Helena hath no fury like legislators facing a deadline

The Capitol was overtaken by a frenzy of legislators dropping bills in the hopper like a fast food fry cook overrun by a fleet of tour buses on a pit stop. This is the last week before the transmittal break, which is the halfway point of the session and serves as a deadline for all but a few specialized bills to be introduced. The hectic pace has led to committee hearings lasting from 7 AM until well into the evening with bill after bill after bill being debated and voted on in the same day.

We’ve seen some good bills, including some that aim to help farmers and ranchers save money (SB 273 & SB 285) and one that requires NorthWestern Energy to develop specific plans for the clean energy future the 21st century demands (HB 414). Of course, we’ve also seen bad bills that continue to undermine voting rights (HB 406), remove hard-won water quality standards (see our last story), and threaten core democratic principles (HB 481).

Amid the frenetic craziness, we are blown away by the work of Northern Plains members who are stepping up to testify at a moment’s notice, scrutinizing bill language, calling and emailing legislators, and fully embodying grassroots democracy at breakneck speed. Hold on tight, we’re almost there!

C-PACE passes the Senate!

SB 147, our Commercial Property-Assessed Capital Enhancements (C-PACE) bill, passed the full senate! We want to thank everyone who helped us reach this major milestone – Northern Plains members, bill sponsor Sen. Mary McNally (D – Billings), small business owners who supported this bill, and others. We are now ready to take C-PACE to the House, and work like crazy to get this money-saving, job-creating bill over the finish line! We’ll keep you posted every step of the way.
Hey farmer, don’t touch that pipe. Big brother’s watching...

It’s not really fair to pick a single worst bill in a week like this, but HB 481, introduced by Rep. Steve Gunderson (R – Libby) is undoubtedly a medalist. This very bad bill would create a special protected category of “critical infrastructure” for energy projects and would impose felony charges and steep fines on anyone who trespasses on or tampers with energy infrastructure. But trespassing and vandalism are already illegal and punishable by steep fines and jail time under existing Montana law.

Sometimes ranchers accidentally hit buried pipelines or run over exposed pipe with a tractor. This bill could make landowners vulnerable to felony prosecution if they inadvertently “disrupt” the energy infrastructure on their own land. It even potentially criminalizes “entering property containing a critical infrastructure facility,” which in the case of a rancher or farmer, could mean their own land.

The authoritarian-style overreach doesn’t end there. HB 481 also threatens to bankrupt organizations deemed “guilty by association” for acts of vandalism they didn’t cause, with fines up to $1.5 million. The language is vague, dangerous, and designed to intimidate organizations from engaging with issues about energy infrastructure. Would an action alert against a pipeline make an organization liable for any subsequent actions taken by a single member? Are you, as a member, liable for the actions of the entire organization? We don’t want to find out the answers to these questions; we want to stop this bill!

Unfortunately, HB 481 passed through the House Judiciary Committee and will now move the house floor. See below to learn how you can take action to stop it!

COOL gets iced in both chambers, but this issue remains hot in Montana

Unfortunately, HB 324 and SB 210, our Country-of-Origin Labeling (COOL) bills in the House and Senate respectively, were tabled by each chamber’s ag committees. However, we have made big strides in advancing this issue in Montana throughout this session. Opponents of COOL are forced to twist themselves in knots to rationalize their ‘no’ votes, and no one is
willing to publicly admit they actually oppose COOL. Instead, they try to pass the buck on to Washington, D.C. lawmakers rather than taking a stand here at home.

Well, we know that everyday Montanans want truth-in-labeling, and we’ll be sure to let constituents know who’s saddling up to support COOL and who’s lounging in the bunkhouse playing poker with the meatpackers.

We want to thank Rep. Frank Smith (D – Poplar) for introducing HB 324 and Sen. Tom Jacobson (D – Great Falls) for introducing SB 210. Both of them worked hard to fight through all of the bull that the bill’s opponents tried to throw at COOL. We also want to thank all of the legislators in both committees who stood up for Montana’s ranchers and consumers by supporting these bills. Most of all, we want to thank all of the dedicated Northern Plains members who testified, wrote letters, made phone calls, and worked so hard to raise the profile of this issue. Stay tuned, ‘cause COOL ain’t coolin’ down one bit. We’re in this for the long haul.

Grassroots democracy in action, making a BIG impact!

We knew heading into this session that the 67th legislative session could be a tough one for our issues, and Northern Plains members have been flexing those grassroots democracy muscles since day one! It would take an entire bulletin to list all the ways your dedication has protected the things we love most about Montana, but here are just a few highlights….

**Standing up for solar:** Northern Plains members were a big chunk of the 1,355 messages submitted to the legislature in opposition to HB 359, the “kill solar” bill. In fact, this bill was withdrawn by the bill’s sponsor, Rep. Larry Brewster (R – Billings), even before a committee vote!

**Protecting water quality:** A bad bill was assigned a committee, given a hearing, and got tabled – all within 24 hours! However, efforts are afoot to untable this bill and keep it alive! SB 358, introduced by Sen. John Esp (R – Big Timber) would repeal numeric nutrient standards for Montana’s rivers. This bill would threaten the water quality of the pristine rivers across Montana and undermine the hard work our members have put into
maintaining the Good Neighbor Agreement for over 20 years.

Despite this dangerous bill being assigned a committee and hearing date in less than 24 hours, Northern Plains members dropped everything and made sure our voices were heard. We hope this bill is truly dead and you won’t hear anything else about it, but if it gets revived, you know we will fight tooth and nail to defend our water!

**Defending energy customers:** For years we’ve been making sure that NorthWestern Energy can’t treat Montana energy customers like their personal ATM. One of the latest examples was HB 245, which tried to further diminish the Public Service Commission’s ability to keep NorthWestern from overcharging customers. Thanks to your calls and emails, that bill, introduced by Rep. Larry Brewster (R – Billings), was tabled in committee.

These are just a few examples of how everyday Montanans can have a big impact on the decisions that affect our communities. Every single one of your testimonials, letters, emails, and phone calls add up to a huge megaphone pointed right at the Capitol, and these decision-makers are forced to reckon with the booming voice of the people, even if they spend much of their days with moneyed interests whispering in their ears.

### Heartfelt testimony given at both COOL hearings

Northern Plains members provided compelling, heartfelt testimony at both the House and Senate Country-of-Origin Labeling hearings. These stories will continue to be told, and we will continue to fight for Montana’s ranchers and consumers.

Here’s an excerpt of testimony given by Northern Plains Chair, Jeanie Alderson:

“I am a rancher, and I am also a mom. Feeding one’s family is one of the most important jobs any parent has.
I know what it is to make choices; to try to balance my budget while also making sure my kids get the very best food they can. It is just wrong that moms like me cannot trust that the USDA beef they are buying is born and raised in this country.

Right now consumers do not know that the beef they are paying high prices for may very well have come from Brazil, Mexico or some other country. Having a sign at the store could help consumers, and parents like me, choose USA beef that lives up to our safety standards and supports American ranchers.

As ranchers, we work hard and raise great beef in Montana and across the country. Yet, Montana and US cattle ranchers are going out of business by the thousands every year. Our industry is quietly dying. While ranchers are going out of business, Brazilian-owned meatpacker JBS reported third quarter profits for 2020 that grew by 770%. Something is very wrong. Montana Country-of-Origin-Placarding will be a start to creating an honest market for our great beef. We know from when we had COOL before that when Montanans have the opportunity to choose, they choose beef born, raised, and processed in the USA.

We can do better. Montana can lead the way by restoring Montana Country-of-Origin Placarding in our state.”

Our history tells us... we can handle all that’s ahead this session!

We have made it halfway through another session of important work protecting Montana’s communities and flexing our democratic muscles in Helena. It’s a comfort to know that we can look back at those who came before us and gather strength for the weeks ahead. Especially as we enter transmittal break, a time to regroup, strategize, and amp up our lobbying power, we can’t forget: grassroots action is in our blood!

Pictured left to right are Anne Charter, Vera Beth Johnson, and Ellen Pfister, some of Northern Plains’ earliest members, lobbying a member of the U.S. Congress for reclamation and a federal strip mine bill in 1973.
HB 235 - Increase nutrition assistance while supporting Montana’s family farmers and ranchers
Rep. Tom Welch (R-Dillon)

HB 235 would expand the Supplemental Nutritional Assistance Program (SNAP) in Montana, incentivizing local food purchases. This bill would expand state funds (to be combined with private and federal funds) that allow Montana SNAP users to double their SNAP dollars (up to $20/day) when they visit participating sites in Montana like local farmers markets until June 30, 2023. HB 235 would help address the crisis of food insecurity which has worsened for too many Montana families and children during the COVID-19 pandemic. HB 235 would give more Montanans access to nutritious local foods while supporting producers who sell at Montana farmers markets or through the Yellowstone Valley Food Hub.

HB 336 - Remove barriers to selling Montana meat across state lines
Rep. Brandon Ler (R-Savage)

HB 336 would make Montana the ninth state to be part of an Interstate Meatpacking Compact, thereby allowing meat processed by state-inspected Montana processors to be sold to other states in the compact. This bill would open markets for Montana’s family ranchers to sell directly to retailers while also supporting local processors.

HB 414 - Require NorthWestern Energy to develop a 100% renewable energy procurement plan
Rep. Andrea Olsen (D-Missoula)

HB 414 would require NorthWestern Energy to submit
a 100% renewable energy plan to the Energy and Telecommunications Interim Committee (ETIC) by May 1, 2022. The plan must outline options, timelines, and challenges for procuring 100% of the utility’s retail sales of energy in the state from renewable resources. The plan may include options for the use of hydroelectric resources. This bill would help Montana realize the clean energy future Northern Plains has long been working to achieve.

**SB 134 - Authorize loans from the coal trust for responsible cleanup**  
Sen. Jason Small (R-Busby)

SB 134 would allow the Montana Board of Investments to give loans for coal-fired power plant decommissioning and remediation. At present, the board can give loans from the coal tax trust fund to finance the operation, maintenance, and expansion of coal power plants (Colstrip) to keep them running. The bill would authorize loans for decommissioning and remediation of a coal plant or property. **SB 134 could help provide funds to ensure responsible cleanup of coal plants and properties once they’ve stopped operating.**

**SB 273 - Ensure farmers and ranchers have a right to repair their equipment**  
Sen. Mark Sweeney (D - Philipsburg)

SB 273 would require that agricultural equipment manufacturers cannot “lock” systems or place other barriers to farmers, ranchers, and independent repair providers who seek to repair agricultural machinery. **This common sense bill allows agricultural producers greater independence and fuller ownership of their equipment, while reducing major costs imposed by equipment manufacturers.**

**SB 285 - Reduce fuel costs for farmers and ranchers**  
Sen. Steve Hinebauch (R – Wibaux)

SB 285 would allow agricultural producers to apply for a partial refund on the taxes they pay for fuel used within their operations. **This bill would help maintain the economic viability of family farms and ranches by reducing input costs for their operations.**

### BILLS WE OPPOSE

**HB 346 - Raise taxes on utility scale solar projects**  
Rep. Tom Welch (R-Dillon)

HB 346 would double the property taxes paid (from 3% to 6%) for utility-scale projects that range between a cumulative 50 and 70 megawatt production capacity. This bill would put these solar projects in the same property tax class as fossil fuel and major hydro projects despite solar having a much lighter impact on Montana’s land and infrastructure. **HB 346’s tax hikes would undermine renewable energy projects, kill jobs, and thwart economic development in the process.**

**HB 406 - Undermine voting rights for rural and Native communities**  
Rep. Mark Noland (R-Big Fork)

HB 406 would ban the collection of voting ballots by Tribal governments and community organizations. This ballot collection is an extremely valuable tool in upholding democratic participation for rural and Tribal communities given the long travel distances and inclement weather that can make ballot returns difficult or impossible for some Montanans. A very similar bill passed in 2019 was later struck down as unconstitutional by the Montana Supreme Court. **This bill undermines voting access for rural and Tribal communities and disproportionately harms Native Americans.**

**SB 84 - Risk the independence of the consumers’ voice in Montana’s energy decisions**  
Sen. Duane Ankney (R-Colstrip)

SB 84 would restructure the Legislative Consumer Committee, which appoints and oversees the Montana Consumer Counsel. The Consumer Counsel acts on behalf of Montana’s energy consumers in matters concerning utility law, policy, and practice. The Counsel works to ensure that monopoly utility companies like NorthWestern Energy do not raise prices unfairly, generate energy from expensive sources, or make other decisions that don’t serve the public interest. **SB 84 would replace the Legislative Consumer Committee with one dominated by the utility companies.**
Committee with a Consumer Subcommittee housed under the Energy and Telecommunications Interim Committee. This change would put the committee in a more overtly political space, risking the independence of an important oversight committee that gives the public a greater say in Montana’s energy decisions.

SB 328 - Allow coal companies to shirk their responsibility to fully clean up their messes
Sen. Duane Ankney (R - Colstrip)

SB 328 would alter financial bond release requirements for coal mines, making it easier for coal companies to get money back in their pockets before fully cleaning up the land and water their operations have harmed. The bonding requirements that this bill seeks to eliminate are crucial for ranchers and adjacent landowners. The vague language in this bill could allow big coal companies even further authority to conduct piecemeal, partial reclamation without enforcement repercussions. Coal companies owe it to the local landowners and community they have profited from to reclaim the land and leave coal communities whole. Montana has some of the most stringent reclamation standards in the country. This bill would change that.

SB 358 - Threaten Montana’s pristine rivers
Sen. John Esp (R – Big Timber)

SB 358 would repeal numeric nutrient standards for Montana’s rivers. This bill threatens the water quality of the pristine rivers across Montana and undermines the hard work our members have put into maintaining the Good Neighbor Agreement for over 20 years.

AND JUST LIKE THAT, WE’RE AT THE HALFWAY MARK!

Whew! Where has the time gone? We’ve officially reached the halfway point for the 67th Legislative Session! THANK YOU for all of your hard work thus far to protect Montana and stand up for grassroots democracy!