It’s almost halftime for the legislative session!

By the time this bulletin hits your mailbox, we will be right on the cusp of transmittal. Transmittal is when general policy bills (most bills) must move from the House to the Senate (and vice-versa). The days before transmittal are some of the most hectic of the session as legislators scramble to have their bills introduced, heard, and voted on before the deadline.

As we hit the halfway point, we could not be more proud and grateful for all the work Northern Plains members have poured into this session. We have already stopped loads of legislation that would have weakened our democracy and damaged our air, land, water and climate. At the same, we have helped support bills to strengthen our ag communities, elevate healthy soils, stand in solidarity with our Indigenous allies, and advance our clean energy future.

Thank you for your research, phone calls, emails, testimony, and support to protect Montana!

Northern Plains to legislators:
“Don’t mess with our Montana Constitution!”

Hundreds of Montanans gathered in Helena’s Capitol rotunda in early February for Northern Plains’ We the People rally to protect the Montana Constitution. The event featured impassioned speeches by former Montana Governor Marc Racicot, former legislator Dorothy Bradley, and youth-focused organizer Lucy Hochschartner. Our message was loud, resolute, and unmistakable - keep Montana’s Constitution intact.

Packing the building and holding signs that read “We the People Love Montana’s Constitution” and “The MT Constitution: Don’t Mess With It!” our members and allies made a huge splash at the 68th Legislature. Almost every daily Montana newspaper featured front page coverage of the rally, amplifying our members’ voices across the state. This rally made clear that our voice will not be ignored, and our power cannot be denied.

Northern Plains board member Kris Glenn served as the event’s emcee, leading the crowd with rousing cheers that boomed throughout the building including “It ain’t broke… so don’t fix it!”

Glenn infused the rally with passion and humor, keeping the crowd laughing and cheering as she moved through a lineup of marquee speakers. The first scheduled speaker was Dorothy Bradley, a former Montana legislator who served for 16 years, including terms before and after the 1972 Constitution was drafted and ratified by a delegation of everyday Montanans, none of whom were politicians. Bradley recounted how the new Constitution had broken the stranglehold of corporate corruption, leading to greater transparency and accountability within our government.
Lucy Hochschartner, an elite athlete and youth-focused organizer, was the next speaker. She spoke about the responsibility we share to protect our Constitution so that future generations can thrive with the same rights and freedoms Montanans enjoy today.

The final rally speaker was former Montana Governor and Attorney General Marc Racicot. Racicot provided a broad history of the dedication and resolve required of the Constitution’s drafters to create such a transformational document imbued with the highest ideals of freedom, democracy, and trust in one another. He encouraged attendees to look past the forces that foment division with a plea for Montanans to work together in defense of our shared rights and freedoms.

“We should begin our constitutional vigil in the same way the delegates to the convention over 50 years ago began their historic work: by presuming the best of one another and remembering that a people who cannot talk or listen to each other, who will not sincerely consider the thoughts of each other, who do not trust each other and who cannot reason with each other, cannot long live in freedom,” said Racicot.

After Governor Racicot’s speech, Kris Glenn directed the crowd of hundreds to visit both the House and Senate chambers to make their presence known to Montana’s legislators.

“We are fiercely proud of our Constitution, written by Montanans to serve Montanans,” said Glenn before leading attendees to the lawmakers’ chambers. “For more than half a century, it has faithfully protected our freedoms, rights, and people. It has protected us, and now it is our turn to protect it.”

**Politicians want to bring the dysfunction of Washington, D.C. to Montana**

“Are you now, or have you ever been, a partisan hack?” That is the animating question for a pile of new legislation designed to dismantle any shred of independence, impartiality, or bipartisanship within Montana’s judiciary, local governments, and legislative committees. Sadly, the preferred answer (even the required answer) to that question is, “Yes! I am, indeed, a proud partisan hack. Here are my credentials.”

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For generations, Montanans took pride in rising above the crass partisan politicking that dominated Washington D.C. and less independent-minded states. We scorned those dysfunctional systems where no issue was too small to avoid bickering, grandstanding, or refusing to work together for common sense solutions. We took a higher path.

Our local public officials are willing to cooperate and compromise to get things done. Most Montanans - including most elected officials - respect the checks and balances within our government's separation of powers. Well, these foundational pillars of our democracy are threatened by a new wave of extremism that wants to turn Helena into an outpost of Washington, D.C.

We see bills in the House (HB 464, sponsored by Rep. Paul Fielder, R-Thompson Falls) and Senate (SB 302, sponsored by Sen. Daniel Emrich, R-Great Falls) that either allow or require judicial candidates to declare their party loyalty on the ballot. SB 302 even allows political parties to help fund judicial campaigns. These changes could radically undermine the impartiality and independence of our justice system. If these bills pass, how can the public trust that our judges are loyal to the law and to justice as opposed to party bosses and political funders?

It doesn't stop at the judiciary, either. SB 176, sponsored by Sen. Keith Regier (R-Kalispell), would upend the equally bipartisan structure of Montana's interim legislative committees, requiring instead a partisan majority. Even our local offices are not spared this move to make Montana a confederation of party hacks. SB 317, sponsored by Sen. Chris Friedel (R-Billings), would require that city council candidates declare their “political faith or party affiliation” on the ballot.

Individually, these bills are disturbing. Taken as a whole, this effort to inject partisan polarization into every nook and cranny of civic life is dangerous. It's up to everyday Montanans like us to put these bad ideas to rest and demand our legislators restore dignity to Montana's body politic. We already killed SB 200, a bill that tried to introduce partisanship into nonpartisan races. Let's do the same to these other bills. Call, email, and write your representative and tell them we don't want Montana to emulate the dysfunctional partisan bickering of Washington, D.C.

Our Soil Health Resolution passes the Senate, heads to the House!

SJ 9, our bill designed to celebrate and elevate soil health, passed third reading in the Senate yesterday and now heads to the House! Sponsored by Sen. Butch Gillespie (R-Ethridge), SJ 9 would establish the first week of April as Montana Soil Health Week, and the first Wednesday in April as Montana Soil Health Day. Northern Plains members have been trailblazers in recognizing that the vitality of Montana's food, water, economy, and environment are rooted in the health of our soils. SJ 9 will help shine a light on the great work being done by this state's ag producers, supporting Montana's biggest industry.

Thank you to all of our members who have supported this bill! A special thank you to Sen. Gillespie and the bill's co-sponsor, Sen. Janet Ellis (D-Helena), for your bipartisan leadership. Let's keep up the momentum and get SJ 9 over the finish line and onto the Governor's desk!
Let’s give Community Solar a warm welcome!

Our Community Solar bill has officially been introduced! **SB 399**, sponsored by Sen. Chris Pope (D-Bozeman), would give Montanans access to a tried and tested program that allows more Montanans access to clean, affordable solar energy. Community solar allows multiple households, buildings, and businesses to share a single solar array. Participating customers could individually purchase shares of the community array. Each month, they would receive a credit on their power bill equal to their share of the energy generated from the solar array.

**SB 399** would provide relief for Montanans who are feeling the impacts of rising energy costs with even higher rates possible in the coming months. Right now, many Montanans don’t have the freedom to choose the energy they want because we are burdened with twentieth century regulations for twenty-first century technology.

**SB 399** would update our laws so that everyone – businesses, homeowners, and renters – could enjoy the benefits of solar technology. Everyone deserves the freedom to choose low-cost energy, and enabling community solar gives Montanans that freedom! Thank you to Senator Pope for your leadership in sponsoring this important bill.

**SB 399** has been assigned to the Senate Energy and Telecommunications Committee. As of this writing, we don’t yet have a hearing date scheduled. You can learn more about community solar (and opportunities to take action to support the bill) here: NorthernPlains.org/Community-Solar.

Water is for fighting...

Mark Twain is credited with the oft-repeated line, “Whiskey is for drinking, water is for fighting.” While a bit of rye or corn liquor may or may not have been integral to solidifying the bonds that built Northern Plains, there is no doubt that a fierce commitment to protecting our water has been a foundational value of ours since day one.

For the past fifty years, many of our biggest battles have centered on defending our water quality and quantity. We can look to our work creating landmark mining reclamation laws, establishing the Good Neighbor Agreement with the Stillwater Mine, and our battles against coal bed methane development, the Tongue River Railroad, radioactive oil waste, and the Keystone XL pipeline as just a few examples of major victories to defend Montana’s most precious resource. Sadly, this fight feels never-ending, and a dangerous bill is threatening our water once again. As always, Northern Plains members are here to fight (and ready to win) for the good of our communities.

**HB 576**, sponsored by Rep. Rhonda Knudsen (R-Culbertson) would weaken Montana’s water quality standards for coal mining activities. In short, this bill would allow coal companies to pollute public and private water sources immediately adjacent to mine property with minimal liability. After hearing powerful testimony from Northern Plains members and a committee meeting that went late into the evening, the House Natural Resources Committee passed **HB 576** on a party line vote of 10-5 on Wednesday, February 22.
Dirty tricks try to undermine our clean energy future

We know that Montanans want and deserve a clean, affordable, and just energy future that protects the people and places we love. No one wants to overpay for expensive, outdated energy sources that pollute our air, contaminate our water, and drain our wallets. Unfortunately, monopoly energy corporations like NorthWestern Energy want to double down on polluting energy because it’s more profitable to shareholders and executives. These corporations want to further entrench power by rigging the system in their favor, eliminating competition and oversight. In short, they want to dismantle the free market and use the power of the government to mandate that captive energy customers pay more for inefficient, polluting fuels. It’s a dirty trick, and a couple of bills help further the scheme.

HB 643, sponsored by Rep. Josh Kassmier (R-Fort Benton) would stymie residential solar in Montana. This bill would require the Public Service Commission (PSC) to create a separate new “rate class” for solar customers. This could result in higher energy rates and new fees for homes and businesses that own solar. The bill also directs the PSC to conduct a study that ignores the benefits of rooftop solar to Montana’s grid, forcing the PSC to only consider the costs to utility corporations. This would bias the study against the efficiency of rooftop solar. The bill would also put a cap on the number of solar systems allowed on the grid until the study is concluded.

HB 220, also sponsored by Rep. Josh Kassmier, would create a partisan committee with additional seats for monopoly energy corporations to examine laws and recommend policy on energy resource planning in Montana. The bill literally gives monopoly corporations a seat at the table to help direct the laws that oversee their business. This isn’t just letting the fox guard the henhouse, it’s inviting the fox to be the architect for all future henhouses.

In further efforts to undermine our clean energy future, Rep. Kassmier also introduced HB 524, a bill designed to bury solar installers under frivolous government regulations. The bill would require solar installers to provide customers with tedious information about the manufacturing origins, materials used, and murky carbon footprint calculations related to the lifespan of the solar panels. This bill is an obvious effort to stymie the solar marketplace with onerous government regulations, requiring disclosures that customers have not requested.

Another disturbing bill is HB 454, sponsored by Rep. Gary Parry (R-Colstrip), which would target large-scale renewable energy production for significant tax increases. This bill would use government taxation to manipulate the marketplace, giving an unfair advantage to the expensive, outdated energy sources preferred by monopoly utilities, effectively killing the cleaner, more efficient, and more affordable energy sources embraced by the free market.

To find out the latest developments, and opportunities to take action to help defeat these bad bills, visit: NorthernPlains.org/Bill-Tracker.
Speaking our truth, living our values

A fundamental value of Northern Plains is that everyday people should be able to participate in the decisions that impact their communities. Our member-leaders are living those values in Helena, advancing our mission in hearing rooms throughout the Capitol building. Here are some testimony excerpts from recent weeks:

**Steve Charter, Shepherd rancher, testifying in support of SJ 9, our Soil Health resolution:**

“On my ranch, and at many others around the state, we see soil health as a way to increase our bottom line and make the ranch more profitable for the long haul. Farmers and ranchers continue to report less farm-related income each year, and we are losing people in agriculture. We see this as one more way to support producers on the land and make it more accessible to young people who might consider a future in agriculture.”

**Norane Freistadt of Helena, testifying in opposition to SB 200, a bill that would have injected partisanship into nonpartisan local and judicial races, which was tabled:**

“I feel strongly that locally elected candidates must be judged on the candidates’ character, their work ethic, and dedication to their communities and citizens,” said Norane. “In a time when partisanship plays a huge role in our everyday lives, this bill is clearly misdirected. I have big concerns, as well as many others, over our present extreme partisanship that is detrimental to our democracy. Not everything needs to be or should be partisan.”

**Tom Mexicancheyenne, a Northern Cheyenne Tribal member, testified in support of SB 141, a bill that would have replaced Columbus Day with Indigenous People’s Day. Sadly, this bill was tabled, but Tom’s courage and strong message could not be ignored:**

“We have heard many people talk [in this hearing], and they are from all walks of life: teachers, college professors, professionals, even traditional people have spoken about why this [holiday] should be changed… If some of these atrocities happened today [acts of violence, slavery, and genocide that were carried out by Christopher Columbus, or under his direction, detailed throughout the hearing] what would that person be? He would be a terrorist. So, why are we celebrating a terrorist…? Because this is exactly what has happened to our people.”

**Kirk Panasuk, Bainville rancher, testifying in opposition to SB 228, a bill that would ban communities from making local decisions about petroleum use:**

“When the Bakken boom was at its peak, our local government entities played a significant role in the oversight of the industry. Our Conservation District in particular helped steward good development… This bill seems like it makes the legislature and the government bigger and more powerful at the expense of local control.”
BILL POSITIONS

BILLS WE SUPPORT

HB 188: Support Montana’s coal-impacted communities
This bill, sponsored by Rep. Gary Parry (R-Colstrip), would allow funding from Montana’s coal severance tax to remain at current levels to fund grants and other projects that support coal-impacted communities. We support this bill because we believe those living and working in coal country deserve to live with dignity and respect in safe communities with good jobs for generations to come.

HB 475 & SB 347: Give farmers and ranchers the freedom to repair their equipment
HB 475, sponsored by Rep. Tom France (D-Missoula), and SB 347, sponsored by Sen. Willis Curdy (D-Missoula), are identical bills. Both bills would require that manufacturers of agricultural equipment make available to producers and third party mechanics the documentation, tools, and parts necessary for the diagnosis or repair of equipment. Currently, many manufacturers limit access to these resources resulting in unreasonable prices and long delays for equipment repair. We support this bill because we believe Montana’s hardworking family farmers and ranchers should not be trapped by overpriced, anticompetitive corporate strangleholds on goods and services.

SJ 6: Recognize the harm done by Indian boarding schools
This resolution, sponsored by Sen. Susan Weber (D-Browning), would recognize the trauma and grief of the Indian boarding school experience, and requests that U.S. Congress designate a national day of remembrance. We support this bill because we stand in solidarity with our Indigenous allies.

BILLS WE OPPOSE

SB 242: Allow monopoly utilities to underpay renewable energy providers
This bill, sponsored by Sen. Jason Small (R-Busby), would allow monopoly utilities like NorthWestern Energy to underpay small-scale renewable energy providers for clean energy that utilities are required by law to procure. If passed, this bill would let energy providers like NorthWestern squeeze clean energy competitors out of business, further entrenching the unfair advantage monopoly utilities have within Montana’s fixed energy market. We oppose this bill because it would punitively damage the financial health of renewable energy providers, thereby undercutting the clean, affordable energy future Montanans deserve.

SB 261: Undermine Montanans’ ability to participate in water rights decisions
SB 261, sponsored by Sen. Keith Regier (R-Kalispell), would eliminate the rights of everyday Montanans to participate in water use decisions. This bill would only allow those who currently own water rights to participate in objections or challenges. Current law allows those whose property or interests could be impacted by water appropriations to participate in the objections process. We oppose this bill because we believe that all Montanans have a right to participate in the decisions that impact their property, interests, and communities.

SB 287: Put Montana taxpayers at risk for billions of dollars in lawsuits
This bill, sponsored by Sen. Steve Fitzpatrick (R-Great Falls), would revise and broaden Montana’s “ takings” law to allow a dangerously wide class of private entities to sue the state (and ultimately charge taxpayers) for payments related to denied or revoked permits. For example, a radioactive oil waste disposal company that purchased land next to the entrance of Yellowstone National Park could demand enormous payments from the state for “lost business” if a permit for a radioactive waste dump was denied. We oppose this bill because taxpayers should not be at risk for billions of dollars in lawsuits when governments make common sense planning decisions that protect the health, safety, and prosperity of Montana’s communities.

To see all of the bills we’re tracking and the latest developments, visit: NorthernPlains.org/Bill-Tracker