Where the leather is scarred, there’s a great story to tell

As we jump back into the saddle after a much needed transmittal respite, we’ve entered one of the trickiest stretches of another long legislative cattle drive. We’ve seen this trail before – the loose rocks, blind turns, and dangerous cliffs lurking along this particular lane of lawmaking lunacy. It requires steadfast focus to keep our footing and protect our herd from the hired bandits pushing bills at the behest of corporate cronies. Our water, land, climate, and democratic rights hang in the balance as we continue to steel our resolve and stand up for Montana’s future. We’ve covered this terrain successfully before, and we’ve got the scars on our boots to prove it.

Now that the dust has cleared from the first half of the session, we have a better look at the current landscape. We can see that energy lobbyists are well represented with a bevy of bad bills including one that would further rig Montana’s energy markets in favor of monopoly utility corporations (HB 220, sponsored by Rep. Josh Kassmier; R-Fort Benton) and others that would undermine the rights, water quality, and livelihoods of landowners who live near coal mines:

- **SB 392** – sponsored by Sen. Steve Fitzpatrick (R-Great Falls), a bill designed to intimidate landowners seeking justice with enormous financial risks.
- **HB 576**, sponsored by Rep. Rhonda Knudsen (R-Culberson), a bill that would allow coal mining corporations to pollute clean water next to mine property with minimal liability.
- **HB 656**, sponsored by Sen. Gary Parry (R-Colstrip), a bill that would prevent landowners and the public from commenting on mine expansions up to several hundred acres in size.

As these bandit bills lurk along this legislative trail, we’ll keep you informed for the most strategic times to wrestle them to the ground with phone calls and emails to the Capitol.

The numbers don’t lie

In many ways, it has been a tough slog to surpass the midpoint of this session. That’s why it’s so important to reflect on all that we accomplished prior to transmittal - to fortify us for this second half of our important fight to protect the Montana Constitution, secure a clean and affordable energy future, protect our soils and working landscapes, and stand in solidarity with our Indigenous allies seeking greater justice, representation, and accountability. Here is a look at some of the numbers that illustrate our hard work, diligence, and courage from the first half of the session:

**At least 30 Northern Plains members testified in at least 26 hearings.**

Often this testimony led to important swing votes and amendments in our favor.

**We sent nearly 10,000 individual phone calls and messages to legislators!**

**We closely monitored 86 bills, resolutions, and drafts important to our issues.**

**We tracked 47 of those bills on Northern Plains’ digital Bill Tracker.**

**We took widespread action as a full membership on a total of 12 bills, some more than once as the bills moved through the legislative process.**

Continued on page 2.
By raising our voices and telling our stories, we killed two bills that would have increased partisanship in our judiciary (SB 200 and HB 595); we stopped SB 97 which would have taxed clean, affordable energy to death; and we stopped HB 643 which would have burdened solar customers with higher rates and forced the Public Service Commission to conduct a rigged study ignoring the benefits of solar.

Additionally, we successfully passed SJ 9 through the Senate and it’s now awaiting a vote on the House floor. Sponsored by Sen. Butch Gillespie (R – Ethridge), this joint resolution will establish a Healthy Soils Day and Week, providing more resources to agricultural producers and teachers who steward our soils, while increasing awareness of the importance of healthy soil for our food system and climate.

The numbers don’t lie. We have already turned on a strong spigot of grassroots power this session. Thank you to everyone who sent a message, made a phone call, showed out to rally, testified, or lobbied our legislators. We couldn’t do it without you! Now let’s keep up the momentum, and cross the finish line strong!

Community Solar Bill deadlocks committee while shining a path forward

At Northern Plains, we play the long game. Some of our most important campaigns took years of work before landing a victory. Look at our Commercial Property-Assessed Capital Enhancements (C-PACE) bill, which took seven years and three sessions before passage. C-PACE is now spreading like wildfire across the state (and surely preventing some future climate-fueled wildfires along the way). It’s through this lens that we view the hearing for SB 399, our community solar bill that would have allowed more people to access solar energy by purchasing individual shares of collectively-owned solar arrays.

SB 399 deadlocked the Senate Energy and Telecommunications Committee in a 6-6 tie vote. Unfortunately, when a bill lands in a tie vote, it does not pass. While it was painful to come so close to beating the odds during a session that has proven hostile to clean energy, it’s a testament to the excellent work of Northern Plains members and the bill’s sponsor, Sen. Chris Pope (D-Bozeman), that we almost got SB 399 out of committee. The hearing was a master class in discipline, strategy, and expertise, shining a bright path forward for this campaign.

A special thanks to Senator Pope for his leadership and for his excellent presentation of SB 399 during the hearing. We also want to thank all of our members who sent emails, made phone calls, and worked in support of this innovative idea. While this bill came up short by the slimmest of margins, we are certain that community solar will have its day in the sun yet!

Here are some memorable quotes from members who testified in support of SB 399:

“Community Solar is an opportunity to provide Montanans with a tool to lower their power bills that is accessible to all - homeowners, renters, ranchers, nonprofits, businesses, and more.”

- Tim Holmes, Helena

“In many Montana cities, we’re experiencing an affordable housing crisis, leaving fewer options for students and low income communities. Landlords across the state can benefit from an offset of energy costs provided by community solar.”

- Ita Killeen, Bozeman

Continued from page 1.

Hundreds of Montanans gathered in the Capitol rotunda to attend Northern Plains’ We the People rally to protect the Montana Constitution.

Tim Holmes testifying on our Community Solar bill before the Senate Energy and Telecommunications Committee in February.
Mirror, mirror, on the wall; could these bills be the worst of all?

SB 208 and SB 228 are sibling bills – we’ll call them the Brothers Grimm – that seek to spin a dark fairy tale of villages held hostage to the whims and wiles of a polluting fossil fuel monarch. Sponsored by Sen. Jason Small (R-Busby), both bills would ban local governments from making decisions that prohibit or limit the use of specific fuels and energy infrastructure. The breadcrumbs from these bills surely lead back to industry dealmakers.

- **SB 208** would ban counties, cities, or municipalities from prohibiting the use of natural gas and disallow governments from prohibiting any specific energy source within building codes.
- **SB 228** would ban counties, cities, and municipalities from prohibiting the installation or use of any machinery, vehicles, vessels, tools, appliances, or equipment that burn or transport petroleum fuels.

Both of these bills would weaken our democracy by trampling on local governments’ right to address community concerns by bodies closest to the people.

Northern Plains member and retired oil refinery operator Steve Krum had this to say about SB 228:

“Senate Bill 228 is so broadly written that when applied a true nightmare can and will happen in every town and city in the state of Montana... Decision-making should start at the local level and the people who live in those communities. Whenever a state law is written that burdens the local community and government by giving undue preference, more control, and more rights to a special interest at the expense of a community and elected officials to control their own growth, it’s just wrong.”

**Defending Democracy – an update on our work to protect the Montana Constitution**

We are fiercely proud of the Montana Constitution, written by Montanans to serve Montanans. We came into this session knowing we needed to defend this document from a small group of extremist politicians, polluters, and lobbyists. That’s why we worked so hard to organize a wildly successful rally to defend the Constitution that made a big splash in the Capitol and throughout Montana’s media landscape. Thus far, we have preserved all of our Constitutional rights, but we’re not out of the woods just yet.

Transmittal marked the deadline for general bills to move out of the chamber where they were introduced. However, not all bills are bound by this deadline. Revenue bills, appropriation bills, and bills proposing voter referendums have a later deadline. They must be introduced by the 62nd day of the session – March 28 – and transmitted by 67th day – April 3.

That class of bills includes those seeking an amendment to the Montana Constitution, because altering that foundational document requires a statewide ballot referendum. We are closely watching a number of bills, bill drafts, and dangerous ideas polluting Helena that seek to dismantle our rights, including our right to a clean and healthful environment. We must remain vigilant so that we can protect the document that has faithfully protected our freedoms, rights, and people for generations.

Stay tuned for future opportunities to take action to defend democracy in the coming days and weeks.
Forging the path to healing

SJ 6 was recently heard in the House Energy, Technology and Federal Relations committee. SJ 6 is a joint resolution sponsored by Sen. Susan Webber (D-Browning) that would recognize the harm done by Indian boarding schools. Northern Plains board member and Northern Cheyenne tribal member Tom Mexicancheyenne was among several of the bill's proponents who gave powerful testimony and spoke to his family's personal experience with these schools:

“The importance of this bill is to acknowledge that these things did happen to our Native people. Many of us are the product of the trauma that our parents, grandparents, and great grandparents experienced and survived. My dad was born in 1914. His mom died when he was a young teen and he was sent to live with a Mennonite family and... sent to the Christian schools. My mom was born in 1912. She was forced at the age of 6 to go to the Catholic and government boarding schools. The stories she told when I was in my forties were very hard to listen to. The trauma that she experienced and went through and witnessed... At that time I didn't realize how the trauma had been passed onto me. So in my early years I was very angry at my parents for what they put us through. I didn't understand what they went through until my mom started to tell the stories. And then I realized she didn't have a choice in what happened and what she lived through.”

Tom goes on to say how passing this bill can allow our Native communities to heal from these experiences:

“You [the members of the committee] are not the perpetrators of this violence... By passing this bill you are recognizing the ones who died at these schools but also the ones who were sent home to die. And you also help recognize my mom and my dad’s experiences and the trauma they lived through.”

We want to thank Tom for his courage in sharing his story, and express our solidarity with our Native allies by supporting this bill. We hope its passage will honor their stories and start clearing the trail toward healing.
BILL POSITIONS

BILLS WE OPPOSE

SB 109: Gerrymander Public Service Commission districts

This bill, sponsored by Rep. Sen. Keith Regier (R-Kalispell), would upend decades of tradition and efficacy regarding how Public Service Commission (PSC) districts are drawn. The bill would carve up PSC districts into gerrymandered slices for partisan gamesmanship, dismantling the straightforward method of drawing boundaries along county lines, which has been used since the PSC’s inception. SB 109 would split 14 counties and 6 major cities (including dividing Cascade County into three separate PSC districts), diluting local voices.

We oppose this bill because we believe that partisan gerrymandering of voting districts exacerbates extremism in the body politic, undermining efforts to create commonsense policy that benefits all Montanans and prevents energy corporations from co-opting politicians for narrow corporate interests.

SB 515: Dismantle fair legislative districts

This bill, sponsored by Sen. Steve Fitzpatrick (R-Great Falls), would call for a referendum to alter the Montana Constitution. SB 515 seeks a Constitutional amendment allowing elected politicians to direct how Montana's Districting and Apportionment Commission can draw legislative districts. The Commission was designed by the Montana Constitution to be an independent body of non-public officials, free from direct meddling by elected politicians. This bill would upend that separation by allowing the legislature to ban the Commission from drawing fair legislative districts, and ban proportional representation (where the legislature's partisanship matches the partisanship of the state). It also ensures that rural legislative districts will be geographically large, with many residents living far away from their legislator.

We oppose this bill because politicians should not be able to undermine the independence of Montana's nonpartisan Districting Commission, a body that the law requires be composed of non-public officials.

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

Your feedback needed – help us improve our legislative communications!

It's been a busy legislative session, and we'd like to hear from you on how we're doing! Please take a moment to call our office (406) 248-1154 or fill out a brief, anonymous online survey to help us better serve our members through our legislative communications. Your feedback really helps – thanks!

Here's the link to our online survey: NorthernPlains.org/2023Leg-Survey