Montana Senate Conservation HOTLIST Week 7: February 18th, 2019

Please Support:
SB 24, Increase optional light motor vehicle registration fee for parks and recreation, Sen. Terry Gauthier (R-Helena) Senate Finance and Claims 2/19/2019; Support. This bill would increase funding for trails and outdoor recreation by increasing the voluntary motor vehicle registration donation from six to nine dollars to generate an additional estimated $1.8 million for trails, State Parks, and fishing access sites. Contact Noah Marion, Montana Wilderness Association, 406.624.9622, nmarion@wildmontana.org.

SB 173, Revise laws related to electric vehicle charging stations, Sen. Terry Gauthier (R-Helena), Senate Highways and Transportation, Support. SB 173 enacts a $25 fine and allows for towing of a non-electric vehicle if it's parked in an electric vehicle charging station parking spot. A charging station is a significant investment for a business owner, often designed to help attract customers. This bill creates a deterrence to the blocking of that investment and the adoption of electric vehicles. Contact Brian Fadie, Montana Environmental Information Center, 406-210-7591, bfadie@meic.org.

SB 188, Revise electricity supply resource planning and acquisition, Sen. Sue Malek (D-Missoula), Senate Energy and Telecommunications, Support. This bill protects utility customers by reducing the likelihood of for-profit utilities making unnecessary investments. It makes the long-term electricity resource planning process open to all parties (not just those invited by the utility), it requires a competitive bidding process for new resources, and it requires a draft and public comment on Requests for Proposals for new resources. This increased transparency will protect customers from for-profit utilities making investments that help the company's bottom line more than consumers. Contact Brian Fadie, Montana Environmental Information Center, 406-210-7591, bfadie@meic.org.

SB 189, Establish a carbon tax and distribute revenue, Sen. Barrett (D-Missoula) S-Energy. SB 189 would establish a tax on greenhouse gas emissions from electric generation facilities. The bill also directs the Montana Board of Environmental Review to adopt rules governing emission reporting, a carbon offset program, and carbon fees to fund the state program. The bill also institutes a $10 carbon tax less any carbon offsets that are authorized by rule. Sources can reduce their carbon emissions obligations by 50% using carbon offsets. Contact Malcolm Gilbert, MEIC, 406-443-2520, mgilbert@meic.org.

SJ 8, Resolution to Congress regarding climate change policy, Sen. Barrett (D-Missoula) S-Energy. Hearing 2/19/2019. Support. SJ 8 is a joint resolution to the U.S. Congress that asks the federal government to change its current policy on climate change and join the international community in making a joint, concerted effort to implement global policy that would scale-back greenhouse gas emissions--among other important, forward-thinking policies--heading into the future. Contact Malcolm Gilbert, MEIC, 406-443-2520, mgilbert@meic.org.

SB 246, Revise laws related to the Public Service Commission, Sen. Margie MacDonald (D-Billings) Senate State Administration 2/18/2019; Support. This bill proposes that the Montana Public Service Commission be revised in three distinct ways. One, that the Public Service Commission districts be revised from 5 to 3, reducing the number of commissioners from 5 to 3 as well. The process of
redistricting would be completed in the interim by the Energy and Telecommunications Interim Committee. Two, the department of administration would review the salaries of public service commissioners in other states every other year, including those salaries posted for officials who do not have or require professional qualifications to serve in a PSC position. This average would inform the PSC’s salaries in Montana. Three, this bill would require that PSC elections be nonpartisan. Contact Cody Ferguson, NPRC, 509-845-9309.

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SB 264, Revise laws related to coal-fired generation remediation activities, Sen. Jason Small (R-Busby) Senate Energy and Telecommunications, Support, SB 264 would require the owners of a coal plant to pay the prevailing wage for remediation, demolition and maintenance of coal plants. Contact Cody Ferguson, NPRC, 509-845-9309.

SB 245, Establish commercial property assessed clean energy program, Sen. Mary McNally (D-Billings) Senate Energy and Telecommunications, Support, Montana businesses and organizations oftentimes face high utility bills due to old or inefficient structures in need of efficiency upgrades, but the upfront cost of these upgrades can pose a financial challenge. SB245 offers a Commercial Property Assessed Clean Energy (C-PACE) program to overcome this financing gap, thus driving economic development, creating jobs, and saving money in the long run. Using C-PACE, property owners can make energy and water efficiency upgrades to their properties (new HVAC system, LED lighting fixture replacements, more efficient irrigation system, etc) using 100% upfront financing from private capital lenders who opt-in to the program. CPACE financing uses the same system we use to finance streetlights, sidewalks, parks – as an assessment on the annual property tax bill. The program allows finance terms for up to 20 years, so property owners are cash flow positive from the start. This program is voluntary – counties, capital lenders, and contractors can choose whether or not they wish to participate. The program administrator will be the Montana Facility Finance Authority. Contact Cody Ferguson, NPRC, 509.845.9309;

Please Oppose:

SJ 6, Resolution delisting grizzly bears from Endangered Species Act, Sen. Mike Cuffe (R-Eureka), S - Fish and Game; Hearing 2/14/2019 Oppose. This resolution calls for the delisting from the federal Endangered Species Act of grizzly bears throughout all of Montana. Grizzly bear recovery has come a long way, but several recovery areas within Montana are well below the targeted population for recovery, and some have no confirmed grizzly bears. It calls on Congress to bypass the U.S. Fish and Wildlife Service, and make the boundary of Montana a distinct grizzly population regardless of science about connectivity of bear populations. SJ 6 is premature and sends the message that Montana isn’t ready for long-term grizzly conservation and management. Contact Nick Gevock, Montana Wildlife Federation, 406.533.9432, ngevock@mtwf.org.

The Weekly Hotlist is published as an educational service to lawmakers and citizens by the Conservation Working Group, comprised of the organizations listed below. Contact Alex Rich, Montana Conservation Voters at 406.254.1593 ext. 2.

SB 48, Revise variances to water quality standard, Sen. Tom Richmond (R-Billings), S-Natural Resources, Hearing 2/13/2019 3pm Rm. 303; Oppose. SB 48 would allow for the Montana DEQ to adopt rules and issue "variances" from water quality standards to polluters. DEQ claims that this bill is simply implementing federal clean water act regulations. However, the bill goes much farther than federal water quality regulations. There are important differences between SB 48 and the federal Clean Water Act and implementing regulations (some of which are currently before a federal district court in Montana). There are also serious legal conflicts between SB 48 and the Montana constitution. SB 48 allows for water pollution dischargers to receive variances years before they are required to produce and implement pollution reduction plan. A variance can be issued when a polluter can not "reasonably be expected to meet the standard ...." This is a new, undefined, and arbitrary standard conflicts with federal law. Essentially, SB 48 contains provisions that will dramatically weaken Montana's water quality protections and open the door for abuse. Contact Anne Hedges, MEIC 406.461.9546. ahedges@meic.org or Andrew Gorder, Clark Fork Coalition. andrew@clarkfork.org. 542-0539 ext. 202

SB 263, Allow exemptions for certain divisions in a subdivision, Sen. Jason Ellsworth (R-Hamilton), S-Local Government, Hearing 2/13/2019 3pm; Oppose. SB 263 would exempt from subdivision review any family transfers within an area already subdivided. This would allow a subdivided area to be further subdivided with no additional local government review thereby potentially upending any local planning efforts. Contact Anne Hedges, MEIC, 461-9546.

HJ 4, Resolution to congress to streamline/take control of the exportation of coal, Rep. Read (R-Ronan) S Natural Resources, Hearing 2/20/2019 Oppose. This would send a message from the Montana legislature to the federal government to act against the state of Washington for denying a permit to the Millennium Bulk Terminal Port Facility. The Millennium Terminal would allow for a massive increase of coal exports from Montana which would mean hundreds of additional coal trains travelling through Montana cities and towns bringing traffic, noise, and increased danger of derailment all while undermining vital work to move away from energy sources that amplify climate change. Contact Cody Ferguson, NPRC, 509.845.9309; or Derf Johnson, MEIC, 406.443.2520.