

**FINAL STATUS
OF
RESOURCE
LEGISLATION
IN
THE 51ST
MONTANA
LEGISLATURE**

Montana Environmental Quality Council
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1989

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PREFACE

The 51st Montana Legislature was an active session for natural resource legislation, with major new initiatives approved in water management, state oversight of private forest practices, and hazardous materials management. Legislators also strengthened a number of existing programs to protect water quality.

Because of the recent prolonged drought, water use was the most emotional and hotly debated issue at the 1989 Legislature. House Bill 707 originally authorized private water rights holders to lease their water rights to the state to provide instream flows for fisheries during periods of water shortage. The heavily amended bill passed in the last days of the session and provides for a pilot project by the Department of Fish, Wildlife, and Parks. During the project, the DFWP is directed to lease water on up to five streams.

The Legislature also enacted HB 463, providing for non-binding mediation of water right disputes in drainages suffering from water shortages, but failed to establish a Drought Policy Commission (HB 462) or to allow objections to new water use permits based on water quality considerations (HB 584). A series of bills endorsed by the Legislature's Water Policy Committee (SB 166, SB 167, SB 168, and SB 169) to revise state water adjudication procedures gained approval.

In the forest practices arena, the Legislature passed HB 678, which requires individuals or corporations to notify the Montana Department of State Lands before beginning timber operations on