

VOTING RECORD



Northern Plains members fight for clean energy and family ag; defeat corporate welfare

Despite anti-conservation majorities in both the House and the Senate, Northern Plains members advanced our mission to protect the environment, family farms and ranches, and our unique Montana quality of life in the 2019 Legislature.

Although our top-priority proactive bills to restore a Montana country-of-origin labeling program (COOL) and create a commercial property-assessed clean energy program (C-PACE) failed to pass, your visits to Helena, calls and messages to legislators, and all your other support elevated both issues in ways that will continue to build toward positive change.

Just as important, you helped hold the line against threats to our land and water and attempts to saddle Montanans with energy company debt and Colstrip cleanup costs. And, you helped pass a few good bills to promote family agriculture and help facilitate and

prepare for the coming energy transition.

This scorecard provides a brief overview of Northern Plains' work during the 2019 session, how representatives and senators voted, and which Northern Plains priority bills the Governor vetoed and signed.

A few very bad bills were passed and then vetoed. Montana will have a new governor in 2021, and we can see how important it is to have that check on irresponsible bills that are passed by legislators.

We carefully selected the votes recorded here in order to pick the most representative actions (without overwhelming you).

Take a look and see how your representative and senator voted. If you're proud of their scores, thank them. If you're discouraged by their scores, let them know!

Some improvements on family agriculture but still no “COOL”

The 66th session of the Montana Legislature adjourned on April 25. After 87 days, legislators passed a few good bills to promote family agriculture but failed to take any substantive steps to address the most obvious bread-and-butter issue for Montana ranchers: country-of-origin labeling for beef (COOL).

Let's take a look at the wide variety of agriculture-related bills this session and their fate. We'll start with the good news.

Responding to the passage of the most recent federal Farm Bill that reclassified hemp and allows it be grown legally, the legislature passed three bills sponsored by Sen. Tom Jacobsen (D-Great Falls) designed to normalize the crop and open opportunities for farmers interested in accessing new markets and diversifying their operations. Hemp is a remarkably versatile plant: its fibers can be used for clothes, paper, and other textile applications; its seeds (or “hearts”) are a nutritious food supplement; its oils are increasingly sought for medicinal purposes. As a crop, it also holds many benefits for soil health and sustainability.

The three bills that passed—SB 176, SB 177, and SB 178—reduce taxes on processing and handling equipment similar to the way equipment is taxed for other crops, remove the onerous fingerprinting requirements for growing hemp, and create a Montana-certified hemp program to give hemp farmers an added boost in marketing their product. With these changes, the way is cleared for Montana's innovative farmers to add value to their farms.

In addition, the Montana legislature also passed a bill to help future farmers and ranchers pay off their college loans. HB 431, sponsored by Rep. Zach Brown (D-Bozeman), creates a program that will repay up to 50% of a student's loans if the student works in agriculture for at least five years following graduation. This is an important step in encouraging young people to pursue careers in agriculture.

But the news wasn't all good.

The Montana legislature hung cattle producers out to dry when it came to country-of-origin labeling (COOL). Montana enacted a COOL law in 2005, requiring that beef sold in Montana be labeled with a placard indicating if it came from the United States or from a foreign country. When Congress implemented a federal COOL law in 2009, the Montana law was discontinued.

Responding to consumer demand, US cattle prices improved dramatically with federal COOL until Congress, under pressure from Mexico and Canada who filed a complaint with the World Trade Organization, repealed COOL for beef and pork in 2015. After COOL's repeal, cattle prices dropped and have stayed low.

This year, Northern Plains, the Montana Cattlemen's Association and Montana Farmers Union, worked to reinstate a Montana COOL program. Sen. Albert Olszewski (R-Kalispell), carried Senate Bill 206, which would have reinstated a state-level COOL program similar to what was passed in 2005.

Unfortunately, the Montana Farm Bureau Federation and Montana Stockgrowers Association opposed the bill. When it was clear that SB 206 was not going to make it out of committee, Sen. Olszewski decided to replace it with a joint resolution (SJ 16) that urged Congress to restore a federal COOL program for beef and pork.

As this resolution was moving through the Senate, Rep. Bradley Hamlett (D-Great Falls) introduced HB 594, which would have created a Montana COOL program. This bill was tabled in the House Agriculture Committee. We attempted to “blast” it onto the House floor for debate but the motion failed 48-50. “Blasting” is a process that allows tabled bills to move out of committee and onto the floor for debate. This only happens when there is enough support on the floor of the House or Senate (whichever chamber is considering the bill) to “blast” the bill out of committee.



After HB 594 died, we decided that if SJ 16 was going to pass, it should be strengthened to tell Congress what Montanans mean when they say they support COOL. We worked to amend the resolution to urge Congress to restore a “mandatory” federal COOL program like what existed before 2015 (and still exists for poultry, lamb, and seafood). Our amendment failed in committee and 40-60 on the House floor. SJ 16 then passed the House, but with a majority of Republican representatives voting against it. You read that right: a majority of Republicans voted against urging Congress to restore a federal country-of-origin labeling program that would mean higher cattle prices and tens of millions of dollars in additional income for Montana’s economy.

We used the votes described above – the HB 594 blast motion and the SJ 16 “mandatory” amendment motion – in our scorecard because they most accurately represent the politics surrounding COOL at the 2019 legislature. Both were debated on the House floor and representatives knew exactly what they were voting for or against.

Unfortunately, we do not have similar votes to use in the Senate. SB 206 never made it out of committee and we were unable to “blast” it. SJ 16 passed easily out of the Senate 46-4 without any debate and without calling for a mandatory program, which would have at least given the resolution some meaning.

HOUSE COMMITTEE VOTES ON COOL

HB 594 – MONTANA COUNTRY-OF-ORIGIN LABELING ACT

Ray Shaw, R-Sheridan	-
Casey Knudsen, R-Malta	-
Andrea Olsen, D-Missoula	+
Fred Anderson, R-Great Falls	-
Jacob Bachmeier, D-Havre	+
Becky Beard, R-Elliston	-
Laurie Bishop, D-Livingston	+
Julie Dooling, R-Helena	-
Willis Curdy, D-Missoula	+
Moffie Funk, D-Helena	+
Joshua Kassmier, R-Fort Benton	+
Connie Keogh, D-Missoula	+
Wendy McKamey, R-Great Falls	-
Dale Mortenson, R-Billings	-
Alan Redfield, R-Livingston	-
Wylie Galt, R-Martinsdale	-
Katie Sullivan, D-Missoula	+

Legislature fails on clean energy in 2019

Montana’s energy future was debated throughout the course of the 2019 legislative session. While several proposals emerged to move our state in the right direction toward clean energy, the uncertain future of Colstrip cast a dark shadow on the issue (see “*Coal Smoke and Mirrors*,” page 5). In the end, the 2019 Legislature made little progress in advancing clean energy in Montana.

Despite having broad support, our flagship energy bill, SB 245 – the Montana Commercial Property-Assessed Clean Energy Act, or “C-PACE” – failed to reach the governor’s desk. C-PACE would have created a valuable private (and voluntary) financing tool for Montana businesses, including farmers and ranchers, to make their operations more energy efficient and profitable.

We organized a powerful coalition that included solar installers, electrical contractors, realtors, farmers, ranchers, business owners, and—after working out some amendments—even the Montana

Banking Association (which had opposed the bill in 2017) and Montana Credit Union Network!

Our bill passed the Senate 34-15. By the time it reached the House, the Montana Taxpayers Association was its only opponent.

Unfortunately, Republican leadership in the House targeted C-PACE and sent the bill to the House Taxation Committee, an infamous “kill” committee. Despite an overwhelmingly supportive hearing and a barrage of citizen lobbying and messages to members of the committee, the bill stalled 9-9 in the committee with Republicans Daniel Zolnikov (R-Billings) and Kerry White (R-Bozeman) voting “yes” with the Democrats.

Without any other options, we attempted to “blast” the bill out of committee to be heard by the full House, a motion would require 58 out of 100 votes. Unfortunately, our blast motion fell victim to the complicated politics surrounding Medicaid expansion, pre-



kindergarten education, and funding for a new Montana history museum. The blast motion failed 47-49.

Had C-PACE made it out of committee, we expect that it would have passed. We can be proud of all of our hard work, though. Our grassroots power made clean energy a major issue in the 2019 legislature and our work will continue to make it a hot topic around the state. The work of our members – meeting with legislators, calling and writing them, lobbying in Helena, and writing letters to the editor – made all this progress possible. Thank you!

Another good clean energy bill was HB 22, sponsored by Rep. Laurie Bishop (D-Livingston). This bill also got caught up in the tornado at the end of the session and did not survive.



Rep. Emma Kerr-Carpenter (D-Billings) energized more than 100 C-PACE supporters during one of the worst snowstorms of 2019 at our Jan. 23 Clean Power for All rally in Helena.

HB 22 was proposed by the Energy and Telecommunications Interim Committee to address an unfortunate ruling the by Public Service Commission (PSC) that large renewable energy projects classified as “qualifying facilities” under the Public Utilities Regulatory Act be limited to contract lengths of 15 years. This limitation would deter investment in these projects, and PSC members knew it.

HB 22 sought to restore those contract lengths to 25 years to make renewable projects more attractive to investors and competitive with coal-fired and natural gas facilities. The bill passed almost unanimously out of the House after the contract length was amended down to 20 years, but it ran into trouble in the Senate where the contract length was amended down again, to 15 years, rendering the bill meaningless. At the very end of the session, however, it was nearly revived as a “vehicle” for parts of the unpopular “save Colstrip” bill, SB 331, which ultimately died. Despite the good intentions of the Energy and Telecommunications Interim

Here’s how the votes came down in both the Senate Energy Committee and the House Taxation Committee

SB 245 - MONTANA COMMERCIAL PROPERTY-ASSESSED CLEAN ENERGY ACT

SENATE COMMITTEE VOTES ON C-PACE

Duane Ankney, R-Colstrip	+
Jason Small, R-Busby	+
Mary McNally, D-Billings	+
Dick Barrett, D-Missoula	+
Mike Cuffee, R-Eureka	+
Terry Gauthier, R-Helena	+
Doug Kary, R-Billings	+
Sue Malek, D-Missoula	+
Mike Phillips, D-Bozeman	+
Keith Regier, R-Kalispell	+
Tom Richmond, R-Billings	+
Russel Tempel, R-Chester	+
Gene Vuckovich, D-Anaconda	+

HOUSE COMMITTEE VOTES ON C-PACE

Alan Redfield, R-Livingston	-
Becky Beard, R-Elliston	-
Zach Brown, D-Bozeman	+
Kim Abbott, D-Helena	+
Mary Ann Dunwell, D-Helena	+
Dave Fern, D-Whitefish	+
John Fuller, R-Kalispell	-
Emma Kerr-Carpenter, D-Billings	+
Wylie Galt, R-Martinsdale	-
Greg Hertz, R-Polson	-
Joshua Kassmier, R-Fort Benton	-
Rhonda Knudsen, R-Culbertson	-
Marilyn Marler, D-Missoula	+
Lola Sheldon-Galloway, R-Great Falls	-
Briget Smith, D-Wolf Point	+
Tom Welch, R-Dillon	-
Kerry White, R-Bozeman	+
Daniel Zolnikov, R-Billings	+

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Committee, HB 22 was watered down and dismantled by lawmakers who aim to obstruct renewable energy development in Montana.

While the legislature missed opportunities to advance clean energy in a meaningful way, certain legislators made clear their intentions to rig the game against renewable energy. Rep. Alan Redfield (R-Livingston) introduced HB 144 in order to repeal the tax credits homeowners receive for investing in renewable energy on their properties. Despite opposition from many corners, HB 144 passed the House by a party-line vote. It was later quietly killed in the Senate Taxation Committee.

We were not so fortunate with SB 93, sponsored by Senator Tom Richmond (R-Billings). This bill requires that large-scale solar generating facilities in Montana put up bonding to pay for decommissioning when they shut down. A similar bill passed in 2017 requiring bonding for large-scale wind farms. We support bonding and ensuring that companies pay their fair share, but these bonding and decommissioning requirements should be required for all electrical generating facilities.

No such rules exist for coal-fired and natural gas plants. In fact, if such a law existed for coal-fired power plants, the state would not be at risk of footing the bill for hundreds of millions of dollars to clean up the coal ash ponds at Colstrip. This double standard for bonding and decommissioning requirements ensures that renewables aren't given a fair shot in Montana. Despite our veto request, Governor Bullock signed SB 93 into law.

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Our grassroots power made clean energy a major issue in the 2019 legislature and our work will continue to make it a hot topic around the state. The work of our members — writing letters, making phone calls, meeting with legislators, and braving snowstorms to lobby in Helena — made all of this progress possible. Thank you!

More (coal) smoke and mirrors... but also some positive developments

The writing is on the wall: coal's days are numbered. In the 2019 legislature, uncertainty and insecurity about the future of Montana's coal industry prompted a variety of responses — from proposals to have the state buy and run Colstrip, to resolutions urging Congress to force the state of Washington to allow coal ports on its waters, to proactive legislation to prepare for and facilitate an orderly transition away from coal. All this angst gave NorthWestern Energy an opening to exploit.

Reflecting the uncertainty of Colstrip's future, Representative Rodney Garcia (R-Billings) sponsored HB 203 early in the session to have the state buy and run the aging Colstrip power plant. Garcia did not anticipate that his bill would likely require the state to assume the massive costs associated with coal ash cleanup. Nor did he consider to whom the state might sell the electricity. HB 203 died in committee.

Perhaps equally wishful, HJ 4, sponsored by Rep. Joe Read (R-Ronan) called on Congress to intervene and force the state of Washington to allow the Millennium Bulk Terminals coal port to be constructed. HJ 4 passed in both chambers, but it is doubtful how much of an effect, if any, it may have on the issue.

Reacting to the bankruptcy of Westmoreland Coal—which

owns and operates the Rosebud coal mine, the fuel source for Colstrip—Sen. Duane Ankney (R-Colstrip) sponsored SB 252 in an effort to facilitate Colstrip buying coal from other mines by skirting environmental protections. This bill, which was passed but then vetoed by Governor Bullock, was probably meant to influence negotiations over the price of coal between the power plant and the Rosebud mine. It reflected the legislature's willingness to remove any barrier to keeping Colstrip open.

HB 476, sponsored by Rep. Jim Keane (D-Butte), echoed this theme. It allows the state to loan as much as \$50 million to power companies to buy an increased interest in Colstrip, build loadout facilities for importing coal, or to operate the plant. Governor Bullock signed this bill into law.

Legislators also introduced a number of proactive bills that we supported to help prepare for coal's decline. Sen. Ankney sponsored a bill requiring coal companies to bond to protect workers' pensions if the companies go bankrupt (SB 201) and a bill to allow coal counties to create trust funds to prepare for coal's decline (SB 191).

Sen. Jason Small (R-Busby) sponsored SB 264, requiring that all power plant cleanup jobs be hired at the prevailing wage, meaning that they are likely to be higher-paying union jobs.



The legislature passed HB 467, sponsored by Rep. Denise Hayman (D-Bozeman), to create a system for utility companies to “securitize” their debt. For Colstrip, this would mean that NorthWestern could refinance its existing debt at a lower interest rate, similar to how homeowners can refinance their mortgages. This could allow the company to get out of Colstrip with the plants’ other owners at the end of the 2020s.



NorthWestern couldn’t let all of the fear and anxiety about the closure of Colstrip go to waste, however. Proposing to “save Colstrip” the company worked with Sen. Tom Richmond and Sen. Duane Ankney to introduce SB 278. This bill would have allowed the company to buy an additional 150 megawatts of generating capacity at Colstrip for one dollar, but then pass on \$40 million in operating expenses, all remaining environmental remediation obligations, and debt to its customers in Montana without any oversight from the Public Service Commission (PSC). There was no guarantee that NorthWestern would continue to run the plant after the other owners pulled out — only the guarantee that NorthWestern’s shareholders would profit.

When it became clear that SB 278 would die, Richmond replaced it with SB 331. SB 331 dropped the requirement that ratepayers pay for NorthWestern’s remaining debt and remediation costs, but obligated ratepayers to pay as much as \$75 million in costs to acquire more of the power plant and the high voltage transmission system that delivers Colstrip’s electricity to market. Again, this would happen without PSC oversight and without any guarantee that NorthWestern would continue to run the power plant after 2027.

SB 331 became one of the most controversial bills of the session, with opponents drawing comparisons to the disastrous Montana Power Company deregulation of 1997. Sen. Richmond and Sen. Ankney actually held Medicaid expansion—which provides health care for roughly 90,000 Montanans—hostage to try to force SB 331 through the House. NorthWestern pulled out all the stops, but your persistent calls and messages thwarted

them at every turn. Finally, just hours before the legislature adjourned, it was clear the company was out of options and the bill died.

Northern Plains members tracked and lobbied on every one of these bills, coming to Helena, making hundreds of calls, and sending hundreds of messages. In the end, citizen involvement made a big difference. Thank you for your vigilance and perseverance!!!

Governor’s scorecard

While pursuing his many priorities this session — Medicaid expansion, a permanent pre-kindergarten program, funding for a Montana heritage center, and raising revenue — Governor Bullock still managed to block some bad bills from becoming law. Northern Plains requested vetoes on seven bills. **We thank the governor for standing with family farms and ranches and renewable energy by vetoing three of those bills:**

- ✓ **SB 329** (Sen. Richmond, R-Billings) would have allowed the Land Board to extend the Otter Creek coal leases for an additional 10 years;
- ✓ **SB 252** (Sen. Ankney, R-Colstrip) would have allowed Colstrip to skirt the Major Facility Siting Act and buy its coal from the non-union Spring Creek mine or Wyoming mines rather than the adjacent Rosebud Mine;
- ✓ **HB 487** (Rep. Skees, R-Kalispell) would have allowed utilities to count 100-year old hydropower in meeting requirements of Montana’s renewable portfolio standard.

Unfortunately, Governor Bullock **signed four bills that will threaten our land and water by encouraging more coal development** and discouraging renewable energy development:

- ✗ **HB 403** (Rep. Usher, R-Billings) extends tax breaks for the Signal Peak coal mine for an additional 10 years;
- ✗ **SB 328** (Sen. Richmond, R-Billings) expands the tax break for new underground coal mines to include new strip coal mines and coal strip mine expansions;
- ✗ **HB 476** (Rep. Keane, D-Butte) allows the state to lend up to \$50 million to energy companies to buy and operate coal-fired power plants;
- ✗ **SB 93** (Sen. Richmond, R-Billings) creates bonding and decommissioning requirements for large-scale solar electrical generating facilities without creating similar requirements for coal-fired and natural gas power plants.



SENATE

A = Absent

Senator	Party	SD	City	Percent Favorable	HB 487: Include 100-year-hydro in RPS (Renewable Portfolio Standard)	HJ 4: Resolution to Congress to force Washington to allow coal exports	SB 199: Prohibit PSC from altering certain contract lengths	SB 245: Establish Commercial Property-Assessed Clean Energy program	SB 331: Allow NWE to shift costs to ratepayers without oversight	SB 93: Require bonding and decommissioning for large-scale solar	SB 329: Allow for extension of state coal leases	HB 22: Revise electricity supply resource contract length
Ankney, Duane	R	20	Colstrip	13%	-	-	-	+	-	-	-	-
Barrett, Dick	D	45	Missoula	100%	+	+	+	+	+	+	+	+
Bennett, Bryce	D	50	Missoula	100%	+	+	+	+	+	+	+	+
Blasdel, Mark	R	4	Kalispell	0%	-	-	-	-	-	-	-	-
Bogner, Kenneth	R	19	Miles City	13%	-	-	-	+	-	-	-	-
Boland, Carlie	D	12	Great Falls	100%	+	+	+	+	+	+	+	+
Brown, Dee	R	2	Hungry Horse	25%	-	-	-	-	+	-	+	-
Cohenour, Jill	D	42	East Helena	100%	+	+	+	+	+	+	+	+
Cuffe, Mike	R	1	Eureka	13%	-	-	-	+	-	-	-	-
Ellis, Janet	D	41	Helena	100%	+	+	+	+	+	+	+	+
Ellsworth, Jason	R	43	Hamilton	0%	-	-	-	-	-	-	-	-
Esp, John	R	30	Big Timber	13%	-	-	-	-	+	-	-	-
Fielder, Jennifer	R	7	Thompson Falls	50%	A	-	-	+	+	-	+	A
Fitzpatrick, Steve	R	10	Great Falls	13%	-	-	-	+	-	-	-	-
Flowers, Pat	D	32	Belgrade	100%	+	+	+	+	+	+	+	+
Gauthier, Terry	R	40	Helena	13%	-	-	-	+	-	-	-	-
Gillespie, Bruce	R	9	Ethridge	13%	-	-	-	+	-	-	-	-
Gross, Jen	D	25	Billings	100%	+	+	+	+	+	+	+	+
Hinebauch, Steve	R	18	Wibaux	0%	-	-	-	-	-	-	-	-
Hoven, Brian	R	13	Great Falls	13%	-	-	-	+	-	-	-	-
Howard, David	R	29	Park City	0%	-	-	-	A	A	-	A	-
Jacobson, Tom	D	11	Great Falls	71%	-	+	+	+	+	A	+	-
Kary, Doug	R	22	Billings	0%	-	-	-	-	-	-	-	-
Keenan, Bob	R	5	Bigfork	38%	-	-	+	-	+	-	-	+
Lang, Mike	R	17	Malta	0%	-	-	-	-	-	-	-	-
MacDonald, Margie	D	26	Billings	100%	+	+	+	+	+	+	+	+
Malek, Sue	D	46	Missoula	100%	+	+	+	+	+	+	+	+
McClafferty, Edie	D	38	Butte	88%	+	+	-	+	+	+	+	+
McConnell, Nate	D	48	Missoula	100%	+	+	+	+	+	A	+	+
McNally, Mary	D	24	Billings	100%	+	+	+	+	+	+	+	+
Olszewski, Albert	R	6	Kalispell	0%	-	-	-	-	-	-	-	-
Osmundson, Ryan	R	15	Buffalo	14%	-	A	-	+	-	-	-	-
Phillips, Mike	D	31	Bozeman	100%	+	+	+	+	+	+	+	+
Pomnichowski, JP	D	33	Bozeman	100%	+	+	+	+	+	+	+	+
Regier, Keith	R	3	Kalispell	13%	-	-	-	+	-	-	-	-
Richmond, Tom	R	28	Billings	13%	-	-	-	+	-	-	-	-
Sales, Scott	R	35	Bozeman	0%	-	-	-	-	-	-	-	-
Salomon, Daniel	R	47	Ronan	13%	-	-	-	+	-	-	-	-
Sands, Diane	D	49	Missoula	100%	+	+	+	+	+	+	+	+
Sesso, Jon	D	37	Butte	38%	-	-	-	+	-	-	+	+
Small, Jason	R	21	Busby	13%	-	-	-	+	-	-	-	-
Smith, Cary	R	27	Billings	0%	-	-	-	-	-	-	-	-
Smith, Frank	D	16	Poplar	88%	+	+	+	+	+	-	+	+
Tempel, Russel	R	14	Chester	0%	-	-	-	-	-	-	-	-
Thomas, Fred	R	44	Stevensville	0%	-	-	-	-	-	-	-	-
Vance, Gordon	R	34	Belgrade	0%	-	-	-	-	-	-	-	-
Vuckovich, Gene	D	39	Anaconda	38%	+	-	+	+	-	-	-	-
Webb, Roger	R	23	Billings	0%	-	-	-	-	-	-	-	-
Webber, Susan	D	8	Browning	100%	+	+	+	+	+	+	+	+
Welborn, Jeffrey	R	36	Dillon	13%	-	-	-	+	-	-	-	-

HOUSE

A = Absent

Representative	Party	HD	City	Percent Favorable	HB 144: Eliminate renewable energy tax credits	HB 400: Revise supplemental assistance program (SNAP) to include farmers markets	HB 403: Give massive tax break to Signal Peak coal mine	HB 487: include 100-year-hydro in Renewable Portfolio Standard (RPS)	HB 594: Montana Country-of-Origin Labeling Act (COOL)	HB 625: Eliminate numeric nutrient standards in Montana's water quality laws	SB 245: Establish Commercial Property-Assessed Clean Energy (C-PACE) program	SJ 16: Joint resolution urging restoring of federal COOL	SB 331 : Allow NWE to shift costs to ratepayers without oversight
Abbot, Kim	D	83	Helena	100%	+	+	+	+	+	+	+	+	+
Anderson, Fred	R	20	Great Falls	11%	-	+	-	-	-	-	-	-	-
Bachmeier, Jacob	D	28	Havre	100%	+	+	+	+	+	+	A	+	+
Bahr, Jade	D	50	Billings	100%	+	+	+	+	+	+	+	+	+
Ballance, Nancy	R	87	Hamilton	11%	-	+	-	-	-	-	-	-	-
Bartel, Dan	R	29	Lewistown	0%	-	-	-	-	-	-	A	-	A
Beard, Becky	R	80	Elliston	11%	-	-	-	-	-	-	-	-	+
Bedey, David	R	86	Hamilton	11%	-	+	-	-	-	-	-	-	-
Berglee, Seth	R	58	Joliet	13%	-	-	-	A	-	-	-	-	+
Bessette, Barbara	D	24	Great Falls	89%	+	+	+	-	+	+	+	+	+
Bishop, Laurie	D	60	Livingston	100%	+	+	+	+	+	+	+	+	+
Brown, Bob	R	13	Thompson Falls	13%	-	-	-	-	-	-	-	-	+
Brown, Zach	D	63	Bozeman	100%	+	+	+	+	+	+	+	+	+
Burnett, Tom	R	67	Bozeman	0%	-	-	-	-	-	-	A	-	-
Buttrey, Edward	R	21	Great Falls	0%	-	-	-	-	-	-	-	-	-
Caferro, Mary	D	81	Helena	100%	+	+	+	+	+	+	+	+	+
Curdy, Willis	D	98	Missoula	100%	+	+	+	A	+	+	+	+	+
Custer, Geraldine	R	39	Forsyth	22%	-	+	-	-	-	-	+	-	-
DeVries, Greg	R	75	Jefferson City	11%	-	-	-	-	-	-	-	-	+
Doane, Alan	R	36	Bloomfield	11%	-	-	-	-	-	-	-	-	+
Dooling, Julie	R	70	Helena	13%	-	+	A	-	-	-	-	-	-
Dudik, Kimberly	D	94	Missoula	100%	+	+	+	+	+	+	+	+	+
Dunn, David	R	9	Kalispell	11%	-	-	-	-	-	-	-	-	+
Dunwell, Mary Ann	D	84	Helena	100%	+	+	+	+	+	+	+	+	+
Duram, Neil	R	2	Eureka	11%	-	-	-	-	-	-	-	-	+
Farris-Olsen, Robert	D	79	Helena	100%	+	+	+	+	+	+	+	+	+
Fern, Dave	D	5	Whitefish	89%	+	+	+	+	+	+	+	+	-
Fitzgerald, Ross	R	17	Fairfield	0%	-	-	-	-	-	-	-	-	-
Fleming, Frank	R	51	Billings	22%	-	+	-	-	-	-	-	-	+
Fuller, John	R	8	Kalispell	11%	-	-	-	-	-	-	-	-	+
Funk, Moffie	D	82	Helena	89%	+	+	-	+	+	+	+	+	+
Galt, Wylie	R	30	Martinsdale	11%	+	-	-	-	-	-	-	-	-
Garcia, Rodney	R	52	Billings	38%	+	+	-	-	+	-	-	-	A
Garner, Frank	R	7	Kalispell	11%	-	+	-	-	-	-	-	-	-
Glimm, Carl	R	6	Kila	11%	-	-	-	-	-	-	-	-	+
Greef, Sharon	R	88	Florence	11%	-	+	-	-	-	-	-	-	-
Grubbs, Bruce	R	68	Bozeman	25%	+	+	A	-	-	-	-	-	-
Gunderson, Steve	R	1	Libby	0%	-	-	-	-	-	-	-	-	-
Hamilton, Jim	D	61	Bozeman	100%	+	+	+	A	+	+	+	+	+
Hamlett, Bradley	D	23	Cascade	67%	+	+	-	-	+	-	+	+	+
Harvey, Derek	D	74	Butte	88%	+	+	A	-	+	+	+	+	+
Hayman, Denise	D	66	Bozeman	86%	A	A	+	+	+	+	+	-	+
Hertz, Greg	R	12	Polson	0%	-	-	-	-	-	-	-	-	-
Holmlund, Kenneth	R	38	Miles City	0%	-	-	-	-	-	-	-	-	-
Hopkins, Mike	R	92	Missoula	44%	-	+	-	-	+	+	+	-	-
Jones, Llew	R	18	Conrad	11%	-	+	-	-	-	-	-	-	-
Karjala, Jessica	D	48	Billings	100%	A	A	+	+	+	+	+	+	+
Kassmier, Joshua	R	27	Fort Benton	11%	-	-	-	-	+	-	-	-	-
Keane, Jim	D	73	Butte	67%	+	+	+	-	+	-	+	+	-
Kelker, Kathy	D	47	Billings	100%	+	+	+	+	+	+	+	+	+
Keogh, Connie	D	91	Missoula	100%	+	+	+	+	+	+	+	+	+
Kerr-Carpenter, Emma	D	49	Billings	100%	+	+	+	+	+	+	+	+	+
Knudsen, Rhonda	R	34	Culbertson	0%	-	-	-	-	-	-	-	-	-
Knudsen, Casey	R	33	Malta	11%	+	-	-	-	-	-	-	-	-
Krautter, Joel	R	35	Sidney	11%	-	-	-	-	-	-	+	-	-

HOUSE

A = Absent

Representative	Party	HD	City	Percent Favorable	HB 144: Eliminate renewable energy tax credits	HB 400: Revise supplemental assistance program (SNAP) to include farmers markets	HB 403: Give massive tax break to Signal Peak coal mine	HB 487: include 100-year-hydro in Renewable Portfolio Standard (RPS)	HB 594: Montana Country-of-Origin Labeling Act (COOL)	HB 625: Eliminate numeric nutrient standards in Montanans water quality laws	SB 245: Establish Commercial Property-Assessed Clean Energy (C-PACE) program	SJ 16: Joint resolution urging restoring of federal COOL	SB 331: Allow NWE to shift costs to ratepayers without oversight
Krotkov, Jasmine	D	25	Neihart	100%	+	+	+	+	+	+	+	+	+
Lenz, Dennis	R	53	Billings	0%	-	-	-	-	-	-	-	-	-
Loge, Denley	R	14	Saint Regis	11%	-	-	-	-	+	-	-	-	-
Lynch, Ryan	D	76	Butte	78%	+	+	-	-	+	+	+	+	+
Mandeville, Forrest	R	57	Columbus	22%	+	-	-	-	-	-	-	-	+
Manzella, Theresa	R	85	Hamilton	22%	+	-	-	-	-	-	-	-	+
Marler, Marilyn	D	90	Missoula	100%	+	+	+	+	+	+	+	+	+
McKamey, Wendy	R	19	Great Falls	22%	-	-	-	-	+	-	+	-	-
Mercer, Bill	R	46	Billings	0%	-	-	-	-	A	-	-	-	-
Moore, Frederick (Eric)	R	37	Miles City	0%	-	-	-	-	-	-	-	-	-
Moore, Terry	R	54	Billings	22%	-	+	-	-	-	-	-	-	+
Morigeau, Shane	D	95	Missoula	100%	+	+	+	+	+	+	+	+	+
Mortensen, Dale	R	44	Billings	0%	A	A	-	A	A	-	-	-	-
Noland, Mark	R	10	Bigfork	11%	-	-	-	-	-	-	-	-	+
Olsen, Andrea	D	100	Missoula	100%	+	+	+	+	+	+	+	+	+
Peppers, Rae	D	41	Lame Deer	78%	+	+	-	+	+	+	+	-	+
Perry, Zac	D	3	Hungry Horse	100%	+	+	+	+	+	+	+	+	+
Pierson, Gordon	D	78	Deer Lodge	78%	+	+	+	-	+	+	+	+	-
Pope, Christopher	D	65	Bozeman	100%	+	+	+	+	+	+	+	+	+
Read, Joe	R	93	Ronan	33%	-	+	-	-	+	-	+	-	-
Redfield, Alan	R	59	Livingston	11%	-	-	-	-	-	-	-	-	+
Regier, Matt	R	4	Columbia Falls	11%	-	-	-	-	-	-	-	-	+
Ricci, Vince	R	55	Laurel	11%	-	-	-	-	-	-	-	-	+
Runningwolf, Tyson	D	16	Browning	100%	A	A	+	+	+	+	+	+	+
Ryan, Marilyn	D	99	Missoula	89%	+	+	+	+	+	+	+	+	-
Sales, Walt	R	69	Manhattan	11%	-	+	-	-	-	-	-	-	-
Schreiner, Casey	D	26	Great Falls	89%	+	+	+	-	+	+	+	+	+
Shaw, Ray	R	71	Sheridan	11%	-	+	-	-	-	-	-	-	-
Sheldon-Galloway, Lola	R	22	Great Falls	11%	-	-	-	-	-	-	-	-	+
Skees, Derek	R	11	Kalispell	11%	-	-	-	-	-	-	-	-	+
Smith, Bridget	D	31	Wolf Point	100%	+	+	+	+	+	+	+	+	+
Stewart Peregoy, Shar	D	42	Crow Agency	100%	+	+	+	+	+	+	+	+	+
Sullivan, Katie	D	89	Missoula	100%	+	+	+	+	+	+	+	+	+
Sweeney, Mark	D	77	Philipsburg	100%	+	+	+	+	+	+	+	+	+
Tschida, Brad	R	97	Missoula	0%	-	-	-	-	-	-	-	-	A
Usher, Barry	R	40	Billings	13%	-	-	-	-	-	-	A	-	+
Vinton, Sue	R	56	Billings	11%	-	-	-	-	-	-	-	-	+
Weatherwax, Marvin	D	15	Billings	78%	+	-	+	-	+	+	+	+	+
Webb, Peggy	R	43	Billings	11%	-	-	-	-	-	-	-	-	+
Welch, Tom	R	72	Dillon	11%	-	+	-	-	-	-	-	-	-
White, Kerry	R	64	Bozeman	11%	-	-	-	-	-	-	-	-	+
Windy Boy, Jonathan	D	32	Box Elder	89%	+	+	+	+	+	+	+	+	-
Winter, Thomas	D	96	Missoula	100%	+	+	+	+	+	+	+	+	+
Woods, Tom	D	62	Bozeman	100%	+	+	+	+	+	+	+	+	+
Zolnikov, Daniel	R	45	Billings	22%	-	-	+	-	-	-	+	-	-

2019 SCORED LEGISLATIVE BILLS

Here are the 2019 bills that rose to the top of Northern Plains' legislative priorities and had votes that we can use for our scorecard (in other words, they had a vote by either the full House and/or Senate). The votes are tallied for each legislator on the previous pages.

KILL TAX CREDITS FOR ENERGY CONSERVATION AND MUCH MORE

HB 144 – Sponsor: Rep. Alan Redfield (R-Livingston)

In the name of raising revenue for state coffers, this bill would have ended tax credits that Montanans use to make energy conservation investments in their homes, as well as more than two dozen other tax credits. In addition to energy conservation, HB 144 would have axed tax credits for biodiesel production, investments in historic preservation, landowners who provide access to land-locked public lands, employers who invest in daycare facilities, and employers who provide disability insurance to employees.

■ Northern Plains position: **Oppose**

■ Vote used in this scorecard:

- House 3rd reading, Mar. 28, passed 51 to 45

■ Status: Tabled in Senate Taxation Committee on April 1

HELP LOW-INCOME MONTANANS GAIN ACCESS TO FRESH FRUITS AND VEGETABLES AT FARMERS MARKETS

HB 400 – Sponsor: Rep. Kimberly Dudik (D-Missoula)

This bill would have created a grant program aimed at increasing access for low-income Montanans using the Supplemental Nutrition Assistance Program (SNAP) to buy locally-produced fruits and vegetables at venues such as farmers markets. This would have been a positive step toward ensuring our most vulnerable neighbors have access to healthy, nutritious food and the bill also would have supported Montana farmers.

■ Northern Plains position: **Support**

■ Vote used in this scorecard:

- Senate 3rd reading, Mar. 28, passed 55 to 41

■ Status: Tabled in Senate Public Health, Welfare, and Safety Committee on April 8.

UNDERMINE MONTANA'S RENEWABLE PORTFOLIO STANDARD

HB 487 – Sponsor: Derek Skees (R-Somers)

This bill would have allowed existing hydro-electric dams to be included in the list of new renewable energy projects in our state. This would defeat the purpose of the current law, which exists to encourage rural economic development through renewable energy projects. Northern Plains requested that Governor Bullock veto this law.

■ Northern Plains position: **Oppose**

■ Vote used in this scorecard:

- House 3rd reading, Feb. 25, passed 64 to 32
- Senate 3rd reading, April 2, passed 31 to 18

■ Status: Vetoed by Governor

THROW THE BABY OUT WITH THE BATH WATER TO BENEFIT POLLUTERS

HB 625 – Sponsor: Rep. Bill Mercer (R-Billings)

This bill would have eliminated numeric standards for nitrogen and phosphorus from Montana water quality laws, threatening the health of Montana's rivers, lakes, and streams. Without numeric standards, water laws are open to interpretation and difficult to enforce. HB 625 would have injected more uncertainty into Montana's water quality laws.

■ Northern Plains position: **Oppose**

■ Vote used in this scorecard:

- House 2nd reading, Feb. 28, passed 59 to 41

■ Status: Tabled in Senate Natural Resources Committee on April 8

MONTANA COUNTRY-OF-ORIGIN LABELING ACT

HB 594 – Sponsor: Rep. Bradley Hamlett (D-Cascade)

This House bill would have created a Country-of-Origin Labeling (COOL) program for beef and pork in Montana, giving our ranchers a fair, open market for their products and Montana consumers the information they want and need to make informed purchasing decisions. The bill would have required that placards be placed in meat counters to inform consumers about where the meat was born, raised, harvested, and processed.



2019 SCORED LEGISLATIVE BILLS

- Northern Plains position: **Support**
- Vote used in this scorecard:
 - House blast motion, Mar. 27, failed 48-50
- Status: Died when blast motion failed; remained tabled in House Ag Committee

COMMERCIAL PROPERTY-ASSESSED CLEAN ENERGY ACT (C-PACE)

SB 245 – Sponsor: Sen. Mary McNally (D-Billings)

This bill would have closed the financing gap for business owners and agricultural producers who want to make cost-saving energy efficiency and renewable energy upgrade to their properties. It would have allowed for private banks to provide up to 100% upfront financing for the improvements, paid back through long-term loans tied to the properties. This bill would have been good for Montana businesses, job creation, energy independence, and the climate. C-PACE passed the Senate by a healthy margin but was killed by leadership in the House, despite any substantive stakeholder opposition.

- Northern Plains position: **Support**
- Vote used in this scorecard:
 - Senate 3rd reading, March 29, passed 34 to 15
 - House blast motion, April 12, failed 47 to 49
- Status: Died when blast motion failed; remained tabled in House Taxation Committee

RESOLUTION URGING CONGRESS TO RESTORE COOL

SJ 16 – Sponsor: Sen. Albert Olszewski (R-Kalispell)

This resolution urges Congress to restore federal country-of-origin-labeling for beef and pork products in the United States. We pushed for an amendment to strengthen the resolution by specifying that any federal COOL program for beef and pork should be mandatory, just like the COOL programs for poultry, lamb, and fish. The vote used in this scorecard is from the vote on that amendment on the House floor. Without the amendment, SJ 16 is just a meaningless gesture.

- Northern Plains position: **Support** (amendment requiring mandatory federal COOL)
- Vote used in this scorecard:
 - House 2nd reading, amendment vote, April 5, failed 40 to 60
- Status: Passed



Northern Plains and Dawson Resource Council members drove all the way from Glendive to lobby in support of COOL in February. In this photo, Sen. Steve Hinebauch (R-Wibaux) and Rep. Ken Homlund (R-Miles City) give them a tour of the Capitol. At one point, a lobbyist opposing COOL told Northern Plains staff he's "never had to work so hard to defeat a bill."

EXTEND SWEETHEART TAX GIVEAWAY TO SIGNAL PEAK MINE

HB 403 – Sponsor: Rep. Barry Usher (R-Billings)

This bill continues the coal gross proceeds tax cut for the Signal Peak mine in Roundup for an additional ten years, costing the state and Musselshell County millions of dollars. When this tax reduction was enacted in 2011, it was intended to spur new underground coal mine development, not to sustain the existing Signal Peak Mine – the most financially-solvent coal mine in Montana. Signal Peak's business model appears to be based on mining tax breaks as much as coal. Northern Plains requested that Governor Bullock veto this law.

- Northern Plains position: **Oppose**
- Vote used in this scorecard:
 - Senate 3rd reading, April 13, passed 34 to 16
 - House 2nd Reading-Senate amendments concurred, April 18, passed 59 to 38
- Status: Signed into law by Governor

Continued on Page 12



2019 SCORED LEGISLATIVE BILLS (CONT'D)

ENCOURAGE MORE COAL EXPORT

HJ 4— Sponsor: Rep. Joe Read (R-Ronan)

This joint resolution calls on the federal government to intervene and force the state of Washington to allow the construction of the Millennium Bulk Terminals coal port to increase exports of Montana coal to Asia.

- Northern Plains position: **Oppose**
 - Vote used in this scorecard:
 - Senate 3rd reading, March 12, passed 31 to 18
 - Status: Passed
-

TIE PUBLIC SERVICE COMMISSION'S HANDS AND LEAVE RATEPAYERS VULNERABLE TO NORTHWESTERN'S BAD INVESTMENTS

SB 199— Sponsor: Sen. Tom Richmond (R-Billings)

This bill sought to restrict the Public Service Commission's (PSC) ability to protect utility customers from unwise investments by NorthWestern Energy by prohibiting the PSC from shortening the economic life or contract length of a utility's electricity generation facility to earlier than its depreciation date. This means that utilities could make bad long-term investments in energy facilities expected to be less competitive in the future while forcing ratepayers to foot the bill even if those facilities are shut down.

- Northern Plains position: **Oppose**
 - Vote used in this scorecard:
 - Senate 3rd reading, Feb. 25, passed 31-19
 - Status: Tabled in House Energy, Technology, and Federal Relations Committee on April 3
-

\$75 MILLION RATEPAYER GIVEAWAY TO NORTHWESTERN

SB 331— Sponsor: Sen. Tom Richmond (R-Billings)

This bill would have guaranteed that NorthWestern Energy could pass on up to \$75 million in Colstrip-related costs to ratepayers for ten years without Public Service Commission (PSC) oversight if the company bought more of the Colstrip Power Plant. As it evolved, it became apparent that SB 331 was really about forcing ratepayers to subsidize NorthWestern's acquisition of a larger share of the transmission system connecting Colstrip

to energy markets without PSC oversight.

- Northern Plains position: **Oppose**
 - Vote used in this scorecard:
 - Senate 3rd reading, March 29, passed 27-22
 - House 3rd reading, April 16, failed 37-60
 - Status: Failed House 3rd reading on April 16
-

IMPOSE UNFAIR DECOMMISSIONING AND BONDING REQUIREMENTS ON LARGE-SCALE SOLAR

SB 93— Sponsor: Sen. Tom Richmond (R-Billings)

This bill creates decommissioning requirements, including bonding for large solar projects, similar to what exists for wind. In theory, this is a good idea; bonding provides the surety to protect taxpayers and landowners from having to clean up solar developments when they reach the end of their lives. But it's unfair because Montana law does not impose similar decommissioning requirements on other forms of energy production, including natural gas and coal. Northern Plains requested that Governor Bullock veto this law.

- Northern Plains position: **Oppose**
 - Vote used in this scorecard:
 - Senate 3rd reading, Feb. 26, passed 33-15
 - Status: Signed into law by Governor
-

EXTEND OTTER CREEK COAL CONTRACT LEASES FOR ANOTHER 10 YEARS

SB 329— Sponsor: Sen. Tom Richmond (R-Billings)

This bill would have allowed the Land Board to extend state coal leases, including those at Otter Creek held by Arch Coal, for an additional ten years if it's "in the best interest of the state." Landowners near the Otter Creek tracts and in the Tongue River Valley lived under the constant threat of a new mine and the Tongue River Railroad for decades, and they shouldn't be forced to continue to live under the shadow of speculative coal ventures. Northern Plains requested that Governor Bullock veto this law.

- Northern Plains position: **Oppose**
 - Vote used in this scorecard:
 - Senate 3rd reading, March 28, passed 28-21
 - Status: Vetoed by Governor
-



2019 SCORED LEGISLATIVE BILLS (CONT'D)

LEVEL THE PLAYING FIELD FOR RENEWABLE ENERGY

HB 22– Sponsor: Rep. Laurie Bishop (D-Livingston)

This bill would have extended the contract length for renewable energy projects to twenty years to make them more competitive for inclusion in Montana utilities' energy portfolios – a necessary step in encouraging the transition to clean, renewable energy.

- Northern Plains position: **Support**
 - Vote used in this scorecard:
 - Senate 3rd reading, April 5, passed 30-19
 - Status: Failed to pass out of Free Conference Committee
-

ALLOW STATE TO LOAN UP TO \$50 MILLION TO UTILITIES TO BUY AND RUN COAL-FIRED POWER PLANTS

HB 476– Sponsor: Rep. Jim Keane (D-Butte)

This bill will allow the Montana Board of Investments to make loans of up to \$50 million per year to energy companies to purchase and operate coal-fired power generating facilities like Colstrip. Prior to HB 476, the Board of Investments could only make loans of \$10 million per year limiting the Montana taxpayer's exposure to potentially risky investments. With HB 476, Montana taxpayers will now be more exposed to losses as the state can lend tens of millions of dollars for investment in the weakest, shrinking sector of the energy economy. Northern Plains requested that Governor Bullock veto this law.

- Northern Plains position: **Oppose**
 - Vote used in this scorecard:
 - Governor's veto
 - Status: Signed into law by Governor
-

ALLOW COLSTRIP TO SKIRT LAWS AND BUY COAL FROM NON-UNION MINES IN MONTANA OR WYOMING

SB 252– Sponsor: Duane Ankney (R-Colstrip)

This bill would have allowed the Colstrip power plant to buy coal from a new mine without amending its Major Facility Siting Act (MFSA) certificate. Even though the MFSA has been weakened by the legislature in recent decades, it is the only law that would require an examination of the chemical composition of the coal burned at Colstrip and how its ash

might affect groundwater quality in the region (the Colstrip power plant units were designed to burn coal from the adjacent Rosebud Mine). If the plant were to stop buying coal from the Rosebud Mine, hundreds of mining jobs in Colstrip would disappear and Montana's economy would suffer lost wages and taxes as Colstrip's coal purchasing would shift to lower-wage non-union mines at Spring Creek, or worse yet, in Wyoming. Even without SB 252, Colstrip's operators are looking at buying coal from somewhere other than the Rosebud Mine. At least the Department of Environmental Quality can still use MFSA to evaluate the potential impacts of new fuel sources on groundwater. Northern Plains requested that Governor Bullock veto this law.

- Northern Plains position: **Oppose**
 - Vote used in this scorecard:
 - Governor's veto
 - Status: Vetoed by Governor
-

GIVE MASSIVE TAX CUT TO NEW OR EXPANDED COAL STRIP MINES

SB 328– Sponsor: Tom Richmond (R-Billings)

This bill expands the ten-year tax cut on the gross proceeds of new underground coal mines to also include new surface coal mines or surface coal mine expansions. This tax cut will apply most immediately to the massive expansion of the Rosebud Mine in Colstrip and will cost the state general fund and coal counties millions of dollars in lost tax revenue. Northern Plains requested that Governor Bullock veto this law.

- Northern Plains position: **Oppose**
 - Vote used in this scorecard:
 - Governor's veto
 - Status: Signed into law by Governor
-



2019 MONTANA LEGISLATURE
VOTING RECORD



2019 MONTANA LEGISLATURE
VOTING RECORD

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