Derf Johnson, MEIC, 406-581-4634, djohnson@meic.org, or Kearnstyn Cook, MCV, 406-426-2422, kearstyn@mtvoters.org.

SB 42—Provide for the partisan election of judges and justices, Sen. Daniel Emrich (R-Great Falls), Awaiting E.A., Senate Judiciary, Oppose. This bill would force both Montana District Court and Montana Supreme Court judges to identify a party when they are running for a judicial position. This unnecessary bill would inject an extreme amount of partisanship into our judicial system, which by its very nature should only apply the facts and the law, and not include partisan considerations. SB 42 is an extreme threat to the independent judiciary, the rule of law, and the ability for Montana citizens to pursue justice in our court system. Contact: Derf Johnson, MEIC, 406-581-4634, djohnson@meic.org, or Kearnstyn Cook, MCV, 406-426-2422, kearstyn@mtvoters.org.

SB 52—Create a Montana Court of Chancery, Sen. Tom McGillvray (R-Billings), Hearing, Senate Judiciary, 1/29, 8am, Oppose. This bill would create a special court, composed entirely of individuals appointed and funded by the governor, for the purposes of hearing constitutional cases, land use cases, and business disputes. This bill would divorce impartiality from decisions by allowing for a governor’s hand-picked judges to decide major constitutional cases, rather than the Montana Supreme Court (which is elected by the people). SB 52 also creates additional procedural hurdles by requiring multiple appeals, and would cost the state additional funds by having to create an entirely new court. Contact: Derf Johnson, MEIC, 406-581-4634, djohnson@meic.org, or Kearnstyn Cook, MCV, 406-426-2422, kearstyn@mtvoters.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.

For questions, please contact Kearnstyn Cook with MCV at 406-426-2422 or Natalie Wright with MCV at 406-426-2645.

Backcountry Hunters and Anglers * Montana Audubon * Montana Conservation Voters * Montana Environmental Information Center * Montana Renewable Energy Association * MontPIRG * Northern Plains Resource Council * Wild Montana

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PLEASE OPPOSE:

SB 81—Revise Lease of State Lands for Underground Gas Storage, Sen. Josh Kassmier (R-Fort Benton), Awaiting Hearing, Senate Energy, Technology, & Federal Relations, Oppose. This bill would expand gas storage laws to allow for carbon capture and sequestration (CCS) projects on state public lands. This statute was designed for natural gas (methane) storage, and is not suited to manage risks that CCS could pose to the public, including pipeline rupture and CO2 leakage that can cause asphyxiation and death. CCS poses risks to our health, safety and working landscapes. Bonding must be assessed proportionately to the volume of gas to be stored, and the arbitrary \$20,000 bond cap would be unacceptably low to account for high risks with very large CCS projects. Contact: Nick Fitzmaurice, MEIC, 406-534-9307, nfitzmaurice@meic.org, or Gusty Catherin-Sauer, NPRC, 406-869-1911, gusty@northernplains.org.

SB 146—Creating the Private Property Protection Act, Sen. Becky Beard (R-Elliston), Hearing, Senate Judiciary, 1/28, 8am, Oppose. This bill challenges local authority by constricting land use regulation to a narrow review of impacts to public health and safety, and limits denial of land use or development to instances in which there is no possible other mitigation. This could lead to elimination of most zoning and subdivision regulations, threatening agricultural, cultural, and environmental protections, and hinder local growth planning and affordable housing efforts. Contact: Laura Collins, MEIC, 406-443-2520 ext. 010, lcollins@meic.org.

SB 160—Revise Alternative Energy Project Laws to Require a Bond Prior to Construction, Sen. Bob Phalen (R-Glendive), Awaiting E.A., Senate Energy, Technology, & Federal Relations, Oppose. This bill changes existing solar and wind facility decommissioning bonding and planning requirements from being due once a facility begins commercial operation to being due prior to construction. Other generation facilities don't have any decommissioning bonding and planning requirements prior to construction, putting wind and solar developments at an economic disadvantage. All generation facilities should face a level playing field for decommissioning bonding and planning. Contact: Makenna Sellers, MREA, 406-850-4491, makenna@montanarenewables.org, or Nick Fitzmaurice, MEIC, 406-534-9307, nfitzmaurice@meic.org.

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