

MONTANA ENVIRONMENTAL POLICY ACT

LEGISLATOR NOTICE

The Legislative Services Division is required to offer a brief history on the subject matter of a bill draft request prior to drafting (5-4-105, MCA; [Chapter 309, Laws of 2017](#)). The history must include related legislation introduced over the last five sessions and hyperlinks to detailed information about the introduced bills.

Legislation can be complex, and this history is not intended to be exhaustive. Please contact the drafter of the requested bill for more information.

Background Materials and Research

Topic Summary: The purpose of the Montana Environmental Policy Act (MEPA) is to declare *a state policy that will encourage productive and enjoyable harmony between humans and their environment, to protect the right to use and enjoy private property free of undue government regulation, to promote efforts that will prevent, mitigate, or eliminate damage to the environment and biosphere and stimulate the health and welfare of humans, to enrich the understanding of the ecological systems and natural resources important to the state . . .* (75-1-102(2), MCA).

Enacted in 1971, MEPA is patterned after the National Environmental Policy Act of 1969 and requires state agencies to conduct a systematic, interdisciplinary analysis of state actions that impact Montana's human environment. MEPA is a procedural statute that does not dictate a certain result, but dictates a process. MEPA does not provide state agencies any authority beyond what is explicitly provided in their regulatory statutes. MEPA has three distinct parts. Part 1 is the "spirit" of MEPA. Part 2 is the "letter of the law". Part 3 establishes the [Environmental Quality Council](#).

Between 2007 and 2019, legislators introduced bills to alter the scope and purpose of MEPA in every session but 2015. The last significant rewrite of MEPA was done with [Senate Bill No. 233](#) in 2011. A complete legislative history of MEPA from 1971 to 2019 is available on our [website](#).

Legislative Services Division Materials:

- [A Guide to the Montana Environmental Policy Act](#) (2019)
- [Text of the Montana Environmental Policy Act \(MEPA\)](#) (2019)
- [MEPA Legislative History](#) (1971-2019)
- [MEPA Model Administrative Rules](#)
- [Litigation history](#)
- [MEPA 35 Year Overview](#)
- [A Citizen's Guide to Public Participation in Environmental Decisionmaking](#) (2002)
- [Improving the MEPA Process](#) (2000)

Other Materials:

Links to state agency environmental assessments (EAs) and environmental impact statements (EISs)

- Department Of Environmental Quality [EAs](#) and [EISs](#)
- [Department Of Fish, Wildlife And Parks](#)
- [Department Of Natural Resources And Conservation](#)
- [Department Of Transportation](#)

Introduced Legislation

*Chapter number assigned means bill was passed and approved.

2019

[House Bill No. 55](#) -- Chapter Number Assigned -- AN ACT GENERALLY REVISING LAWS RELATED TO SUBDIVISION SANITATION REVIEW; DEFINING TERMS; EXTENDING RULEMAKING AUTHORITY; ALLOWING LOCAL ENTITIES TO REVIEW SUBDIVISION CONNECTIONS TO WATER AND SEWER; REVISING TIMELINES FOR SUBDIVISION REVIEW; REVISING SUBDIVISION EXEMPTIONS; REVISING FILING REQUIREMENTS; AMENDING SECTIONS 75-1-208, 76-3-622, 76-4-102, 76-4-103, 76-4-104, 76-4-105, 76-4-107, 76-4-111, 76-4-113, 76-4-114, 76-4-115, 76-4-116, 76-4-121, 76-4-122, 76-4-125, 76-4-127, 76-4-130, 76-4-131, AND 76-4-133, MCA; REPEALING SECTION 13, CHAPTER 344, LAWS OF 2017; AND PROVIDING EFFECTIVE DATES.

[House Bill No. 271](#) -- (H) Died in Process -- AN ACT GENERALLY REVISING THE MAJOR FACILITY SITING ACT; ESTABLISHING SITING REQUIREMENTS FOR CERTAIN PIPELINES; REQUIRING THE DEPARTMENT OF ENVIRONMENTAL QUALITY TO ESTABLISH CERTAIN REQUIREMENTS FOR PIPELINES; REVISING REQUIREMENTS FOR ISSUING A CERTIFICATE; REVISING THE TIME LIMITS FOR VOIDING CERTAIN CERTIFICATES UNDER THE MAJOR FACILITY SITING ACT; AMENDING SECTIONS 22-3-433, 75-20-301, 75-20-303, 75-20-304, AND 75-20-402, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE, AN APPLICABILITY DATE, AND A RETROACTIVE APPLICABILITY DATE.

[House Bill No. 417](#) -- (H) Died in Process -- AN ACT GENERALLY REVISING CRITERIA USED TO REVOKE OR SUSPEND A CERTIFICATE ISSUED UNDER THE MONTANA MAJOR FACILITY SITING ACT; ALLOWING REVOCATION OR SUSPENSION AFTER DISCOVERY OF NEW ENVIRONMENTAL CIRCUMSTANCES; AMENDING SECTION 75-20-403, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

[House Bill No. 452](#) -- (H) Died in Process -- AN ACT GENERALLY REVISING LAWS RELATED TO CONSULTATION OF TRIBES REGARDING IMPACTS TO HERITAGE PROPERTIES; REDEFINING "HERITAGE PROPERTY"; REQUIRING CONSULTATION WITH TRIBAL HISTORIC PRESERVATION OFFICERS; EXPANDING RULEMAKING AUTHORITY; EXPANDING LANDS ON WHICH IMPACTS TO HERITAGE PROPERTIES MUST BE ASSESSED; AND AMENDING SECTIONS 22-3-421, 22-3-423, 22-3-424, 22-3-428, 22-3-429, 22-3-430, 22-3-432, 22-3-433, 22-3-435, AND 82-4-434, MCA.

[Senate Bill No. 97](#) -- (S) Died in Standing Committee -- AN ACT GENERALLY REVISING LAWS RELATED TO COMMON CARRIER PIPELINES; ESTABLISHING SITING REQUIREMENTS; REQUIRING THE DEPARTMENT OF ENVIRONMENTAL QUALITY TO ESTABLISH CERTAIN LEAK PREVENTION AND DETECTION REQUIREMENTS; REVISING REQUIREMENTS FOR ISSUING A CERTIFICATE; REVISING TIME LIMITS

FOR VOIDING CERTAIN CERTIFICATES UNDER THE MAJOR FACILITY SITING ACT; AMENDING SECTIONS 22-3-433, 75-20-216, 75-20-301, 75-20-303, 75-20-304, AND 75-20-402, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND APPLICABILITY DATES.

[Senate Bill No. 252](#) -- Vetoed by Governor -- AN ACT EXEMPTING CERTAIN CHANGES FROM THE MAJOR FACILITY SITING ACT AMENDMENT PROCESS; AMENDING SECTIONS 75-20-213 AND 75-20-219, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A RETROACTIVE APPLICABILITY DATE.

[Senate Bill No. 264](#) -- Chapter Number Assigned -- AN ACT ESTABLISHING CONTRACT REQUIREMENTS FOR WORK COMPLETED TO IMPLEMENT A REMEDIATION PLAN; AMENDING SECTION 75-8-107, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND AN APPLICABILITY DATE.

2017

[House Bill No. 507](#) -- Chapter Number Assigned -- AN ACT GENERALLY REVISING LAWS CONCERNING SANITATION REVIEW FOR PROPOSED SUBDIVISIONS; CREATING A PILOT PROGRAM REVISING TIMELINES FOR SUBDIVISION SANITATION REVIEWS; AMENDING SECTIONS 75-1-208, 76-3-622, 76-4-104, 76-4-121, 76-4-122, 76-4-125, AND 76-4-127, MCA; AND PROVIDING AN APPLICABILITY DATE AND A TERMINATION DATE.

[Senate Bill No. 109](#) -- (S) Died in Standing Committee -- AN ACT PROVIDING THAT THE SCOPE OF AN ENVIRONMENTAL REVIEW MAY INCLUDE AN EXAMINATION OF IMPACTS BEYOND MONTANA'S BORDERS; AMENDING SECTIONS 75-1-102, 75-1-201, 75-1-208, AND 75-1-220, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND AN APPLICABILITY DATE.

[Senate Bill No. 339](#) -- Chapter Number Assigned -- AN ACT ESTABLISHING THE COAL-FIRED GENERATING UNIT REMEDIATION ACT; PROVIDING FINDINGS AND INTENT; DEFINING TERMS; ESTABLISHING REQUIREMENTS FOR SUBMISSION, REVIEW, AND APPROVAL OF A REMEDIATION PLAN; ALLOWING THE DEPARTMENT TO RECOVER ADMINISTRATIVE COSTS; ESTABLISHING THE DEGREE OF REMEDIATION REQUIRED; ESTABLISHING AN APPEALS PROCESS FOR A PERSON WHOSE INTERESTS ARE ADVERSELY AFFECTED BY A FINAL DECISION OF THE DEPARTMENT TO APPROVE OR MODIFY A PLAN; ESTABLISHING VENUE FOR A CHALLENGE TO A PLAN; ESTABLISHING AN APPEAL PROCESS FOR AN OWNER OR PERSON CHALLENGING AN ENFORCEMENT ACTION OR ORDER; ESTABLISHING VENUE AND A STANDARD OF REVIEW FOR A CHALLENGE TO THE ACTION OR ORDER; PROVIDING FOR ENFORCEMENT OF A PLAN; AMENDING SECTIONS 75-1-1001 AND 75-10-704, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A RETROACTIVE APPLICABILITY DATE.

2015

[Senate Bill No. 82](#) -- Chapter Number Assigned -- AN ACT DELEGATING WATER-RELATED DUTIES FROM THE ENVIRONMENTAL QUALITY COUNCIL TO THE WATER POLICY COMMITTEE; TRANSFERRING ADMINISTRATIVE RULE REVIEW, DRAFT LEGISLATION REVIEW, PROGRAM EVALUATION, AND MONITORING FUNCTIONS FROM THE ENVIRONMENTAL QUALITY COUNCIL TO THE WATER POLICY COMMITTEE FOR ISSUES WHERE THE PRIMARY CONCERN IS THE QUALITY OR QUANTITY OF WATER; TRANSFERRING VARIOUS REPORTING REQUIREMENTS FROM THE ENVIRONMENTAL QUALITY COUNCIL TO THE WATER POLICY COMMITTEE; AMENDING SECTIONS 5-5-202, 5-5-231, 75-1-208, 75-

1-324, 75-5-313, 75-5-703, 85-1-203, 85-1-621, 85-2-105, 85-2-281, 85-2-350, AND 85-2-436, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

[Senate Bill No. 230](#) -- Chapter Number Assigned -- AN ACT PROVIDING A PUBLIC SCOPING PROCESS FOR CERTAIN LAND ACQUISITIONS BY THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS; AND AMENDING SECTION 87-1-218, MCA.

[Senate Bill No. 293](#) -- Chapter Number Assigned -- AN ACT ELIMINATING TERM LIMITS FOR MEMBERS OF THE ENVIRONMENTAL QUALITY COUNCIL; AMENDING SECTION 5-16-103, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

2013

[House Bill No. 24](#) -- Chapter Number Assigned -- AN ACT CREATING THE STATE PARKS AND RECREATION BOARD; PROVIDING POWERS AND DUTIES; GRANTING RULEMAKING AUTHORITY; RENAMING THE FISH, WILDLIFE, AND PARKS COMMISSION; AMENDING SECTIONS 2-15-3110, 2-15-3113, 2-15-3401, 2-15-3402, 2-15-3404, 23-1-101, 23-1-102, 23-1-106, 23-1-108, 23-1-110, 23-1-121, 23-1-122, 23-2-301, 23-2-403, 23-2-404, 23-2-408, 23-2-410, 37-47-310, 75-1-220, 77-1-405, 85-2-102, 87-1-101, 87-1-106, 87-1-202, 87-1-209, 87-1-218, 87-1-301, 87-1-303, 87-1-401, 87-1-622, AND 87-4-432, MCA; AND PROVIDING AN EFFECTIVE DATE.

[House Bill No. 256](#) -- Chapter Number Assigned -- AN ACT REQUIRING THE DEPARTMENT OF ENVIRONMENTAL QUALITY TO PROVIDE WRITTEN NOTICE DISCLOSING THE AVAILABILITY OF AN ENVIRONMENTAL ASSESSMENT TO OWNERS OF PROPERTY WITHIN A 1-MILE-WIDE FACILITY SITING CORRIDOR FOR CERTAIN FACILITIES UNDER THE MAJOR FACILITY SITING ACT; REQUIRING THAT A CERTIFICATE ISSUED UNDER THE MAJOR FACILITY SITING ACT MUST INCLUDE CONFIRMATION THAT NOTICE OF THE ENVIRONMENTAL REVIEW WAS PROVIDED; AMENDING SECTION 75-20-303, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND AN APPLICABILITY DATE.

[House Bill No. 513](#) -- Chapter Number Assigned -- AN ACT EXEMPTING PERMITS FOR OVERSIZE VEHICLES FROM ENVIRONMENTAL REVIEW UNDER CERTAIN CIRCUMSTANCES; AND AMENDING SECTION 61-10-121, MCA.

[Senate Biull No. 155](#) -- (S) Died in Standing Committee -- AN ACT REQUIRING THE PREPARATION OF AN ENVIRONMENTAL IMPACT STATEMENT FOR ALL LAND ACQUISITIONS PROPOSED BY THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS; PROVIDING AN EXCEPTION; AND AMENDING SECTIONS 23-1-102, 87-1-209, AND 87-1-218, MCA.

[Senate Bill No. 214](#) -- (S) Died in Standing Committee -- AN ACT PROVIDING THAT THE SCOPE OF AN ENVIRONMENTAL REVIEW MAY INCLUDE AN EXAMINATION OF IMPACTS BEYOND MONTANA'S BORDERS; AMENDING SECTIONS 75-1-102, 75-1-201, 75-1-208, AND 75-1-220, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND AN APPLICABILITY DATE.

[Senate Bill No. 249](#) -- Chapter Number Assigned -- AN ACT REVISING LAWS RELATED TO WILDLIFE MANAGEMENT DECISIONS; DEFINING CONSULTATION WHEN MAKING MANAGEMENT DECISIONS INVOLVING LARGE PREDATORS AND LARGE GAME SPECIES; REQUIRING THE FISH, WILDLIFE, AND PARKS COMMISSION TO COMPLY WITH, ADOPT POLICIES THAT COMPLY WITH, AND ENSURE THE

DEPARTMENT OF FISH, WILDLIFE, AND PARKS IMPLEMENTS STATE WILDLIFE MANAGEMENT PLANS; AND AMENDING SECTIONS 87-1-217 AND 87-1-301, MCA.

[Senate Bill No. 321](#) -- (S) Died in Process -- AN ACT REVISING LAWS RELATED TO INITIATIVE PROCESS; REQUIRING LEGISLATIVE INTERIM COMMITTEES AND THE ENVIRONMENTAL QUALITY COUNCIL TO HOLD A PUBLIC HEARING ON THE TEXT AND STATEMENTS OF PROPOSED INITIATIVES; ALLOWING PROPONENTS TO REVISE THE INITIATIVE TEXT AND STATEMENTS AFTER THE PUBLIC HEARING; REQUIRING THE LEGISLATIVE SERVICES DIVISION TO MAKE MINUTES AND MATERIALS FROM THE HEARING AVAILABLE TO THE PUBLIC; AMENDING SECTIONS 5-5-215, 5-5-229, 5-5-231, 13-27-202, AND 75-1-324, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

[Senate Bill No. 344](#) -- Vetoed by Governor -- AN ACT PROVIDING A PUBLIC SCOPING PROCESS FOR CERTAIN LAND ACQUISITIONS BY THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS; AMENDING SECTION 87-1-218, MCA; AND PROVIDING A TERMINATION DATE.

[Senate Bill No. 369](#) -- Chapter Number Assigned -- AN ACT GENERALLY REVISING LAWS RELATED TO STATE LAND CABIN AND HOME SITES; REQUIRING THE BOARD OF LAND COMMISSIONERS, CONSISTENT WITH THE BOARD'S CONSTITUTIONAL FIDUCIARY DUTY OF ATTAINING FULL MARKET VALUE, TO MAKE AVAILABLE FOR SALE AT THE REQUEST OF THE LESSEE OR IMPROVEMENT OWNER ALL LEASED OR VACANT STATE LAND, CABIN OR HOME SITES, AND CABIN SITE IMPROVEMENTS; PROVIDING A PROCESS FOR SELLING ALL LEASED OR VACANT STATE LAND AND CABIN SITE IMPROVEMENTS FOR CABIN AND HOME SITES; PROVIDING FOR A VALUATION PROCESS PRIOR TO SALE; EXEMPTING THE SALE OF CABIN OR HOME SITE LOTS FROM THE PROVISIONS OF TITLE 75, CHAPTER 1, PARTS 1 THROUGH 3; PROVIDING RULEMAKING AUTHORITY; AMENDING SECTIONS 77-2-303, 77-2-311, 77-2-318, 77-2-363, AND 77-2-366, MCA; REPEALING SECTION 77-2-320, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

2011

[House Bill No. 225](#) -- Chapter Number Assigned -- AN ACT PROVIDING A QUALIFIED EXEMPTION FROM THE ENVIRONMENTAL REVIEW COMPLIANCE LAWS FOR THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS WHEN THE DEPARTMENT ACTS AS A SNOWMOBILE AREA OPERATOR OR WHEN THE DEPARTMENT PROVIDES FUNDING ASSISTANCE TO A SNOWMOBILE AREA OPERATOR; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

[House Bill No. 232](#) -- (H) Died in Standing Committee -- AN ACT CLARIFYING REQUIREMENTS THAT STATE AGENCIES CONSULT WITH LOCAL GOVERNMENTS WHEN DRAFTING ENVIRONMENTAL IMPACT STATEMENTS; AMENDING SECTIONS 75-1-201 AND 75-20-216, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A RETROACTIVE APPLICABILITY DATE.

[House Bill No. 541](#) -- Chapter Number Assigned -- AN ACT PROHIBITING THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS FROM REGULATING DOMESTIC LIVESTOCK TRAILING AS A COMMERCIAL ACTIVITY; EXEMPTING DOMESTIC LIVESTOCK TRAILING FROM THE MONTANA ENVIRONMENTAL POLICY ACT; AUTHORIZING DOMESTIC LIVESTOCK TRAILING ACROSS LANDS DESIGNATED AS WILDLIFE MANAGEMENT AREAS; AMENDING SECTIONS 87-1-301 AND 87-1-303, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

[Senate Bill No. 35](#) -- Chapter Number Assigned -- AN ACT GENERALLY REVISING AND CLARIFYING LAWS RELATED TO THE TREATMENT OF PROPERTY CONSISTING OF THE BEDS OF NAVIGABLE RIVERS; DEFINING A "NAVIGABLE RIVER"; REQUIRING AUTHORIZATION FROM THE BOARD OF LAND COMMISSIONERS FOR USES ON THE BEDS OF NAVIGABLE RIVERS; REQUIRING THE BOARD OF LAND COMMISSIONERS TO ADOPT RULES FOR PROVIDING LEASES, LICENSES, OR EASEMENTS FOR USES ON THE BEDS OF NAVIGABLE RIVERS; CLARIFYING THE AUTHORITY OF THE BOARD OF LAND COMMISSIONERS TO GRANT EASEMENTS; AND AMENDING SECTIONS 77-1-121, 77-1-134, AND 77-2-101, MCA.

[Senate Bill No. 206](#) -- Chapter Number Assigned -- AN ACT REVISING THE MONTANA MAJOR FACILITY SITING ACT; REQUIRING THE DEPARTMENT OF ENVIRONMENTAL QUALITY TO EXAMINE A 1-MILE-WIDE FACILITY SITING CORRIDOR ALONG THE FACILITY ROUTE WHEN CONDUCTING A REVIEW IN ACCORDANCE WITH THE MONTANA ENVIRONMENTAL POLICY ACT IN CONJUNCTION WITH AN APPLICATION FOR A CERTIFICATE UNDER THE MAJOR FACILITY SITING ACT; EXEMPTING SITING MODIFICATIONS WITHIN THE FACILITY SITING CORRIDOR FROM TITLE 75, CHAPTER 1, PART 2; REQUIRING FACILITIES TO BE SITED IN FEDERALLY DESIGNATED ENERGY CORRIDORS WHEN COMPATIBLE WITH OTHER SITING AND RELIABILITY REQUIREMENTS; AMENDING SECTIONS 75-20-104, 75-20-301, AND 75-20-303, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND AN APPLICABILITY DATE.

[Senate Bill No. 233](#) -- Chapter Number Assigned -- AN ACT REVISING ENVIRONMENTAL IMPACT LAWS; REVISING STATUTES RELATED TO AN ENVIRONMENTAL IMPACT ANALYSIS AND AN ENVIRONMENTAL ASSESSMENT; PROVIDING DEFINITIONS; CLARIFYING THAT ALTERNATIVES INCLUDED IN AN ALTERNATIVES ANALYSIS ARE DISCRETIONARY; PROVIDING THAT THE SCOPE OF AN ENVIRONMENTAL REVIEW IS ONLY WITHIN MONTANA'S BORDERS; PROVIDING THE REMEDY FOR FAILURE BY AN AGENCY TO COMPLY WITH THE REQUIREMENTS OF THE MONTANA ENVIRONMENTAL POLICY ACT; REVISING THE ENVIRONMENTAL REVIEW FEE ASSESSMENT; AMENDING SECTIONS 75-1-102, 75-1-201, 75-1-203, 75-1-208, AND 75-1-220, MCA; AND PROVIDING EFFECTIVE DATES, AN APPLICABILITY DATE, AND A CONTINGENT TERMINATION DATE.

[Senate Bill No. 312](#) -- Chapter Number Assigned -- AN ACT REVISING METAL MINE RECLAMATION LAWS; REQUIRING THAT DRAFT PERMITS BE ISSUED FOR COMPLETE AND COMPLIANT APPLICATIONS; REVISING COORDINATION OF PERMIT REVIEWS WITH THE MONTANA ENVIRONMENTAL POLICY ACT; AND AMENDING SECTIONS 82-4-303, 82-4-305, 82-4-335, 82-4-337, 82-4-342, AND 82-4-353, MCA.

[Senate Bill No. 317](#) -- (H) Died in Standing Committee -- AN ACT GENERALLY REVISING THE MONTANA ENVIRONMENTAL POLICY ACT; CLARIFYING THE PURPOSE AND POLICY STATEMENTS; FURTHER CLARIFYING THAT OTHER SPECIFIC STATUTORY OBLIGATIONS ARE UNIMPAIRED; FURTHER CLARIFYING THAT PROVISIONS OF THE ACT ARE PROCEDURAL ONLY AND NOT REGULATORY IN NATURE; REVISING THE PROCEDURES FOR THE DETERMINATION OF CONSTITUTIONALITY; CLARIFYING VENUE REQUIREMENTS; CLARIFYING THE ENVIRONMENTAL REVIEW PROCESS; CLARIFYING TERMS AND DEFINITIONS; REVISING THE PROCEDURES FOR LEGAL CHALLENGES UNDER THE ACT; FURTHER CLARIFYING THAT A STATE AGENCY MAY NOT CONDITION A STATE ACTION UNDER THE ACT; CLARIFYING THE FEE PROCESS AS IT RELATES TO AGENCY RULES, SCHEDULES, COST, COLLECTION, AND USE; AMENDING SECTIONS 75-1-102, 75-1-103, 75-1-104, 75-1-

105, 75-1-106, 75-1-107, 75-1-108, 75-1-201, 75-1-202, 75-1-203, 75-1-205, 75-1-208, 75-1-220, 75-2-211, 77-5-201, AND 77-5-212, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND AN APPLICABILITY DATE.

[Senate Bill No. 416](#) -- (S) Died in Standing Committee -- AN ACT RESTORING THE BALANCE AND PROTECTIONS UNDER THE MONTANA ENVIRONMENTAL POLICY ACT FOR ALL MONTANANS; REVISING THE INTENT AND PURPOSE OF THE ACT; CLARIFYING THAT THE ACT SUBSTANTIVELY ENFORCES AND IMPLEMENTS MONTANA'S CONSTITUTIONAL PROVISIONS; DECLARING AND ACKNOWLEDGING THAT THE PROTECTION OF THE CONSTITUTIONAL RIGHTS TO USE AND ENJOY PRIVATE PROPERTY ARE INEXTRICABLY LINKED AND MUTUALLY DEPENDENT UPON THE CONSTITUTIONAL RIGHT TO A CLEAN AND HEALTHFUL ENVIRONMENT AND THE PUBLIC'S RIGHT TO PARTICIPATE IN AND OBSERVE GOVERNMENTAL ACTIONS; CLARIFYING AN AGENCY'S SIGNIFICANCE DETERMINATION; INCREASING THE MAXIMUM FEE THAT AN AGENCY MAY CHARGE; ALLOWING AN AGENCY TO EXTEND CERTAIN TIMELINES FOR ENVIRONMENTAL REVIEWS TO ACCOMMODATE PUBLIC COMMENT; CLARIFYING AN AGENCY'S TREATMENT OF INDIVIDUAL PUBLIC COMMENT; AMENDING SECTIONS 75-1-102, 75-1-201, 75-1-203, AND 75-1-208, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND AN APPLICABILITY DATE.

Prepared By:

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