SENATE STATE ADMIN.
EXHIBIT NO. 4
DATE 1.13.05
BILL NO. SB 83

Amendments for SB 83
(Suggested by Patrick Judge, MEIC on January 11, 2005.)

Amendment #1: Amend Section 1 of the bill, so that 85-1-602 (2) (f) reads, "projects that~~facilitate the~~use~~of~~alternative renewable energy sources, as defined in 15-6-225."

Amendment #2: Amend Section 15-6-225, MCA to read:

15-6-225. Energy equipment exemption. (1) (a) Machinery and equipment used in a qualifying generation facility that has a nameplate capacity of less than 1 megawatt of electrical energy is exempt from taxation for 5 years after the generation of electricity begins.

(b) To qualify for the exemption under this section, the generation facility must be powered by an alternative renewable energy source.

(2) For the purposes of this section:

(a) "alternative renewable energy source" means a form of energy or matter that is capable of being converted into forms of energy useful to mankind, including electricity, and the technology necessary to make this conversion when the source is not exhaustible in terms of this planet~~ and when the source or technology is not in general commercial use~~. The term includes but is not limited to:

(i) solar energy;
(ii) wind energy;
(iii) geothermal energy;
(iv) conversion of biomass;
(v) fuel cells that do not require hydrocarbon fuel;
(vi) small hydroelectric generators producing less than 1 megawatt; or
(vii) methane from solid waste.

(b) "generation facility" includes any combination of a generator or generators, associated prime movers, and other associated machinery and equipment that are normally operated together to produce electric power, but does not include the owner's business improvements and personal property.