

VOTING RECORD

2015 Montana Legislature

CITIZEN LOBBYING

Rep. Casey Schreiner, D-Great Falls, talks to Northern Plains members about net metering and solar energy during one of two Northern Plains Lobby Days held during the session.

Nearly 60 members participated in the Lobby Days and numerous other trips to Helena to testify on bills important to our membership.



Northern Plains stands up to anti-conservation majority

It could have been much worse, but it should have been much better. Despite the anti-conservation majorities of the 64th Montana Legislature, Montanans succeeded in killing reckless bills brought forward by energy interests and their allies in the Legislature.

Northern Plains members immersed themselves in these legislative battles, and fought tenaciously along with our friends and allies to protect Montana's water quality, family agriculture, and our unique quality of life.

Several absurd and destructive proposals were considered by this

TABLE OF CONTENTS

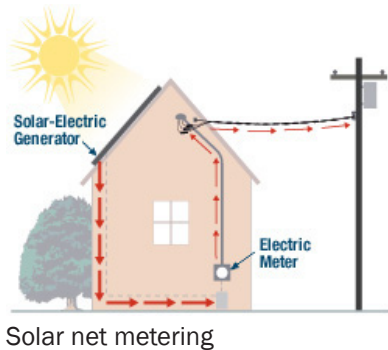
| | |
|--|-----|
| ■ NorthWestern Energy afraid of the sun | 2 |
| ■ Our fight for landowner protections from oil & gas | 3 |
| ■ Fossil-fuel industry targets water quality | 4 |
| ■ Senate members' voting record | 5 |
| ■ House members' voting record | 6-7 |
| ■ Governor's scorecard | 7 |
| ■ Scorecard bill summaries | 8-9 |
| ■ Senate OKs Peggy Ames-Nerud for oil & gas board | 10 |
| ■ Corporations still aren't paying their fair share | 11 |
| ■ Our citizen lobbyists traveled 43,400 miles | 11 |
| ■ From our Chair: Power of the People | 12 |

Continued on Page 10

NorthWestern Energy slings mud at sun

Northern Plains and our renewable energy allies entered the 64th Montana Legislature primed to pass new laws making rooftop solar more affordable for the state’s families and businesses.

Net metering is a system in which solar panels or other renewable energy generators are connected to a public-utility power grid and surplus power is transferred onto the grid, allowing customers to offset the cost of power drawn from the utility.



The suite of net metering bills offered at the legislature would have made it easier for Montanans to make private investments in their own renewable energy supply. The multi-pronged effort materialized in the following five bills, which we supported.

- **HB 188**, sponsored **Rep. Art Wittich**, R-Bozeman, would have extended the rollover of net metering credits so homeowners and businesses can be fully credited for the electricity they feed into the grid in a year.
- **HB 192**, sponsored by **Rep. Art Wittich**, R-Bozeman, would have increased the cap on the size of net metered systems to encourage more business investment.
- **HB 485**, sponsored by **Rep. Art Wittich**, R-Bozeman, would have increased the net metering cap from 50 kW to 150 kW and would have allowed for aggregate net metering for customers with multiple electrical meters on their own property.
- **SB 182**, sponsored by **Sen. Mike Phillips**, D-Bozeman, would have allowed a neighborhood to use net metering to give more people access to renewable energy.
- **SB 134**, sponsored by **Sen. Jennifer Fielder**, R-Thompson Falls, would have allowed for aggregate net metering to help farmers and ranchers offset more than one electrical meter from a single wind or solar system.

All was for nought, however, because NorthWestern Energy lobbied successfully to stunt the growth of net metering and, in so doing, denied its customers opportunities to control energy costs.

NorthWestern Energy stirred up unfounded opposition to these proposals by intense lobbying and astonishing hyperbole. NWE’s lead lobbyist described solar as an unstoppable “melanoma” and resorted to using clichéd “class warfare” rhetoric by claiming that low-income families would be stuck

| NET METERING COMMITTEE VOTES | | |
|--|--------|--------|
| The net metering House bills failed to pass the chamber’s Natural Resources Committee. Here’s how the key votes came down: | | |
| | HB 192 | HB 485 |
| Mike Lang, R-Malta | - | - |
| Tom Steenberg, D-Missoula | + | + |
| Daniel Zolnikov, R-Billings | + | + |
| Tom Berry, R-Roundup | - | - |
| Geraldine Custer, R-Forsyth | - | - |
| Austin Knudsen, R-Culbertson | - | - |
| Ryan Lynch, D-Butte | - | - |
| David Moore, R-Missoula | - | - |
| Zac Perry, D-Hungry Horse | + | + |
| Andrew Person, D-Missoula | + | + |
| Randall Pinocci, R-Sun River | + | + |
| Christopher Pope, D-Bozeman | + | + |
| Tom Richmond, R-Billings | - | - |
| Casey Schreiner, D-Great Falls | - | - |

paying for their neighbors’ solar panels.

These false claims contributed to the Legislature’s failure to act, missing a tremendous opportunity for economic growth and consumer choice throughout the state.



During House committee debate, NorthWestern Energy lobbyist John Fitzpatrick called renewable energy, such as solar net metering, a “cancer” on the system.

The session, however, was by no means a complete loss on the renewable energy front. The strategy implemented by Northern Plains and our allies stopped legislation attempting to take our state’s renewable energy laws the other direction from becoming law. The multi-bill approach turned net metering into one of the hot-button issues of the Legislature that served to educate lawmakers about the benefits of renewable energy.

This momentum will grow with the passage of **SJ 12**, which calls for an interim study on the benefits of expanding net metering.

We can anticipate net metering to be a hot topic again in the 2017 session.

The fight for landowner protections

Along with net metering, Northern Plains prioritized legislation to protect landowners living in oil and gas development areas. For years, our members throughout rural Montana have witnessed oil companies running roughshod over agricultural operations.

Our objective was to raise awareness about Montana's deficient safeguards for landowners facing oil and gas development, and ideally pass legislation that would allow surface owners to have more of an equal footing with powerful oil and gas corporations.

The oil and gas industry countered these basic protections with an all-out blitz in order to protect their "carte blanche" status in Montana. Unfortunately, the oil and gas industry lobbied strongly against landowner rights, and all of our bills went down:

■ **SB 172**, sponsored by **Sen. Sharon Stewart-Peregoy**, D-Crow Agency, would have provided surface owners the opportunity to have third-party baseline water testing completed before and after oil and gas development. The testing would have been paid for by the oil and gas industry, in order to prevent the cost of development from being externalized onto landowners. **SB 172** was tabled in the Senate Natural Resources Committee 7-5.

■ **SB 173**, sponsored by **Sen. Christine Kaufmann**, D-Helena, would have increased the bonding requirements for oil and gas wells to a level that would have held oil and gas companies accountable for reclamation costs. **SB 173** was tabled in the Senate Natural Resources Committee 7-5.

■ **SB 177**, sponsored by **Sen. Mary McNally**, D-Billings, would have allowed for a 1,000-foot setback option between oil / gas wells and houses for surface owners who do not own the mineral rights being developed. Montana is the only oil- and gas-producing state that does not have setback requirements. **SB 177** was tabled in the Senate Natural Resources Committee 7-5.



Bonnie Martinell, a Carbon County Resource Council member from Belfry, testifies before the Senate Natural Resources Committee in January about oil and gas threats to her organic farm. She spoke on behalf of landowner protections, as did several other Northern Plains members, during a Northern Plains Lobby Day in January.

LANDOWNER PROTECTION COMMITTEE VOTES

Key oil and gas landowner protection votes in the Senate Natural Resources Committee. Here's how the key votes came down:

| | SB 173 | SB 177 |
|------------------------------------|--------|--------|
| Chas Vincent, R-Libby | - | - |
| Rick Ripley, R-Wolf Creek | - | - |
| Duane Ankney, R-Colstrip | - | - |
| John Brenden, R-Scobey | - | - |
| Pat Connell, R-Hamilton | - | - |
| Jennifer Fielder, R-Thompson Falls | - | - |
| Bradley Hamlett, D-Cascade | + | + |
| Brian Hoven, R-Great Falls | - | - |
| Christine Kaufmann, D-Helena | + | + |
| Jim Keane, D-Butte | + | + |
| Cliff Larsen, D-Missoula | + | + |
| Mike Phillips, D-Bozeman | + | + |

■ **HB 253**, sponsored by **Rep. Virginia Court**, D-Billings, would have prohibited the use of liquid waste pits during the drilling process for wells that use oil-based or salt-based muds. These types of liquid waste pits increase waste, threaten wildlife, and increase the risk of soil and ground water contamination. **HB 253** was tabled in the House Federal Relations, Energy, and Telecommunications Committee 11-4.

The short life of our landowner protection bills was frustrating, but our efforts were not in vain. The momentum gained on **SB 177** (the setback bill) has persuaded the Board of Oil and Gas Conservation (BOGC) to consider rule-making to establish setback requirements.

The process to consider rule-making will begin at the BOGC's next hearing on June 24.

Our proactive strategy also prevented the oil and gas industry from attempting laws that further strip away landowner protections in Montana.

Fossil-fuel industry targets water quality

The defining fight that emerged in the 64th Montana Legislature centered on protecting Montana's water quality. The fossil fuel industry's agenda was clear as it systematically worked to establish loopholes into the laws that protect Montana's water.

Northern Plains stood opposed to six industry-backed bills that would have dramatically altered Montana's water quality protections. Northern Plains and our allies worked to kill or to amend three of these bills in their respective committees to where they no longer threatened Montana's greatest natural resource.

As the three remaining detrimental bills worked their way through the legislative process, Northern Plains dedicated a tremendous amount of resources against them.

SB 325, sponsored by **Sen. Jim Keane**, D-Butte, was far and away our greatest priority. **SB 325** prohibits the Board of Environmental Review (BER) from establishing water quality standards stringent enough to protect Montana's rivers and streams, and will have a particular impact on irrigators on southeast Montana waterways, such as Otter Creek and the Tongue River.

This bill, driven by Arch Coal and assisted by our state's Department of Environmental Quality (DEQ), will allow increased salinity downstream from the proposed Otter Creek strip mine and coal bed methane wells in Rosebud County. Salty rivers are a clear threat to irrigators as well as aquatic life.

Originally, **SB 325** left the Senate as legislation that we supported because it enabled the BER to establish effective water quality standards. Coal interests, however, worked intently to amend out this agricultural and landowner protection in the House.

Northern Plains and conservation-minded legislators defeated industry's amendments in the House Natural Resources Committee, but those same amendments were adopted in the full House 51-49 after House leadership inserted the bill into the agenda just a few hours before the floor session.

Once **SB 325** passed both chambers, Northern Plains members and allies delivered nearly 600 calls and emails requesting a veto from the Governor. Unfortunately Governor Bullock signed **SB 325** into law on April 30, codifying a direct threat to our irrigators in the Tongue River watershed.

The most frustrating aspect of **SB 325** is the fact that Northern Plains and our members – who worked long and hard a decade ago to gain the first numerical standards for the Tongue River – were never truly brought to the table by DEQ, who had personnel working with Arch on the bill, to find a solution that would protect eastern Montana irrigators.

Our second defensive priority was **SB 112**, sponsored by **Sen. Duane Ankney**, R-Colstrip, which establishes an arbitrary deadline of 180 days to complete a TMDL study (Total Maximum Daily Load), when a discharge permit is submitted into a water body. **SB 112** also forbids DEQ from declaring a discharge permit incomplete without a TMDL, in contradiction of federal rules. TMDL studies are crucial tools that determine the upper limit of pollution a water body can handle. This bill, initiated by Arch Coal, will “grease the gears” even further for the proposed Otter Creek strip mine.

SB 112 represents defective legislation that will be exploited by the fossil fuel industry. Despite hundreds of calls and emails delivered to the Governor's office requesting a veto, he signed this bill into law on April 27. DEQ is now in the impossible position of completing an accurate TMDL study, which is needed to protect Montana's water bodies, within a six-month timeline.

Fortunately, the veto picture wasn't all bad news.

SB 160, sponsored by **Sen. Ankney**, would have changed the definition of a water body's “natural condition” to include conditions that derive from sources not caused or produced by humans (nonanthropogenic), as well as conditions caused by human development. **SB 160** sought to establish an illogical definition of “natural” that suits the interests of the coal industry, creating confusion as to how water quality standards are to be established and implemented. Governor Bullock vetoed the bill on April 30.

While the signing into law of **SB 325** and **SB 112** was disappointing, it is useful to put these setbacks into context. Northern Plains took on the Montana Coal Council, Montana Petroleum Association, House leadership, Arch Coal, DEQ, and procedural tricks by GOP leadership, and, still, only two of the six bills became law in this very hostile environment. **SB 325** and **SB 112** will have to undergo a rule-making process, which provides an opportunity for us to ensure that the implementation of these bills will offer some protection to water users.



SENATE

E = Excused

| Senators | Party | City | SD | Percent favorable | SB 374: Revise oil and gas tax holiday | SB 368: Oil pipeline database and transparency | SB 325: Weaken water quality standards | SB 182: Neighborhood net metering | SB 172: Baseline Water Testing | SB 160: Redefine natural condition of a stream | SB 114: Include all hydro facilities in renewable energy standard | SB 112: Fast track Total Maximum Daily Load (TMDL) development | HB 478: Establishing cottage food opportunities | HB 244: \$1million appropriation for coal export litigation |
|-------------------------|-------|----------------|----|-------------------|--|--|--|-----------------------------------|--------------------------------|--|---|--|---|---|
| Ankney, Duane | R | Colstrip | 20 | 20% | - | + | - | - | - | - | - | - | + | - |
| Arntzen, Elsie | R | Billings | 26 | 10% | - | + | - | - | - | - | - | - | - | - |
| Barrett, Debby | R | Dillon | 36 | 20% | - | + | - | - | - | - | - | - | + | - |
| Barrett, Dick | D | Missoula | 45 | 100% | + | + | + | + | + | + | + | + | + | + |
| Blasdel, Mark | R | Kalispell | 4 | 20% | - | + | - | - | - | - | - | - | + | - |
| Brenden, John | R | Scobey | 17 | 10% | - | - | - | - | - | - | - | - | - | - |
| Brown, Dee | R | Hungry Horse | 2 | 20% | - | + | - | - | - | - | - | - | + | - |
| Brown, Taylor | R | Huntley | 28 | 30% | - | + | - | - | - | - | - | - | + | - |
| Buttrey, Edward | R | Great Falls | 11 | 30% | - | + | - | - | - | - | + | - | + | - |
| Cafferro, Mary | D | Helena | 41 | 80% | + | + | + | - | + | + | + | + | + | + |
| Cohenour, Jill | D | East Helena | 42 | 100% | + | + | + | + | + | + | + | + | + | + |
| Connell, Pat | R | Hamilton | 43 | 20% | - | + | - | - | - | - | - | - | + | - |
| Driscoll, Robyn | D | Billings | 25 | 100% | + | + | + | + | + | + | + | + | + | + |
| Facey, Tom | D | Missoula | 50 | 100% | + | + | + | + | + | + | + | + | + | + |
| Fielder, Jennifer | R | Thompson Falls | 7 | 33% | - | + | - | - | + | - | - | - | + | E |
| Hamlett, Bradley | D | Cascade | 15 | 60% | - | + | + | + | + | - | - | - | + | + |
| Hansen, Kristin | R | Havre | 14 | 20% | - | + | - | - | - | - | - | - | + | - |
| Hinkle, Jedediah | R | Bozeman | 32 | 10% | - | - | - | - | - | - | - | - | + | - |
| Hoven, Brian | R | Great Falls | 13 | 30% | - | + | - | + | - | - | - | - | + | - |
| Howard, David | R | Park City | 29 | 20% | - | + | - | - | - | - | - | - | + | - |
| Jones, Llew | R | Conrad | 9 | 20% | - | + | - | - | - | - | - | - | + | - |
| Kary, Doug | R | Billings | 22 | 30% | - | + | + | - | - | - | - | - | + | - |
| Kaufmann, Christine | D | Helena | 40 | 100% | + | + | + | + | + | + | + | + | + | + |
| Keane, Jim | D | Butte | 38 | 40% | - | + | - | - | + | - | - | - | + | + |
| Keenan, Bob | R | Bigfork | 5 | 20% | - | + | - | - | - | - | - | - | + | - |
| Larsen, Cliff | D | Missoula | 47 | 70% | + | + | - | + | + | - | + | - | + | + |
| Malek, Sue | D | Missoula | 46 | 100% | + | + | + | + | + | + | + | + | + | + |
| McNally, Mary | D | Billings | 24 | 100% | + | + | + | + | + | + | + | + | + | + |
| Moe, Mary Sheehy | D | Great Falls | 12 | 100% | + | + | + | + | + | + | + | + | + | + |
| Moore, Frederick (Eric) | R | Miles City | 19 | 20% | - | + | - | - | - | - | - | - | + | - |
| Phillips, Mike | D | Bozeman | 31 | 80% | + | + | - | + | + | - | + | - | + | + |
| Pomnichowski, JP | D | Bozeman | 33 | 100% | + | + | + | + | + | + | + | + | + | + |
| Ripley, Rick | R | Wolf Creek | 10 | 20% | - | + | - | - | - | - | - | - | + | - |
| Rosendale, Matthew | R | Glendive | 18 | 20% | - | + | - | - | - | - | - | - | + | - |
| Sales, Scott | R | Bozeman | 35 | 20% | - | + | - | - | - | - | - | - | + | - |
| Sands, Diane | D | Missoula | 49 | 90% | + | + | + | + | + | - | + | + | + | + |
| Sesso, Jon | D | Butte | 37 | 60% | + | + | - | - | + | - | + | - | + | + |
| Smith, Cary | R | Billings | 27 | 20% | - | + | - | - | - | - | - | - | + | - |
| Stewart-Peregoy, S. | D | Crow Agency | 21 | 80% | - | + | + | + | + | + | - | + | + | + |
| Swandal, Nels | R | Wilsall | 30 | 20% | - | + | - | - | - | - | - | - | + | - |
| Taylor, Janna | R | Dayton | 6 | 20% | - | + | - | - | - | - | - | - | + | - |
| Thomas, Fred | R | Stevensville | 44 | 20% | - | + | - | - | - | - | - | - | + | - |
| Tutvedt, Bruce | R | Kalispell | 3 | 20% | - | + | - | - | - | - | - | - | + | - |
| Vance, Gordon | R | Belgrade | 34 | 0% | - | - | - | - | - | - | - | - | - | - |
| Vincent, Chas | R | Libby | 1 | 20% | - | + | - | - | - | - | - | - | + | - |
| Vuckovich, Gene | D | Anaconda | 39 | 50% | - | + | - | + | + | - | - | - | + | + |
| Webb, Roger | R | Billings | 23 | 30% | - | + | - | - | - | - | - | - | + | - |
| Whitford, Lea | D | Cut Bank | 8 | 90% | + | + | + | + | + | + | + | + | + | + |
| Windy Boy, Jonathan | D | Box Elder | 16 | 80% | + | + | + | + | + | + | - | + | + | + |
| Wolken, Cynthia | D | Missoula | 48 | 100% | + | + | + | + | + | + | + | + | + | + |



HOUSE

E = Excused

| Representatives | Party | City | HD | Percent favorable | HB 244:\$1 million appropriation for coal export litigation | HB 310:Establish an oil and gas trust fund | HB 478:Establishing cottage food opportunities | SB 112:Fast track Total Maximum Daily Load (TMDL) development | SB 114:Include all hydro facilities in renewable energy standard | SB 160:Redefine natural condition of a stream | SB 325:Weaken water quality standards | SB 368:Oil pipeline database and transparency |
|---------------------|-------|----------------|----|-------------------|---|--|--|---|--|---|---------------------------------------|---|
| Ballance, Nancy | R | Hamilton | 87 | 25% | - | - | + | - | - | - | - | + |
| Bennett, Bryce | D | Missoula | 91 | 100% | + | + | + | + | + | + | + | + |
| Bennett, Jerry | R | Libby | 1 | 12% | - | - | - | - | - | - | - | + |
| Berglee, Seth | R | Joliet | 58 | 25% | - | - | + | - | - | - | - | + |
| Berry, Tom | R | Roundup | 40 | 37% | - | + | + | - | - | - | - | + |
| Brodehl, Randy | R | Kalispell | 9 | 12% | - | - | - | - | - | - | - | + |
| Brown, Bob | R | Thompson Falls | 13 | 37% | + | - | + | - | - | - | - | + |
| Brown, Zach | D | Bozeman | 63 | 100% | + | + | + | + | + | + | + | + |
| Burnett, Tom | R | Bozeman | 67 | 25% | - | - | + | - | - | - | - | + |
| Clark, Christy | R | Choteau | 17 | 37% | - | - | + | - | + | - | - | + |
| Cook, Rob | R | Conrad | 18 | 37% | - | - | + | - | + | - | - | + |
| Court, Virginia | D | Billings | 50 | 100% | + | + | + | + | + | + | + | + |
| Cuffe, Mike | R | Eureka | 2 | 12% | - | - | - | - | - | - | - | + |
| Curdy, Willis | D | Missoula | 98 | 100% | + | + | + | + | + | + | + | + |
| Custer, Geraldine | R | Forsyth | 39 | 25% | - | - | + | - | - | - | - | + |
| Doane, Alan | R | Bloomfield | 36 | 25% | - | - | + | - | - | - | - | + |
| Dudik, Kimberly | D | Missoula | 94 | 100% | + | + | + | + | + | + | + | + |
| Dunwell, Mary Ann | D | Helena | 84 | 100% | + | + | + | + | + | + | + | + |
| Eck, Jennifer | D | Helena | 79 | 100% | + | + | + | + | + | + | + | + |
| Ehli, Ron | R | Hamilton | 86 | 25% | - | - | + | - | - | - | - | + |
| Ellis, Janet | D | Helena | 81 | 100% | + | + | + | + | + | + | + | + |
| Essmann, Jeff | R | Billings | 54 | 37% | - | - | + | - | + | - | - | + |
| Fiscus, Clayton | R | Billings | 43 | 37% | - | - | + | + | - | - | - | + |
| Fitzpatrick, Steve | R | Great Falls | 20 | 25% | - | - | + | - | - | - | - | + |
| Flynn, Kelly | R | Townsend | 70 | 37% | - | - | + | - | - | - | + | + |
| Funk, Moffie | D | Helena | 82 | 100% | + | + | + | + | + | + | + | + |
| Garner, Frank | R | Kalispell | 7 | 25% | - | - | + | - | - | - | - | + |
| Glimm, Carl | R | Kila | 6 | 12% | - | - | - | - | - | - | - | + |
| Greef, Edward | R | Florence | 88 | 25% | - | - | + | - | - | - | - | + |
| Hagstrom, Dave | R | Billings | 52 | 50% | E | + | + | E | - | - | E | E |
| Harris, Bill | R | Winnett | 29 | 25% | - | - | + | - | - | - | - | + |
| Hayman, Denise | D | Bozeman | 66 | 100% | + | + | + | + | + | + | + | + |
| Hertz, Greg | R | Polson | 12 | 25% | - | - | + | - | - | - | - | + |
| Hess, Stephanie | R | Havre | 28 | 12% | - | - | - | - | - | - | - | + |
| Hill, Ellie Boldman | D | Missoula | 90 | 100% | + | + | + | + | + | + | + | + |
| Hollandsworth, Roy | R | Brady | 27 | 37% | - | + | + | - | - | - | - | + |
| Holmund, Kenneth | R | Miles City | 38 | 25% | - | - | + | - | - | - | - | + |
| Hunter, Chuck | D | Helena | 83 | 100% | + | + | + | + | + | + | + | + |
| Jacobson, Tom | D | Great Falls | 21 | 87% | + | + | + | + | + | + | - | + |
| Jones, Donald | R | Billings | 46 | 25% | - | - | + | - | - | - | - | + |
| Karjala, Jessica | D | Billings | 48 | 100% | + | + | + | + | + | + | + | + |
| Kelker, Kathy | D | Billings | 47 | 100% | + | + | + | + | + | + | + | + |
| Kipp III, George | D | Heart Butte | 15 | 100% | + | + | + | + | + | + | + | + |
| Knudsen, Austin | R | Culbertson | 34 | 25% | - | - | + | - | - | - | - | + |
| Lamm, Debra | R | Livingston | 60 | 50% | + | - | + | - | - | + | - | + |
| Lang, Mike | R | Malta | 33 | 25% | - | - | + | - | - | - | - | + |
| Laszloffy, Sarah | R | Laurel | 53 | 25% | - | - | + | - | - | - | - | + |
| Lavin, Steve | R | Kalispell | 8 | 25% | - | - | + | - | - | - | - | + |
| Lieser, Ed | D | Whitefish | 5 | 100% | + | + | + | + | + | + | + | + |
| Lynch, Ryan | D | Butte | 76 | 75% | + | + | + | + | + | - | - | + |



HOUSE

E = Excused

| Representatives | Party | City | HD | Percent favorable | HB 244:\$1million appropriation for coal export litigation | HB 310:Establish an oil and gas trust fund | HB 478:Establishing cottage food opportunities | SB 112:Fast track Total Maximum Daily Load (TMDL) development | SB 114:Include all hydro facilities in renewable energy standard | SB 160:Redefine natural condition of a stream | SB 325:Weaken water quality standards | SB 368:Oil pipeline database and transparency |
|--------------------|-------|--------------|-----|-------------------|--|--|--|---|--|---|---------------------------------------|---|
| MacDonald, Margie | D | Billings | 51 | 100% | + | + | + | + | + | + | + | + |
| Mandeville,Forrest | R | Columbus | 57 | 25% | - | - | + | - | - | - | - | + |
| Manzella, Theresa | R | Hamilton | 85 | 37% | + | - | + | - | - | - | - | + |
| McCarthy, Kelly | D | Billings | 49 | 87% | + | + | + | + | + | + | - | + |
| McClafferty, Edie | D | Butte | 73 | 87% | + | + | + | + | + | + | - | + |
| McConnell, Nate | D | Missoula | 89 | 100% | + | + | + | + | + | + | + | + |
| McKamey, Wendy | R | Great Falls | 23 | 37% | - | + | + | - | - | - | - | + |
| Mehlhoff, Bob | D | Great Falls | 22 | 50% | - | + | + | - | + | - | - | + |
| Meyers, Bruce | R | Box Elder | 32 | 14% | - | - | E | - | - | - | - | + |
| Miller, Mike | R | Helmville | 80 | 25% | - | - | + | - | - | - | - | + |
| Monforton, Matthew | R | Bozeman | 69 | 25% | + | - | - | - | - | - | - | + |
| Moore, Doc | R | Missoula | 92 | 20% | - | - | + | E | - | - | E | E |
| Mortensen, Dale | R | Billings | 44 | 25% | - | - | - | - | - | + | - | + |
| Noland, Mark | R | Bigfork | 10 | 12% | - | - | - | - | - | - | - | + |
| Noonan, Pat | D | Ramsay | 74 | 87% | + | + | + | + | + | + | - | + |
| Olsen, Andrea | D | Missoula | 100 | 100% | + | + | + | + | + | + | + | + |
| Olszewski, Albert | R | Kalispell | 11 | 37% | - | + | + | - | - | - | - | + |
| Osmundson, Ryan | R | Buffalo | 30 | 20% | - | - | + | E | - | - | E | E |
| Pease-Lopez, C. | D | Billings | 42 | 100% | + | + | + | + | + | + | + | + |
| Peppers, Rae | D | Lame Deer | 41 | 100% | + | + | + | + | + | + | + | + |
| Perry, Zac | D | Hungry Horse | 3 | 100% | + | + | + | + | + | + | + | + |
| Person, Andrew | D | Missoula | 96 | 100% | + | + | + | + | + | + | + | + |
| Pierson, Gordon | D | Deer Lodge | 78 | 75% | + | + | + | + | + | - | - | + |
| Pinocci, Randall | R | Sun River | 19 | 37% | - | - | + | - | + | - | - | + |
| Pope, Christopher | D | Bozeman | 65 | 100% | + | + | + | + | + | + | + | + |
| Price, Jean | D | Great Falls | 24 | 100% | + | + | + | + | + | + | + | + |
| Randall, Lee | R | Broadus | 37 | 25% | - | - | + | - | - | - | - | + |
| Redfield, Alan | R | Livingston | 59 | 25% | - | - | + | - | - | - | - | + |
| Regier, Keith | R | Kalispell | 4 | 25% | - | - | + | - | - | - | - | + |
| Ricci, Vince | R | Laurel | 55 | 25% | - | - | + | - | - | - | - | + |
| Richmond,Tom | R | Billings | 56 | 25% | - | - | + | - | - | - | - | + |
| Salomon, Daniel | R | Ronan | 93 | 25% | - | - | + | - | - | - | - | + |
| Schreiner, Casey | D | Great Falls | 25 | 87% | + | + | + | + | + | + | - | + |
| Schwaderer, N. | R | Superior | 14 | 25% | - | - | + | - | - | - | - | + |
| Shaw, Ray | R | Sheridan | 71 | 25% | - | - | + | - | - | - | - | + |
| Smith, Bridget | D | Wolf Point | 31 | 75% | + | + | + | - | + | + | - | + |
| Staffanson, Scott | R | Sidney | 35 | 25% | - | - | + | - | - | - | - | + |
| Steenberg, Tom | D | Missoula | 99 | 100% | + | + | + | + | + | + | + | + |
| Swanson, Kathy | D | Anaconda | 77 | 100% | + | + | + | + | + | + | + | + |
| Tropila, Mitch | D | Great Falls | 26 | 100% | + | + | + | + | + | + | + | + |
| Tschida,Brad | R | Missoula | 97 | 40% | + | - | + | E | - | - | E | E |
| Wagoner, Kirk | R | Montana City | 75 | 12% | - | - | - | - | - | - | - | + |
| Webber, Susan | D | Browning | 16 | 100% | + | + | + | + | + | + | + | + |
| Welborn, Jeffrey | R | Dillon | 72 | 12% | - | - | - | - | - | - | - | + |
| White, Kerry | R | Bozeman | 64 | 25% | - | - | + | - | - | - | - | + |
| Williams, Kathleen | D | Bozeman | 61 | 100% | + | + | + | + | + | + | + | + |
| Wilson, Nancy | D | Missoula | 95 | 100% | + | + | + | + | + | + | + | + |
| Wittich, Art | R | Bozeman | 68 | 62% | + | - | - | + | - | + | + | + |
| Woods, Tom | D | Bozeman | 62 | 100% | E | + | + | + | + | + | + | + |
| Zolnikov, Daniel | R | Billings | 45 | 37% | - | + | - | - | - | + | - | + |



2015 scored legislative bills

Here are the 2015 bills that rose to the top of Northern Plains' legislative priorities and had votes that we could use for our scorecard (in other words, they had a vote by either the full House and/or Senate). Results are shown in the tallies on the previous pages.

HB 244

Create taxpayer-funded slush fund to litigate for coal industry

Sponsor: **Rep. Jeff Essmann**, R-Billings

This bill appropriates \$1 million in taxpayer dollars to the Attorney General, specifically to litigate on behalf of coal companies involved in building coal export terminals on the West Coast.

■ Northern Plains position: Oppose

■ Vote used in this scorecard:

☑ House 3rd reading, February 23, passed 53-45

☑ Senate 3rd reading, March 24, passed 33-17

■ Status: Became law

HB 310

Create oil and gas trust fund to ensure that oil and gas development benefits Montanans

Sponsor: **Tom Jacobson**, D-Great Falls

This bill would have dedicated a percentage of any tax collected by the state on the extraction, severance, or production of oil and gas to ensure that Montanans are getting a long-term revenue benefit – much like the Coal Tax Trust Fund – from the extraction of a finite resource.

■ Northern Plains position: Support

■ Vote used in this scorecard:

☑ House 2nd reading, March 10, failed 47-53

■ Status: Died during House 2nd reading

HB 478

Encourage cottage food businesses

Sponsor: **Rep. Kathleen Williams**, D-Bozeman

This bill will allow Montanans to make food at home, sell it directly to consumers as long as the ingredients are not potentially hazardous. People with a new kind of cookie, jam, cupcake, pasta, trail mix, popcorn, or pasta, will have a chance to test the market with a minimum of red tape. There is just enough regulation to ensure public safety.

■ Northern Plains position: Support

■ Vote used in this scorecard:

☑ House 3rd reading, March 9, passed 87-12

☑ Senate 3rd reading, April 1, passed 46-4

■ Status: Became law

SB 112

Hurry water studies for benefit of Otter Creek strip mine

Sponsor: **Sen. Duane Ankney**, R-Colstrip

This bill requires the completion of a Total Maximum Daily Load (TMDL), a value of the maximum amount of a pollutant that a body of water can receive under state water quality standards, within 180 days of a proposed project's application to discharge wastewater. This means that the state agency in charge of Montana's water quality has to bow down to corporate interests instead of protecting state waters. In essence, **SB 112** requires DEQ to fast-track important, scientific water quality decisions so that Arch Coal can open a strip mine at Otter Creek.

■ Northern Plains position: Oppose

■ Vote used in this scorecard:

☑ Senate 3rd reading, February 20, passed 33-17

☑ House 3rd reading, April 1, passed 55-41

■ Status: Became law

SB 114

Weaken Montana's renewable energy standard

Sponsor: **Sen. Debby Barrett**, R-Dillon

This bill would have revised the definition of "eligible renewable resource" under the Renewable Energy Standard to allow electric utilities to include existing hydroelectric dams toward the requirement that they procure 15% of their energy from renewable sources – such as wind and solar – by 2015. In practice, the change in law could have flooded the market with renewable energy credits, removing much of the incentive to develop Montana's abundant renewable resources.

■ Northern Plains position: Oppose

■ Vote used in this scorecard:

☑ Senate 3rd reading, January 21, passed 34-16

☑ House 3rd reading, March 10, passed 55-45

■ Status: Vetoed by Governor

SB 160

Redefine "natural" streams to include human-caused pollution

Sponsor: **Sen. Duane Ankney**, R-Colstrip

This bill defined the "natural" condition of streams and rivers to include human-caused pollution. Including human pollution, such as mining runoff, in the definition of what is considered "natural" defies common sense and violates the federal Clean Water Act. Maintaining this provision in Montana law would have put DEQ in the position of either violating federal law or ignoring state law.



Governor's scorecard



Gov. Bullock

Northern Plains members and fellow conservationists stopped a number of the egregious attacks on Montana's water quality and agricultural capability. Several ill-conceived bills, however, made it through the legislative process and to the Governor's desk.

Unfortunately, the Governor decided to sign some of these policies into law.

Here are the bills scored by Northern Plains that required the Governor's action:

| | | |
|---------------------|----------------------|----------------------|
| SB 325 law - | HB 411 law - | SB 160 veto + |
| SB 112 law - | SB 171 veto + | SB 114 veto + |
| HB 244 law - | HB 154 veto + | |

■ Northern Plains position: Oppose

■ Vote used in this scorecard:

☒ Senate 3rd reading, February 13, passed 36-14

☒ House 3rd reading, April 14, passed 58-42

■ Status: Vetoed by Governor

SB 172

Protect landowners living near oil and gas wells

Sponsor: **Sen. Sharon Stewart-Peregoy**, D-Crow Agency

This bill would have provided land and mineral owners within 1 mile of a proposed oil or gas well the ability to have their groundwater tested by a third party before and after development. The testing costs would have been paid by the drilling industry applicant.

■ Northern Plains position: Support

■ Vote used in this scorecard:

☒ Senate blast motion, February 25, failed 22-28

■ Status: Died when blast motion failed

SB 182

Allow neighborhood net metering for renewable energy systems

Sponsor: **Sen. Mike Phillips**, D-Bozeman

This bill would have allowed individuals and businesses to invest in a large, shared renewable energy system that is not necessarily located on their own property. Similar to the current net metering arrangement, this would allow anyone to get credit on their energy bill for the proportion or share of the energy system that they own. This bill would have increased access to solar energy for renters, people whose properties are not ideal because of shaded rooftops or otherwise, as well as people who cannot afford the upfront cost of a full installation.

■ Northern Plains position: Support

■ Vote used in this scorecard:

☒ Senate blast motion, February 25, failed 19-31

■ Status: Died when blast motion failed

SB 325

Weaken state's ability to protect water quality

Sponsor: **Sen. Jim Keane**, D-Butte

This bill will prohibit the Board of Environmental Review from establishing water quality standards stringent enough to protect Montana's rivers and streams, and will have a particular impact on irrigators on southeast Montana tributaries, such as Otter Creek.

■ Northern Plains position: Oppose

■ Vote used in this scorecard:

☒ House 3rd reading as amended, April 11, passed 62-34

☒ Senate 3rd reading as amended by House, April 15, passed 33-17

■ Status: Became law

SB 368

Make pipeline information available to public

Sponsor: **Sen. Matthew Rosendale**, R-Glendive

This bill will require the DEQ to compile pipeline data and make it publicly available. The DEQ database will house pipeline information related to the location, size, commodity transported, depth of coverage, and the distance between shutoff valves that isolate segments of a pipeline that cross a navigable river.

■ Northern Plains position: Support

■ Vote used in this scorecard:

☒ Senate 3rd reading, February 26, passed 48-2

☒ House 3rd reading, April 11, passed 96-0

■ Status: Became law

SB 374

Put limits on oil and gas tax holiday

Sponsor: **Sen. Christine Kaufmann**, D-Helena

This bill would have required oil and gas companies to pay their fair tax share through an equitable production tax structure.

SB 374 would have set a "trigger" price on the oil and gas tax holiday, requiring companies to pay a production tax when the price of oil is \$52.59 or higher per barrel. The price trigger would have been set for inflationary adjustment. Half of the revenue generated would have gone to cities and towns in oil-producing counties, and the other half into the general fund.

■ Northern Plains position: Support

■ Vote used in this scorecard:

☒ Senate blast motion, March 30, failed 21-28

■ Status: Died when blast motion failed



Ames-Nerud OK'd for oil & gas board

Peggy Ames-Nerud of Circle was confirmed by the Legislature as a member of the Montana Board of Oil and Gas Conservation (BOGC). She had been appointed in 2013 by Governor Bullock, and this legislative action confirms her appointment.

Peggy was born in the Hi-Line town of Malta and has been a rancher outside Circle for the past 23 years. She and her husband, Chuck, have partial mineral ownership over parts of their ranch, there's an oil and gas lease on her property, and their land will be crossed if the Keystone XL pipeline is approved.

Peggy is also a proud member of Northern Plains' Oil



Peggy Ames-Nerud

and Gas Task Force, and is extremely well-qualified for her confirmation to the BOGC as the public representative. During her tenure on the BOGC, Peggy has helped changed its tone from indifference to public concerns toward a willingness to listen. She represents Montana landowners, and is not just a token rural BOGC member.

Peggy worked extremely hard to prove her worth on the BOGC and garnered the support of her fellow board members. Peggy's confirmation will ensure that the concerns of landowners will be heard on the BOGC.

Congratulations, Peggy!

Standing up *Continued from Page 1*

legislature that threatened our ability to defend Montana's air, land, and water. The session abounded with attempts to insert loopholes for the energy industry into the laws that protect our land and water, but the majority of these bills were killed with the help of phone calls and emails from you our members.

The bad bills that did reach the Governor's desk were handled inconsistently. Unfortunately, Governor Bullock did not stand with the conservation and agricultural community when he decided to sign into law our top veto priorities (**SB 325** and **SB 112**), but he did veto bills attacking renewable energy development in Montana.

Prior to the session, Northern Plains members chose two key proactive priorities for this Legislature:

- Increase net metering opportunities for rural and urban Montanans.
- Pass legislation that protects landowners living amid oil and gas development.

We also knew we would have our work cut out for us defending against rollbacks to laws that protect our land and water.

The outcome was a mixed bag. The Legislature thwarted our efforts to pass landowner protections against damage by oil and gas operations, and also tossed aside the improved policies we proposed to expand net metering. On the other hand, a bill to ensure better pipeline oversight and one to allow for more cottage foods production both passed overwhelmingly, proving that sometimes good bills do get through and become law. Despite this session's setbacks, we developed strong relationships with new legislators and allies while building a stronger base for future sessions. Until Montanans elect a



Taxpayer Dollars - Kindling for the Coal Industry?

A bad bill Governor Bullock signed into law was HB 244. Sponsored by Rep. Jeff Essmann, R-Billings, it will appropriate \$1 million dollar to be used at the discretion of Attorney General Tim Fox, with at least \$200,000 to challenge permit decisions for proposed coal export terminals in Washington state. This law is yet another handout to coal companies that will not bring meaningful benefits to Montana and its residents. In the end, it is a waste of taxpayer money.

Legislature that shares conservation values, we can continue to expect to play an extensive defensive role.

We especially want to thank all of you who played an active role in our legislative efforts, driving through winter weather to testify, participating in the phone tree, attending a Lobby Day, writing emails, or making calls to your legislator. Lawmakers heard from you, and it made a difference more than once this session. Without your voice and work, the outcomes would have been much worse.



Corporations still not paying fair share

Montana's current tax system is rigged to benefit wealthy oil and gas companies, which are exempt from paying production taxes during a well's most productive months. Since 2008, the oil and gas tax holiday has amounted to a \$256 million giveaway.

This is very much a matter of fairness, for it's the activities of the oil and gas industry which create the impacts that local communities need to deal with – the streets and roads, the expanded public safety needs, schools, and other core services. Industry should bear a reasonable responsibility for paying those costs.

Unfortunately, during the 2015 legislative session, lawmakers once again failed to close this tax loophole and make sure oil and gas companies pay their fair share. The following bills were voted down in their respective committees:

- **SB 374**, sponsored by **Sen. Christine Kaufmann**, D-Helena, would have imposed a “trigger” price on the oil and gas tax holiday, requiring companies to pay a production tax when the

price of oil is \$52.59 or higher per barrel. The price trigger would be set for inflationary adjustment. Half of the revenue generated would go to cities and towns in oil-producing counties, and the other half would go into the general fund.



Rep. George Kipp, left, D-Heart Butte, talks to Northern Plains members Bill Hand of Nye and Wade Sikorski of Baker during a Northern Plains Lobby Day.

- **HB 420**, sponsored by **Rep. Mary Ann Dunwell**, D-Helena, would have replaced the 0.5% production tax on oil and gas wells with a 4.5% rate during the first 18 months of qualified production. **HB 420** would also allocate 10% of oil and gas production taxes to the cities and towns within oil- and gas-producing counties.

- **HB 591**, sponsored by **Rep. Chris Pope**, D-Bozeman, would have improved the timing of the oil and gas tax holiday by making oil and gas companies pay full tax rates during the first 18 months of production, which are the most productive.

Montana needs a tax system where everyone pays their fair share, holding wealthy corporations to the same standard that everyday Montanans are expected to live up to.

Northern Plains members travel far to lobby

The 64th Montana Legislature began as an uphill battle for conservation issues, and nothing would have been possible without the participation of Montanans who care about protecting our water quality, family agriculture, and unique quality of life.

We asked you to step up to the plate, and you did! Throughout the four months of the legislative session:

- 58 members traveled to Helena and lobbied on behalf of Northern Plains; several of them made multiple trips;
- Those 58 members traveled a total of 43,430 miles to lobby at the capitol, which is the equivalent of 1.74 trips around the world;
- Northern Plains members and allies generated 2,312 emails and phone calls to legislators and the Governor regarding our four top veto priorities.

The level of dedication displayed by those of you who



participated in the legislative process was impressive. You effectively supported conservation-minded lawmakers, and preserved a better Montana for today and the future.

The results of the 2015 Legislature would have been far worse without the actions you took to defend the things that make Montana a good place to live and work.

**2015 MONTANA LEGISLATURE
VOTING RECORD
MAY 2015**

Power of our members can make a difference

As a grassroots conservation organization, the strength of Northern Plains is characterized by our membership. In turn, our influence in the Montana Legislature is defined by people power and the ability of members to project an effective voice in the decisions that affect their lives.

Northern Plains uses the Legislature as a platform to execute and elevate our issue campaigns and enact social and institutional change, and our members delivered like never before in the 64th Montana Legislature.

Northern Plains hosted two very successful Citizen Lobby Days this session, focusing on expanding net metering opportunities and enacting landowner protections for Montanans facing oil and gas development.

The member turnout for these Lobby Days was the highest Northern Plains has ever seen as people traveled from all over the

state in winter weather and during calving season.

In addition to lobbying, Northern Plains members generated thousands of phone calls and emails asking legislators or the Governor for action on specific bills.



**Steve Charter,
Northern Plains Chair**

Because of your participation, we successfully changed the actions of key legislators this session. Without your involvement, many outcomes would likely have been far different.

As the chair of this great organization, I cannot express how proud I am to work alongside you to protect Montana's land and water.

And let's not forget to congratulate our own Peggy Ames-Nerud of Circle. The Senate confirmed her appointment to the Board of Oil and Gas, where she will be a voice for the people of Montana.

To all of you, thank you!

