

Montana Audubon

2011 Montana Legislature REPORT & VOTING RECORD

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This report and voting record summarizes what happened to Audubon's issues during the 2011 Montana Legislature. The report starts below; the voting record, which begins on page 4, allows you to see how your legislators voted on key issues.

Report on the 2011 Montana Legislature

After 30 years of lobbying at the Montana legislature, it is hard to recall a session filled with so many dangerous, short-sighted attacks on the environment and conservation as the 2011 Legislature. Montana Audubon's program director, Janet Ellis, and her assistant, Casey Perkins, put up a tough defense, working hard to ensure that vital environmental laws remained intact. Much of our time was spent analyzing legislation and providing information to legislators. We also worked to keep our members informed through our webpage and action alerts. And at the end of the session, we urged the Governor to take his VETO brand to a slew of bad bills. Although we were not always successful, we know that many disasters were averted through our work.

Here is a sampling of some of the worst of the worst... *and their fates:*

- ▶ Nullify the federal Endangered Species Act (HB 321): *died in Committee;*
- ▶ Amend our inalienable right to a 'clean and healthful environment' (HB 292): *failed to get the requisite 100 votes to qualify for the 2012 ballot;*
- ▶ Prevent government from enacting any rule or regulation without paying those who are regulated (SB 344): *died in Committee;*
- ▶ Expand the use of cyanide in gold mining (SB 306): *VETOED by Governor;*
- ▶ Repeal Montana's mercury emissions rule (HB 593): *died in Senate;*
- ▶ Allow major projects to proceed without adequate environmental review: SB 317: *died in Committee;* SB 233: *became law;* and
- ▶ Declare many of our rivers and streams to be "ditches" off-limits to recreation (HB 309): *died in Committee.*

Does this sound like the Montana you want to live, work, and play in? We didn't think so. Unfortunately, the 2011 Montana Legislature promoted these and other terrible ideas starting on day one. Laws that keep our air and water clean, protect wildlife and habitat, and promote a clean energy future, became the scapegoat for those seeking any fix for the state of the economy. Montana Audubon, and our friends in the coalition of conservation groups we work with, knows that pitting conservation against development is a false choice: protecting the vital, life sustaining elements of our environment now and for future generations goes hand-in-hand with a strong economy.

The epitome of anti-conservation thinking came in the form of two bills that aimed to dismantle the Montana Environmental Policy Act (MEPA). Senate Bills (SB) 233 and 317 were both designed to substantially weaken the review of major projects for their environmental impacts. The environmental review process is where everyday citizens learn about project impacts to their air, water, property, and communities. MEPA is also one of the only avenues available to look at impacts to fish and wildlife, cultural and historic sites, and public health and safety. Ultimately, SB 233 passed the legislature; it became law when the Governor refused to veto it. Because much of SB 317 was amended into SB 233, it is unclear how its changes to MEPA will be interpreted.

In all, Montana Audubon tracked nearly 300 bills over the 90-day legislative session. The 2011 Legislature proposed more bills dealing with fish, wildlife, and habitat than any legislature in recent memory. While these issues are at the forefront of our policy work, we also worked to promote clean energy, smart land use policies, and

Continued on page 4.

House of Representatives

Name	District	Party	Town	HB	HB	HB	HB	HB	HB	SB	SB	SB	SB	SB	SJR	Rating
				292	309	321	494	542	593	233	254	303	306	414	10	
Ankney, Duane	43	R	Colstrip	-	-	-	-	+	-	-	-	+	-	+	-	25%
Arntzen, Elsie	53	R	Billings	E	+	-	-	-	-	-	-	-	-	-	-	9%
Bangerter, Liz	80	R	Helena	-	-	+	+	+	-	-	+	+	-	+	-	50%
Barrett, Dick	93	D	Missoula	+	+	+	+	+	+	+	+	+	+	+	+	100%
Beck, Bill	6	R	Whitefish	E	-	-	A	-	-	-	-	-	-	-	-	0%
Belcourt, Tony	32	D	Box Elder	+	+	+	+	+	+	-	+	+	+	+	+	92%
Bennett, Bryce	92	D	Missoula	+	+	+	+	+	+	+	+	+	+	+	+	100%
Bennett, Jerry	1	R	Libby	-	-	-	-	-	-	-	-	-	-	-	-	0%
Berry, Tom	45	R	Roundup	-	-	-	-	+	-	-	-	+	-	+	-	25%
Blasdel, Mark	10	R	Somers	-	-	-	-	-	-	-	-	-	-	-	-	0%
Blyton, Joanne	59	R	Joliet	-	-	-	-	-	-	-	-	-	-	-	-	0%
Boland, Carlie	23	D	Great Falls	+	+	+	+	+	+	+	+	+	+	+	+	100%
Brodehl, Randy	7	R	Kalispell	-	-	-	-	-	-	-	-	-	-	+	-	8%
Burnett, Tom	63	R	Bozeman	-	+	-	-	-	-	-	+	-	-	-	-	17%
Clark, Christy	17	R	Choteau	-	-	-	-	-	-	-	-	-	+	-	-	8%
Connell, Pat	87	R	Conner	-	+	-	-	+	-	-	-	+	-	+	-	33%
Cook, Rob	27	R	Brady	-	-	+	-	-	-	-	-	+	-	+	-	25%
Court, Virginia	52	D	Billings	+	+	+	+	+	+	+	+	+	+	+	+	100%
Cuffe, Mike	2	R	Eureka	-	-	-	-	-	-	-	-	-	-	-	-	0%
Driscoll, Robyn	51	D	Billings	+	+	+	+	+	+	+	+	+	+	+	+	100%
Edmunds, Champ	100	R	Missoula	-	+	-	-	-	-	-	-	-	-	-	-	8%
Ehli, Ron	88	R	Hamilton	-	-	-	-	-	-	-	-	+	+	+	-	25%
Esp, John	61	R	Big Timber	-	-	-	-	-	-	-	-	-	-	-	-	0%
Evans, Lila Walter	16	R	Browning	-	E	-	-	-	-	-	+	E	+	E	-	22%
Fitzpatrick, Steve	20	R	Great Falls	-	+	+	-	-	-	-	-	+	-	+	-	33%
Flynn, Kelly	68	R	Townsend	-	-	-	-	-	-	-	-	-	-	-	-	0%
Furey, Timothy	91	D	Milltown	+	+	+	+	+	+	+	+	+	+	+	+	100%
Gibson, Steve	78	R	East Helena	-	-	+	-	+	-	-	-	+	-	+	-	33%
Greef, Edward	90	R	Florence	-	-	-	-	-	-	-	-	+	-	+	-	17%
Hale, Alan	77	R	Basin	-	-	-	-	-	-	-	-	-	-	-	-	0%
Hands, Betsy	99	D	Missoula	+	+	+	+	+	-	+	+	+	+	+	+	92%
Hansen, Kris	33	R	Havre	-	-	-	-	-	-	-	-	-	-	-	-	0%
Harris, Bill	30	R	Mosby	-	-	-	-	-	-	-	-	-	-	-	-	0%
Hendrick, Gordon	14	R	Superior	-	-	-	-	-	E	-	-	-	-	-	-	0%
Hill, Ellie Boldman	94	D	Missoula	+	+	+	+	+	+	+	+	+	+	+	+	100%
Hiner, Cynthia	85	D	Deer Lodge	+	+	+	+	+	+	-	+	+	-	+	+	83%
Hollandsworth, Roy	28	R	Brady	-	-	-	-	-	-	-	-	-	-	-	-	0%
Hollenbaugh, Galen	81	D	Helena	+	+	+	+	+	+	+	+	+	+	+	+	100%
Hoven, Brian	24	R	Great Falls	-	+	+	-	+	-	-	+	+	+	+	-	58%
Howard, David	60	R	Park City	-	-	-	-	-	-	-	-	-	-	-	-	0%
Hunter, Chuck	79	D	Helena	+	+	+	+	+	+	+	+	+	+	+	+	100%
Ingraham, Pat	13	R	Thompson Falls	-	-	-	-	+	-	-	-	-	-	-	-	8%
Kary, Doug	48	R	Billings	-	-	-	-	-	-	-	-	+	-	+	-	17%
Kennedy, Dan	57	R	Laurel	-	-	-	-	-	-	-	-	-	-	-	-	0%
Kerns, Krayton	58	R	Laurel	-	-	-	-	-	-	-	-	-	-	-	-	0%
Klock, Harry	83	R	Harlowton	-	-	+	-	+	-	-	-	-	-	+	-	25%
Knox, James	47	R	Billings	-	-	-	-	-	-	-	-	-	-	-	-	0%
Knudsen, Austin	36	R	Culbertson	-	-	-	-	-	-	-	-	-	-	-	-	0%
Lavin, Steve	8	R	Kalispell	-	-	-	-	-	-	-	-	+	+	-	-	17%
Loney, Cleve	25	R	Great Falls	-	-	-	-	-	-	-	-	-	-	-	-	0%

House of Representatives

Name	District	Party	Town	HB 292	HB 309	HB 321	HB 494	HB 542	HB 593	SB 233	SB 254	SB 303	SB 306	SB 414	SJR 10	Rating
MacDonald, Margie	54	D	Billings	+	+	+	+	+	+	+	+	+	+	+	+	100%
MacLaren, Gary	89	R	Victor	-	+	-	-	+	-	-	-	+	+	+	-	42%
Malek, Sue	98	D	Missoula	+	+	+	+	+	-	+	+	+	+	+	+	92%
McChesney, Bill	40	D	Miles City	+	+	+	+	+	+	-	+	+	-	+	+	83%
McClafferty, Edie	75	D	Butte	+	+	+	A	+	+	-	+	+	+	+	+	91%
McGillvray, Tom	50	R	Billings	-	-	-	-	-	-	-	-	-	-	-	-	0%
McNally, Mary	49	D	Billings	+	+	+	+	+	+	+	+	+	+	+	+	100%
McNiven, Jonathan	44	R	Huntley	-	-	-	-	+	-	-	-	-	-	-	-	8%
McNutt, Walter	37	R	Sidney	-	-	+	-	-	+	-	-	-	-	+	-	25%
Mehlhoff, Bob	26	D	Great Falls	+	+	+	+	+	+	-	+	+	+	+	+	92%
Menahan, Mike	82	D	Helena	+	+	+	+	+	+	+	+	+	+	+	+	100%
Milburn, Mike	19	R	Cascade	E	-	-	-	-	-	-	-	-	-	-	-	0%
Miller, Mike	84	R	Helmville	-	-	-	-	+	-	-	-	+	-	+	-	25%
More, Mike	70	R	Gallatin Gateway	-	+	-	-	-	A	-	-	-	-	-	-	9%
Noonan, Pat	73	D	Ramsay	+	+	+	+	+	+	-	+	+	+	+	+	92%
O'Hara, Jesse	18	R	Great Falls	-	-	-	-	-	-	-	-	A	-	+	-	9%
O'Neil, Jerry	3	R	Columbia Falls	-	-	-	-	-	-	-	-	-	-	+	-	8%
Osmundson, Ryan	29	R	Buffalo	-	-	-	-	-	-	-	-	-	-	-	-	0%
Pease-Lopez, Carolyn	42	D	Billings	+	+	+	+	+	+	+	+	+	+	+	+	100%
Peterson, Ken	46	R	Billings	-	+	-	-	-	-	-	-	+	+	+	-	33%
Phillips, Mike	66	D	Bozeman	+	+	+	+	+	E	+	+	+	+	+	+	100%
Price, Jean	21	D	Great Falls	+	+	+	+	+	+	+	+	+	+	+	+	100%
Randall, Lee	39	R	Broadus	-	-	-	-	-	-	-	-	-	-	-	-	0%
Read, Joe	15	R	Ronan	-	-	-	-	-	-	-	-	-	-	-	-	0%
Regier, Keith	5	R	Kalispell	-	-	-	-	-	-	-	-	-	-	-	-	0%
Reichner, Scott	9	R	Bigfork	-	-	-	-	-	-	-	-	-	-	-	-	0%
Reinhart, Michele	97	D	Missoula	+	+	+	+	+	+	+	+	+	+	+	+	100%
Roberts, Don	56	R	Billings	-	+	-	-	-	-	-	-	-	-	-	-	8%
Rosendale, Matthew	38	R	Glendive	-	-	-	-	-	-	-	-	-	-	-	-	0%
Salomon, Daniel	12	R	Ronan	-	-	-	-	+	-	-	-	-	-	-	-	8%
Sands, Diane	95	D	Missoula	+	+	+	+	+	+	+	+	+	+	+	+	100%
Schmidt, Trudi	22	D	Great Falls	+	+	+	+	+	+	+	+	+	+	+	+	100%
Sesso, Jon	76	D	Butte	+	+	+	+	+	+	-	+	+	-	+	+	83%
Skattum, Dan	62	R	Livingston	-	-	-	-	-	-	-	-	-	-	-	-	0%
Skees, Derek	4	R	Whitefish	E	-	-	-	-	-	-	-	-	+	-	-	9%
Small, Sterling	41	R	Busby	-	-	-	-	+	-	-	-	+	-	-	-	17%
Smith, Cary	55	R	Billings	-	-	-	-	-	-	-	-	-	-	-	-	0%
Smith, Frank	31	D	Poplar	+	-	+	+	+	+	+	+	+	+	+	+	92%
Squires, Carolyn	96	D	Missoula	+	+	+	+	+	+	+	+	+	+	+	+	100%
Stahl, Wayne	35	R	Saco	E	-	-	-	-	-	-	-	-	-	+	-	9%
Swanson, Kathy	86	D	Anaconda	+	+	+	+	+	+	-	+	+	+	+	+	92%
Taylor, Janna	11	R	Dayton	-	-	-	-	-	-	-	-	-	-	-	-	0%
Vance, Gordon	67	R	Bozeman	-	-	-	-	-	-	-	-	-	-	-	-	0%
Wagner, Bob	71	R	Harrison	-	+	-	-	-	-	-	-	-	-	-	-	8%
Warburton, Wendy	34	R	Havre	-	-	-	-	-	-	-	-	-	-	-	-	0%
Washburn, Ted	69	R	Bozeman	-	+	-	-	-	-	-	-	+	-	+	-	25%
Welborn, Jeffery	72	R	Dillon	-	-	-	-	-	-	-	-	-	-	-	-	0%
Williams, Kathleen	65	D	Bozeman	+	+	+	+	+	+	+	+	+	+	+	+	100%
Wilmer, Franke	64	D	Bozeman	+	+	+	+	+	+	+	+	+	+	+	+	100%
Yates, Max	74	R	Butte	-	+	-	-	+	-	-	-	+	-	+	-	33%

Continued from Page 1.

laws that allow all Montanans to protect their health, property, and communities. We testified in opposition to 47 bills, while supported only 12. A few of the measures we supported include: a bill to allow local governments to protect rivers and riparian habitat from detrimental development (SB 164); an expansion of the Renewable Energy Standard (SB 332), and a bill to require disclosure of hydraulic fracturing fluids used in natural gas production (SB 86). All of these bills failed.

Our hope is that when legislators left Helena and return to their homes, they hear from their constituents—including you—that their actions toward the environment

have been largely out of touch with Montana values. We know that you value the beauty of our state, the abundance of our wildlife, and the healthy ecosystems that provide for our lifestyles and livelihoods.

To learn more about MT Audubon's efforts at the 2011 Legislature, visit our website or contact Janet Ellis at jellis@mtaudubon.org or 406.443.3949.



Piping Plover are Threatened under the Endangered Species Act. USFWS photo.

Bills Found in this Voting Record:

This voting record summarizes how Representatives and Senators at the 2011 Montana Legislature voted on Montana Audubon's primary issues: general environmental protection, wildlife and wildlife habitat, energy and climate change, public land and recreation, and land use planning. Please take the time to find out how the people who represent you and your neighbors voted. If your legislators voted *for* conservation, wildlife, and good environmental policies, take the time to thank them with a call or email. On the other hand, if you have concerns about their votes, it is equally important that they hear from you. We also encourage you to share this voting record with other interested citizens.

The bills featured in this voting record are bills Audubon worked on. Generally, the 2nd Reading (debate stage) vote is used because legislators have just finished debating the issue and it is fresh in their mind.

HB 292: Weaken Constitutional Right to a Clean and Healthful Environment

Sponsor: Rep. Dan Kennedy (R-Laurel)

Audubon Position: Oppose

Description: HB 292 sought to amend Montana's Constitution by inserting the words "economically productive" prior to "clean and healthful environment." What does it mean to give Montanans the right to an "economically productive clean and healthful environment"? No one knows. However, our right to a 'clean and healthful environment' currently protects our wildlife, water, clean air, and more—which is vital to the economic success of our state. Passage of this bill required 2/3 approval of the entire legislature (100 total votes); which is based on the 3rd reading vote featured here. A vote *against* this bill is a vote *for* Audubon's position.

House Vote Scored: 3rd Reading vote; it passed 63-32.

Senate Vote Scored: 3rd Reading vote; it passed 26-24.

Status: Failed to receive 100 total votes.

HB 309: Decreasing Public Access to Streams and Rivers

Sponsor: Rep. Jeffrey Welborn (R-Dillon)

Audubon Position: Oppose

Description: This bill would have dramatically eroded Montana's stream access laws by broadly classifying natural streams that have been modified by irrigators as "ditches." Consequently, any channel manipulated by irrigation control structures would become off-limits to the public, including many streams and the natural side channels of many rivers. A vote *against* this bill is a vote *for* Audubon's position.

House Vote Scored: 2nd Reading vote; it passed 55-44.

Status: Passed House, Defeated in Senate Committee.

KEY

- + = Vote in favor of Audubon's position
- = Vote against Audubon's position
- A = Legislator absent but NOT excused from voting
- D = Democrat
- E = Legislator excused from voting
- HB = House Bill
- R = Republican
- SB = Senate Bill
- SJR = Senate Joint Resolution

HB 321: Nullify Federal Endangered Species Act*Sponsor: Rep. Krayton Kerns (R-Laurel)**Audubon Position: Oppose*

Description: This measure would have prevented the State from complying with the federal Endangered Species Act (ESA). Because ESA compliance is required in order to receive federal funding, Montana would have lost more than **\$460 million dollars annually** for fish and wildlife programs, highway projects, air and water quality programs, and more. A vote *against* this bill is a vote *for* Audubon's position.

House Vote Scored: 2nd Reading vote; it passed 61-39.

Status: *Defeated in House Appropriations Committee.*

HB 494: Subdivision Exemption for Buildings for Lease or Rent*Sponsor: Rep. Champ Edmunds (R-Missoula)**Audubon Position: Oppose*

Description: This bill would have created a large loophole in Montana's subdivision regulations, allowing the placement of an unlimited number of buildings on a parcel of land for the purpose of rent or lease.

Montana Audubon opposed this bill because of our concern about development next to rivers, lakes, and other important wildlife habitat: a landowner on a river could build an unlimited number of cabins or other structures for lease. Such development would be allowed without any review or mitigation for negative impacts to public health and safety, local services, wildlife and wildlife habitat, or the other review criteria identified in Montana's subdivision regulations.

House Vote Scored: 2nd Reading vote; it passed 66-32.

Senate Vote Scored: 3rd Reading Governor's Proposed Amendments; it failed to pass on a 25-25 tie vote, which killed this bill.

Status: *Passed House, Defeated in Senate.*

HB 542: Create Subdivision Review Process that Favors Developers*Sponsor: Rep. John Esp (R-Big Timber)**Audubon Position: Oppose*

Description: HB 542 would have dramatically weakened our subdivision laws by stacking the local government review process in favor of developers. Specifically, it would have limited the ability of local government to consider: (1) information on fish and wildlife submitted by MT Fish, Wildlife & Parks; and (2) the loss of agricultural land. A vote *against* this bill is a vote *for* Audubon's position.

House Vote Scored: 2nd Reading vote; it passed 54-46.

Senate Vote Scored: 2nd Reading vote; it passed 26-24.

Status: *Passed both Houses, VETOED by Governor.*

HB 593: Eliminate Montana's Mercury Rules for Coal Plants*Sponsor: Rep. Duane Ankney (R-Colstrip)**Audubon Position: Oppose*

Description: In 2006, Montana complied with federal law by adopting regulations to control mercury air

Chart summarizing Montana Audubon's voting record issues by subject.

Bill #	Short Title	House Vote	Senate Vote	Audubon Position	Outcome of Bill
Energy and Climate Change					
HB 593	Eliminate Montana's Mercury Rules for Coal Plants	30-67	20-30	Oppose	Failed
SJR 10	Resolution to Prevent Federal Regulations of Greenhouse Gases	68-32	30-20	Oppose	Passed
General Environmental Policy					
HB 292	Weaken Constitutional Right to a Clean and Healthful Environment	63-32	26-24	Oppose	Failed
SB 233	Eliminate Consequences for Following Environmental Impact Law (MEPA)	76-24	30-20	Oppose	Failed
SB 306	Weaken Cyanide Open-pit Mining Laws	63-37	29-21	Oppose	(Veto)
Land Use					
HB 494	Subdivision Exemption for Buildings for Lease or Rent	66-32	25-25	Oppose	Failed (Veto)
HB 542	Create Subdivision Review Process that Favors Developers	54-46	26-24	Oppose	Failed (Veto)
Public Land and Recreation					
HB 309	Decreasing Public Access to Streams and Rivers	55-44		Oppose	Failed
SB 254	Allow State of Montana to Take Over Federal Lands	64-36	27-23	Oppose	Failed (Veto)
Wildlife & Wildlife Habitat					
HB 321	Nullify Federal Endangered Species Act	61-39		Oppose	Failed
SB 301	Moratorium on Land Purchases by Fish, Wildlife & Parks		29-21	Oppose	Failed
SB 303	Prevent an Increase in Land Owned by the State	48-50	27-23	Oppose	Failed
SB 414	Prohibit State from Protecting Wolves	45-54	30-20	Oppose	Failed

pollution from coal-fired power plants. Subsequently, all of Montana's coal-fired power plants have complied with this regulation, reducing their mercury emissions by between 76% and 95%. HB 593 would have eliminated these rules, increasing mercury emissions by about 800 pounds per year into our air and rivers. A vote *against* this bill is a vote *for* Audubon's position.

House Vote Scored: Vote on Audubon-supported amendment to postpone the effective date of this bill until the Environmental Protection Agency (EPA) adopted mercury rules; it failed 30-67.

Senate Vote Scored: Vote to remove amendments that fixed this bill; it failed 20-30, defeating this bill.

Status: *Passed House, Defeated in Senate.*

SB 233: Eliminate Consequences for Following Environmental Impact Law

Sponsor: *Senator Jim Keane (D-Butte)*

Audubon Position: *Oppose*

Description: The Montana Environmental Policy Act (MEPA) helps citizens improve projects as natural resources are being developed, protecting our public health and Montana's unparalleled fish and wildlife resources. SB 233 eliminates any consequences if a state agency fails to follow MEPA. The bill also prohibits agencies from using certain information in its decision-making process for private sector projects (e.g., oil & gas development, mining projects, etc.). A vote *against* this bill is a vote *for* Audubon's position.

House Vote Scored: 2nd Reading vote; it passed 76-24.

Senate Vote Scored: 2nd Reading vote; it passed 30-20.

Status: *Passed both Houses, Became Law without Governor's signature.*

SB 254: Allow State of Montana to Take Over Federal Lands

Sponsor: *Senator Rowlie Hutton (R-Havre)*

Audubon Position: *Oppose*

Description: SB 254 would have allowed our state to (attempt to) condemn federal property (e.g., National Forests, Wildlife Refuges, etc.). The bill was based on fringe legal theory asserting that the federal government has no right to own land within Montana. A vote *against* this bill is a vote *for* Audubon's position.

House Vote Scored: 2nd Reading vote; it passed 64-36.

Senate Vote Scored: 2nd Reading vote; it passed 27-23.

Status: *Passed both Houses, VETOED by Governor.*

SB 301: Moratorium on Land Purchases by Fish, Wildlife & Parks

Sponsor: *Senator Rick Ripley (R-Wolf Creek)*

Audubon Position: *Oppose*

Description: As introduced this bill would have prohibited Montana Fish, Wildlife & Parks (FWP) from purchasing any land until after 2015. Currently FWP uses several different tools to acquire wildlife habitat and state park land: purchase (fee title), conservation easements, and leases. Some landowners, with critical habitat, only want to sell their land—which this bill

would have prohibited. A vote *against* this bill is a vote *for* Audubon's position.

Senate Vote Scored: 2nd Reading vote; it passed 29-21.

Status: *Passed Senate, Defeated in House Committee.*

SB 303: Prevent an Increase in Land Owned by the State

Sponsor: *Senator John Brenden (R-Scobey)*

Audubon Position: *Oppose*

Description: This bill would have prohibited a "net gain" in land owned by the state, with the exception of small fishing access sites. SB 303 would have disallowed the state from purchasing new land for parks, wildlife habitat (including the

Habitat Montana program), and even our university systems. A vote *against* this bill is a vote *for* Audubon's position.

House Vote Scored: 3rd Reading vote; it failed 48-50, which killed this bill.

Senate Vote Scored: 2nd Reading vote; it passed 27-23.

Status: *Passed Senate, Defeated in House.*

SB 306: Weaken Cyanide Open-pit Mining Laws

Sponsor: *Senator Terry Murphy (R-Cardwell)*

Audubon Position: *Oppose*

Description: SB 306 attempted to expand the use of cyanide heap leach processing of gold in Montana, encouraging the development of numerous new open-pit mines, including in such places as the Blackfoot River Valley. It proposed to do this by altering ballot measures I-137 (1998) and I-147 (2004), which passed



Montana Audubon Board member Jack Kirkley joined citizens from around the state to protest the legislature's attacks on bedrock environment laws. Photo by Jim Sayer.

Montana Senate

Name	District	Party	Town	HB 292	HB 494	HB 542	HB 593	SB 233	SB 254	SB 301	SB 303	SB 306	SB 414	SJR 10	Rating
Arthun, Ron	31	R	Wilsall	-	+	-	-	-	-	-	-	-	-	-	9%
Augare, Shannon	8	D	Browning	+	+	+	+	+	+	+	+	+	-	+	91%
Balyeat, Joe	34	R	Bozeman	-	-	-	+	-	-	-	+	-	-	-	18%
Barrett, Debby	36	R	Dillon	-	+	-	-	-	-	-	-	-	-	-	9%
Blewett, Anders	11	D	Great Falls	+	+	+	+	+	+	+	+	+	+	+	100%
Branae, Gary	27	D	Billings	+	+	+	+	+	+	+	+	+	+	+	100%
Brenden, John	18	R	Scobey	-	-	-	-	-	-	-	-	-	-	-	0%
Brown, Taylor	22	R	Huntley	-	-	-	-	-	-	-	-	-	-	-	0%
Buttrey, Edward	13	R	Great Falls	-	-	-	-	-	-	-	-	-	-	-	0%
Cafferro, Mary	40	D	Helena	+	+	+	+	+	+	+	+	+	-	+	91%
Erickson, Ron	47	D	Missoula	+	+	+	+	+	+	+	+	+	+	+	100%
Essmann, Jeff	28	R	Billings	-	-	-	+	-	-	-	+	-	-	-	18%
Facey, Tom	48	D	Missoula	+	+	+	+	+	+	+	+	+	+	+	100%
Gallus, Steven	37	D	Butte	+	-	+	-	-	+	+	+	-	+	+	64%
Gillan, Kim	24	D	Billings	+	+	+	+	+	+	+	+	+	+	+	100%
Hamlett, Bradley	10	D	Cascade	+	-	+	+	-	+	+	+	+	-	-	64%
Hawks, Bob	33	D	Bozeman	+	+	+	+	+	+	+	+	+	+	+	100%
Hinkle, Greg	7	R	Thompson Falls	-	-	-	+	-	-	-	-	-	-	-	9%
Hutton, Rowlie	17	R	Havre	-	-	-	+	-	-	-	-	-	-	-	9%
Jackson, Verdell	5	R	Kalispell	-	-	-	-	-	-	-	-	-	-	-	0%
Jent, Larry	32	D	Bozeman	+	+	+	+	+	+	+	+	+	+	+	100%
Jones, Llew	14	R	Conrad	-	-	-	-	-	-	-	-	-	-	-	0%
Kaufmann, Christine	41	D	Helena	+	+	+	+	+	+	+	+	+	+	+	100%
Keane, Jim	38	D	Butte	+	+	+	-	-	+	+	-	-	-	-	45%
Lake, Bob	44	R	Hamilton	-	-	-	-	-	-	-	-	-	-	-	0%
Larsen, Cliff	50	D	Missoula	+	-	+	+	+	+	+	+	+	+	+	91%
Lewis, Dave	42	R	Helena	-	-	-	-	-	-	-	-	-	-	-	0%
Moore, Eric	20	R	Miles City	-	+	-	-	-	-	-	-	-	-	-	9%
Moss, Lynda	26	D	Billings	+	+	+	+	+	+	+	+	+	+	+	100%
Mowbray, Carmine	6	R	Polson	-	-	-	+	-	-	-	-	-	-	-	9%
Murphy, Terry	39	R	Cardwell	-	+	+	-	-	-	-	-	-	+	-	27%
Olson, Alan	23	R	Roundup	-	+	-	-	-	-	-	-	-	-	-	9%
Peterson, Jim	21	D	Crow Agency	-	-	-	-	-	-	-	-	-	-	-	0%
Priest, Jason	15	R	Buffalo	-	-	-	+	-	-	-	-	-	-	-	9%
Ripley, Rick	30	R	Red Lodge	-	-	-	-	-	-	-	-	-	-	-	0%
Shockley, Jim	9	R	Wolf Creek	-	-	+	+	-	-	-	+	+	+	-	45%
Sonju, Jon	45	R	Victor	-	-	-	+	-	-	-	-	-	-	-	9%
Steinbeisser, Donald	4	R	Kalispell	-	+	-	-	-	-	-	-	-	-	-	9%
Stewart-Peregoy, Sharon	19	R	Sidney	+	+	+	+	+	+	+	+	+	+	+	100%
Tropila, Mitch	12	D	Great Falls	+	+	+	+	+	+	+	+	+	+	+	100%
Tutvedt, Bruce	3	R	Kalispell	-	-	-	-	-	-	-	-	-	-	-	0%
Van Dyk, Kendall	25	D	Billings	+	+	+	+	+	+	+	+	+	+	+	100%
Vincent, Chas	1	R	Libby	-	-	-	-	-	-	-	-	-	-	-	0%
Vuckovich, Gene	43	D	Anaconda	+	+	+	+	-	+	-	-	-	+	+	64%
Walker, Edward	29	R	Billings	-	-	-	-	-	-	-	-	-	-	-	0%
Wanzenried, David	49	D	Missoula	+	+	+	+	+	+	+	+	+	+	+	100%
Williams, Carol	46	D	Missoula	+	+	+	+	+	+	+	+	+	+	+	100%
Windy Boy, Jonathan	16	D	Box Elder	+	+	+	+	+	+	+	+	+	+	+	100%
Wittich, Art	35	R	Bozeman	+	-	-	+	+	-	-	-	-	-	-	27%
Zinke, Ryan	2	R	Whitefish	+	-	-	+	+	+	-	-	+	-	-	45%

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by popular vote and banned cyanide open-pit mining in the state. A vote *against* this bill is a vote *for* Audubon's position.

House Vote Scored: 2nd Reading vote; it passed 63-37.

Senate Vote Scored: 2nd Reading vote; it passed 29-21.

Status: Passed both Houses, VETOED by Governor.

SB 414: Prohibit State from Protecting Wolves

Sponsor: Sen. Chas Vincent (R-Libby)

Audubon Position: Oppose

Description: SB 414 would have prevented wolves from being removed from Endangered Species Act protection. It did this by voiding Montana's *Wolf Conservation and Management Plan* (which was approved by the US Fish & Wildlife Service and required for delisting), and implementing a shoot-on-sight policy for wolves. As this bill moved through the legislature, federal legislation passed that delisted wolves in states with approved management plans—so the Montana House defeated SB 414. A vote *against* this bill is a vote *for* Audubon's position.

House Vote Scored: 3rd Reading vote; it failed 45-54, which killed this bill.

Senate Vote Scored: 2nd Reading vote; it passed 30-20.

Status: Passed Senate, Defeated in House.

SJR 10: Resolution to Prevent Federal Regulations of Greenhouse Gases

Sponsor: Sen. Jason Priest (R-Red Lodge)

Audubon Position: Oppose

Description: This resolution urges Congress to oppose

regulations for Greenhouse Gas emissions by the Environmental Protection Agency (EPA). This resolution ignores the fact that the EPA is acting to regulate greenhouse gases under the Clean Air Act as a result of a U.S. Supreme Court decision. A vote *against* this bill is a vote *for* Audubon's position. NOTE: legislative resolutions are filed with the Secretary of State and the Governor does NOT get a chance to review/veto them.

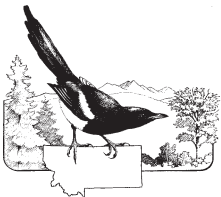
House Vote Scored: 2nd Reading vote; it passed 68-32.

Senate Vote Scored: 2nd Reading vote; it passed 30-20.

Status: Passed both Houses, Filed with Secretary of State.



Governor Brian Schweitzer vetoed more than 100 bills during the 2001 Montana Legislature. Here he is shown at a veto ceremony where 17 bills were 'branded.' Photo by Eliza Wiley/Helena Independent Record.



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