



# 2021 NATURAL RESOURCE LEGISLATION SUMMARY

This is an overview of legislation, excluding the budget provisions of House Bill 2, in the general areas of natural resources, environmental quality, energy, state lands, land use, fish, wildlife, parks, recreation, and water. Also included are sections on agency-proposed legislation, laws that alter interim committee duties, and bills that were passed but vetoed.

## INTERIM COMMITTEE BILLS AND DUTIES

### Environmental Quality Council

[HB 40](#) revises laws on mandatory decontamination of vessels with ballast and bladders.

[SB 60](#) requires trapper education for certain resident trappers.

### Water Policy Interim Committee

[SB 13](#) revises DNRC water right adjudication benchmarks.

[SB 20](#) clarifies the use of river basin councils and the state water plan.

[SB 55](#) revises the process for water right ownership updates.

### Energy and Telecommunications Interim Committee

[HB 181](#) reauthorizes the e-rate broadband program.

## ENERGY

[HB 50](#) redistributes 9-1-1 funding to the state library to provide for statewide next-generation 9-1-1 GIS development.

[HB 85](#) revises utility cost tracking and recovery laws.

[HB 103](#) revises cooperative laws to provide for remote participation in meetings.

[HB 170](#) revises energy laws to include renewable hydrogen.

[HB 273](#) eliminates restrictions on nuclear facility development.

[HB 346](#) revises property tax laws related to solar facilities.

[HB 394](#) exempts certain pollution control and carbon capture equipment from property tax.

[HB 475](#) revises renewable portfolio standard to include hydropower.

[HB 576](#) repealed the renewable portfolio standard.

[HB 606](#) requires an opt-in for advanced meter installation.

[HB 648](#) revises natural resources laws, including studies and investigations into oil and gas deposits, markets for coal ash, and the economic impacts of cost disallowances. The bill also allows certain electric generating facilities to alter fuel sources and waives a requirement for a certificate amendment under the Major Facilities Siting Act.

[HJ 16](#) urges adjustments to Montana's television broadcast designated marketing areas.

[HJ 48](#) provides for an interim study of facial recognition technology.

[SB 14](#) provides for tribal participation in the 9-1-1 grant program.

[SB 51](#) exempts certain fiber optic and coaxial cable from prooperty taxation.

[SB 81](#) includes prepaid wireless in 9-1-1 tax.

[SB 87](#) revises coal-fired generator/water-right owner legal responsibilities.

[SB 134](#) revises Board of Investment loans for coal-fired generation decommissioning and remediation.

[SB 147](#) establishes the commercial property assessed capital enhancements program.

[SB 183](#) revises statute of limitation laws regarding overbilling of telecom services.

[SB 201](#) revises avoided cost rate-making.

[SB 237](#) eliminates the Community Renewable Energy Project requirement.

[SB 257](#) prohibits local governments from enacting certain fees, taxes, or penalties for carbon use.

[SB 265](#) revises electrical generation arbitration laws.

[SB 266](#) revises unfair trade to include certain actions related to electric generation.

[SB 297](#) the ConnectMT act to establish broadband deployment.

[SB 392](#) provides for energy and fiber rights-of-way along interstate highways.

[SJ 3](#) provides for a feasibility study of advanced nuclear reactors.

[SJ 10](#) urges congressional support to appropriate funding for carbon capture technologies.

[SJ 16](#) urges support of the Keystone XL pipeline.

[SJ 33](#) provides for an interim study of Montana electric grid capacity.

## FORESTRY AND WILDFIRES

**HB 173** establishes a fire hazard reduction fund and requires the deposit of revenue from forfeited fire hazard reduction performance bonds into a state special revenue fund for authorization, management, and completion of fire hazard activities.

**HB 594** exempts authorized grant activities to conserve habitat, reduce wildfire risk, or improve forest health from review under the Montana Environmental Policy Act (MEPA).

**SB 262** revises certain property taxation of forest lands and revises the Forest Lands Taxation Advisory Committee.

**SB 263** revises taxable percentage of forest lands.

## FISH, WILDLIFE, & PARKS

**HB 45** revises Come Home to Hunt license requirements.

**HB 48** removes occupation from hunting/fishing license application requirements.

**HB 54** revises who qualifies to accompany nonresident youth combination license hunters.

**HB 108** revises trespass laws regarding permission for hunting.

**HB 119** requires the Fish and Wildlife Commission to approve certain landowner elk licenses.

**HB 120** revises laws related to bonus points.

**HB 138** revises trap and snare tagging requirement laws.

**HB 152** requires drain plugs to be disengaged to prevent aquatic invasive species.

**HB 163** revises Fish and Wildlife Commission members.

**HB 224** allows for snaring of wolves by licensed trappers.

**HB 225** establishes wolf trapping season dates.

**HB 242** establishes a muzzleloader heritage hunt season.

**HB 260** revises nonresident fishing license fees and the number of days certain licenses are valid.

**HB 302** requires county approval to relocate bison.

**HB 305** revises laws related to roadside menageries, wildlife sanctuaries, and zoos.

**HB 318** clarifies the definition of "wild buffalo" or "wild bison."

**HB 353** authorizes replacement hunting license when harvested game is unfit for consumption.

**HB 468** allows hound hunting and chase seasons for black bears.

**HB 637** generally revises FWP laws including game warden authority, block management payments, public access land agreements, nonresident hound licenses, landowner elk licenses and permits, preference points for parties, when special bear and mountain lion licenses may be used, when apprentice hunters may receive their certificate, shooting preserves, wolf classification, use of boats, equipment, and vehicles while hunting, harassment of game birds and game animals, hunting within a municipality, turkey tagging, transfer of ownership interests in commercial licenses, one-time issuance of certain nonresident combination licenses, allocation of revenue, rulemaking, reissuance of certain special licenses, and pheasant release funding.

**HB 647** revises nonresident college student hunting and fishing fees.

**HB 678** revises laws related to search and rescue surcharges on wildlife conservation licenses.

**SB 26** clarifies that livestock producers on tribal lands are eligible for reimbursement from the livestock loss mitigation program.

**SB 27** provides a multiplier for reimbursement of livestock losses to predation by wolves, mountain lions, or grizzly bears.

**SB 38** revises motorized trail program laws.

**SB 60** requires trapper education for certain resident trappers.

**SB 61** allows free fishing on Mother's Day.

**SB 62** clarifies unlawful possession of a game fish, bird, game animal, or fur-bearing animal.

**SB 98** revises laws related to grizzly bear take in defense of persons and livestock.

**SB 116** revises antlerless elk tag license laws.

**SB 230** repays the state general fund for initial implementation of the sage grouse act.

**SB 249** revises funding for the Montana greater sage-grouse stewardship act.

**SB 267** authorizes reimbursement for wolf trapping and hunting.

**SB 275** generally revises the board of outfitters and outfitting laws and enforcement.

**SB 314** revises laws related to wolf harvest.

**SB 327** revises waste of game law.

**SB 337** revises laws related to grizzly bear relocation.

**SB 360** requires review of the state fisheries management plan.

**SB 384** revises laws related to hydroelectric fees for aquatic invasive species.

**SJ 5** urges revision of Lewis and Clark trail designation signs to include Sacajawea.

**SJ 18** resolution on state management of grizzly bears.

## LAND USE

**HB 22** allows in-kind services or materials in exchange for utilities easements on state lands used for armories or other military facilities.

**HB 131** requires the sale of leased cabin or home sites on state water project lands if requested by a lessee or improvement owner.

**HB 444** exempts certain aggregations of previously divided parcels from sanitation review.

**HB 637** prohibits the use of a motor-driven vehicle off-road on state land while hunting.

**HJ 17** declares the first week in June as "Noxious Weed Awareness Week."

**HJ 27** requests an interim study of conservation district funding.

**HJ 30** requests an interim study of county water and sewer districts.

**SB 63** clarifies Land Board authority to lease state lands for wind and solar resources.

**SB 115** clarifies the approval process for land and water-related acquisitions by the Department of Fish, Wildlife, and Parks and requires certain easements to be approved by the Land Board.

**SB 230** repays the state general fund for initial implementation of the sage grouse act.

**SB 270** sets annual hay prices on state trust land based on round bales.

**SB 284** waives compensatory mitigation for gravel pits outside of core sage grouse areas and away from active leks.

**SB 302** extends the deadline to apply for written authorization to use a navigable riverbed.

**SB 328** allows the Department of Environmental Quality to release coal mining bonds for designated areas or in affected drainage basins within a permit boundary, provided certain requirements are met.

## MINING AND MINERALS, MINE PERMITTING, ENVIRONMENTAL REMEDIATION

**HB 131** requires sale of a leased cabin or home site on state water project land if requested.

**HB 599** revises opencut mining laws, including less stringent applications for certain operations, adding public comment and notice for certain operations, and limiting a public meeting requirement for certain operations.

**SB 233** reassigns duties and powers of the Board of Environmental Review.

## OIL & GAS

**HB 498** clarifies that county-initiated zoning does not prevent use, development, or recovery of any mineral under the jurisdiction of the Board of Oil and Gas Conservation.

**HB 661** revises tax rates for stripper oil production.

## WATER POLICY

**HJ 37** requests a study of water quality standards for selenium in Lake Koocanusa.

**SB 54** requires a review of experimental on-site wastewater systems that meet requirements of the Sanitation in Subdivisions Act.

**SB 87** revises legal obligations of coal-fired power plants owners related to public water supplies.

**SB 136** clarifies the legal availability analysis for a water right permit or change in water right.

**SB 163** increases the membership of the Board of Water Well Contractors and board qualifications.

**SB 307** limits liability for owners or operators of irrigation structures and facilities.

**SB 326** allows an irrigation district to levy special taxes or assessment by resolution.

**SB 348** provides a process for use of reclaimed wastewater for snowmaking

**SB 358** eliminates numeric nutrient criteria from water quality standards.

**SJ 6** urges federal government to simplify and reduce the costs of stream restoration projects.

**SJ 21** supports payment of compensation for construction of Libby Dam and opposing British Columbia's right to divert water.

**SJ 28** requests a study of Flathead River erosion.

## DEPARTMENT BILLS

### Department of Environmental Quality

**SB 44** revises laws related to subdivision sanitation review, including fees, exemptions, storm drainage, and what constitutes a subdivision.

**SB 53** reduces permitting requirements for certain decorative rock mines.

### Department of Fish, Wildlife, & Parks

**HB 45** revises Come Home to Hunt license requirements.

**HB 48** removes occupation from hunting/fishing license application requirements.

**HB 54** revise who qualifies to accompany nonresident youth combination license hunters.

**SB 38** revises motorized trail program laws.

**SB 61** allows free fishing on Mother's Day.

**SB 62** revises unlawful possession laws.

### Department of Natural Resources and Conservation

**HB 6** implements the renewable resource grant and loan program, appropriates money to the DNRC for grants under the program, and prioritizes project grants and amounts.

**HB 7** implements the reclamation and development grants program, appropriates money to the DNRC for grants under the program, and prioritizes project grants and amounts.

**HB 8** approves renewable resource projects and authorizes loans, appropriates money to the DNRC for loans under the program, authorizes issuance of coal severance tax bonds, and creates state debt and appropriates coal severance taxes for debt service.

**HB 62** increases state bonding authority for water and wastewater revolving loan funding and removes requirement for federal coordination.

**SB 63** clarifies Land Board authority to lease state lands for wind and solar resources.

### Public Service Commission

**SB 213** revises the PSC appeals process in contested cases.

## VETOED BILLS

[HB 188](#) revised electric vehicle laws and fees.

[SB 231](#) revised laws for family transfer or division of land.

[SB 306](#) revises the structure of the fish and game commission.