It has arrived. **NorthWestern Energy’s latest attempt to “bilk Montana energy customers for all they’re worth” has surfaced in the form of SB 379.** Largely a redux of efforts we saw in 2019, SB 379 seeks to convert the aging Colstrip Power Plant into a money-printing factory for NorthWestern Energy, regardless of how poorly they manage the site, when they close it down, or what happens to energy markets over the coming years.

In a rare move of unanimity, **all five of Montana’s Public Service Commissioners voiced their opposition to SB 379,** which was introduced by Sen. Steve Fitzpatrick (R – Great Falls). This bill explicitly removes the PSC’s power (and statutory duty) to balance the public’s best interest against the interest of a monopoly utility like NorthWestern. PSC support would have been pretty audacious in the face of a memo drafted by career PSC staff which laid out a scathing critique of the bill, detailing flaws in process, logic, legality, and basic fairness.

**Here are some key points of analysis and highlighted quotes from the PSC staff document:**

- NorthWestern Energy customers could be on the hook for a $1.9 billion investment in Colstrip by NorthWestern, with no meaningful oversight to protect the public from harmful or expensive decisions regarding management, maintenance, operations, or closure timelines. This would amount to over $14,000 per customer over the life of the plant, at a minimum.
- Montana energy customers could be forced to pay NorthWestern for sunk costs incurred if they buy a greater share of Colstrip, make expensive repairs, and/or shut it down early. (This could be in two years? Five years? No matter the timeline, customers could end up paying the costs for an expensive power plant that no longer provides energy.)
- SB 379 flouts Montana law by making the public pay for energy purchased elsewhere, even if those purchases become necessary due to NorthWestern’s mismanagement of Colstrip.
- In language that could have been written by Northern Plains members, the PSC says, “The bill dismantles the regulatory balance between NorthWestern and its customers by guaranteeing investment returns to the utility while transferring all risk to ratepayers.”

*Continued on page 2.*
Farm to School bill heard in committee!

HB 642, introduced by Rep. Laurie Bishop (D – Livingston), would provide opportunities for farmers and ranchers to get more nutritious, local foods on the plates of Montana’s schoolchildren. This bill sets aside $100,000 for a two-year pilot program allowing Montana schools to compete for funding grants that enable them to buy food grown in Montana. This bill increases business for producers, promotes Montana agriculture, and improves nutrition in Montana schools!

HB 642 was heard in the House Education Committee last week. Check our website for the bill’s current status: northernplains.org/2021-bills/.

Help keep citizens’ rights in zoning laws

Two bills that undermine citizen-initiated zoning (CIZ) are continuing to make their way through the legislature. CIZ’s give local landowners the opportunity to guide future development in their communities. Both of these bad bills need your voice right now to ensure legislators understand that Montanans want to have a say in the decisions that affect our communities!

- HB 527 would allow counties to include mineral owners as a separate category for required signatures if the county deems it relevant for a CIZ petition. This would mean meeting a much higher threshold for petition signatures, because a certain percentage of mineral owner signatures would be needed. HB 527 was heard by the Senate Local Government Committee, but they haven’t voted on the bill yet.
- HB 498 gives a special carve-out for oil and gas companies, altering the citizen-initiated zoning process, so that CIZs can no longer place restrictions or prohibitions on oil and gas development. This bill recently passed through the Senate Natural Resources Committee, and is now headed to the full Senate floor.

Rumors are afoot that these two bills may be merged into one. Check our website for the latest updates: northernplains.org/2021-bills/. No matter the situation, please call your senator at (406) 444-4800 and tell them to vote against bills that weaken citizen-initiated-zoning laws!
On PACE for job-creation, business savings, and economic development with SB 147!

SB 147, our Commercial Property-Assessed Capital Enhancements (C-PACE) bill has been quietly and steadily progressing through the legislature. This bill allows commercial property owners to secure up to 100% upfront financing from local banks to make property upgrades that help them save on utility bills. SB 147 passed the full senate and is now working its way through the house!

We attribute this success to three things:
1. It’s a super-smart, common-sense bill,
2. it has a great sponsor in Sen. Mary McNally (D – Billings), and
3. Northern Plains members have been extremely disciplined in how we talk about C-PACE!

The way we will get this bill over the finish line is to keep doing what we’ve been doing – emphasizing that C-PACE helps small businesses and ag producers save money while creating construction jobs in Montana. Dale Sexton, a Livingston-based member and the owner of Dan Bailey’s outdoor equipment store, had this to say when testifying in support of C-PACE:

“If I could utilize C-PACE and make my business more energy efficient, I would be able to use that savings to build my business and better meet the needs of my customers. I would also be supporting other local businesses that would install new windows, doors, lights and insulation.”

Dale is right! C-PACE is good for business and good for Montana communities.

Take action to support C-PACE!

1. Visit: openstates.org/find_your_legislator/ and find your representative.
2. Call (406) 444-4800 to leave them a message.
3. Tell them to VOTE YES on SB 147 because it creates jobs, saves businesses and ag producers money, and drives economic development!
THE SICKENING SIX:
MONTANA’S “MOST WANTED” BILLS

The following bills are a villainous bunch of ideas that could wreak havoc to our air, land, water, and democratic values. We can’t let this dangerous gang walk the streets of Montana, threatening everything we hold dear. We need to bring these bad bills to justice - and fast!

1. SB 379 – NorthWestern’s billion-dollar boondoggle bill
2. HB 481 – Criminalize free speech and penalize farmers and ranchers
3. SB 358 – Roll back water quality standards in Montana
4. HB 498 – Diminish citizen rights to make decisions about their communities
5. HB 527 – Make it harder for citizens to have a say in their community’s zoning laws
6. HB 176 – Diminish Montanans’ democratic right to vote

TAKE ACTION!

Please visit our bill tracker webpage:
northernplains.org/2021-bills/.

Look for the red “Take Action” button to find out who you should call to make sure these bad bills don’t take hold in Montana! Feel free to save this page for your reference as we track this gang of six till the end of the session!
Coal bonding bill threatens Northern Plains’ reclamation legacy alongside ranchers’ livelihoods

Every two years, Northern Plains members like you stand up loud and proud at the legislature to protect our communities and fight for a future where our economy serves the people rather than the people serving the economy, and where neighbors work side-by-side to build a world that lives up to our ideals of fairness, inclusion, and justice. It’s who we are. It’s in our DNA.

If not for Northern Plains, Montana might look very different today. We need only look to neighboring states with fewer environmental protections to remind ourselves that Montana’s pristine rivers, rustic working landscapes, and clean air are the result of everyday people like you fighting for your values. We are protectors. It’s the legacy we inherited from our founders, and we continue to expand and build on that legacy today.

Two of Northern Plains’ earliest and longest-lasting legislative victories were the Montana Strip and Underground Reclamation Act and the federal Surface Mining Control and Reclamation Law (SMCRA) of 1977 requiring coal companies to reclaim land and water after mining. These landmark protections are now under attack.

SB 328, introduced by Sen. Duane Ankney (R – Colstrip), would make it easier for coal companies to get money back in their pockets before fully cleaning up land and water. This could threaten the future of ranch operations for members like Steve Charter, whose well water was recently damaged by mining. If the company can get their bonding back before restoring Steve’s water, what incentive do they have to fulfill the obligations they agreed to when given a mining permit?

This bill also threatens to kill reclamation jobs that could provide a bridge to the future for coal communities as the industry continues to decline. Steve puts it this way in his guest opinion published by the Montana Standard and the Missoulian:

“This bill only shines the shoes of corporate executives while stomping the toes of folks who wear boots to work each day, whether coal workers, ranchers, or the rural businesses that support us all.”

As of this writing, we can report that Northern Plains members appear to be successful in securing amendments that make this bad bill significantly “less bad.” While SB 328 is still expected to be a backslide for Montana, much of the hard work of grassroots democracy is rolling up your sleeves, demanding a seat at the table, and laboring to protect as much as you can as often as you can!

Read an extended excerpt from Steve’s Op-Ed on page 6.
Below is an extended excerpt from member Steve Charter’s op-ed about SB 328, published in the Montana Standard and the Missoulian:

“In the early 1970s, my parents joined with other eastern Montana ranching families to form what became the Northern Plains Resource Council, an organization devoted to maintaining a viable agricultural economy in the face of new and expansive coal development.

As Northern Plains grew, members labored to research, study law, and organize communities impacted by coal extraction. This grit and determination paid off when the organization helped pass the Montana Strip and Underground Reclamation Act, requiring mines to reclaim land after coal mining. A few years later, Northern Plains was instrumental in passing the federal Surface Mining Control and Reclamation Act of 1977.

Without these laws, our state might look dramatically different today. The rugged working landscapes and grassland plains that define Montana could instead be full of scattered spoil piles devoid of plant life, clean water, or the wildlife and cattle that depend on these resources.”