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2025



Montana
Stockgrowers
Association

LEGISLATIVE REPORT



WELCOME



2025 was an important legislative year for MSGA. Going into the session, our focus was to continue to work closely with Governor Greg Gianforte and his staff, on policy issues that have a direct impact on our ranching business. MSGA's core mission is to safeguard and improve your interests from regulatory impacts, but also to protect your private property rights, water rights, and reduce the tax burdens on your operations. Specifically, MSGA went into this legislative session with a clear set of directives, developed from MSGA membership policy. These directives were transitioned into specific legislation, in which we worked the entire session to gain the support needed to be successful.

The 2025 Legislative Session continued the increasing trend of bill titles being drafted, which included 4,495 bill draft requests. Out of those bill drafts, 1,759 bills were introduced. It is your investment in MSGA that allows us to continue to be the most influential voice for agriculture at the Montana Legislature.

Raylee Honeycutt

MSGA Executive Vice President



IN THIS REPORT

Legislative Areas of Focus	3
Appropriations	4
Fire	4
Fish, Wildlife, and Parks	5
General Agriculture Bills	6
Livestock	6
Natural Resources	8
Private Property	9
Taxation	9
Water	10

LEGISLATIVE AREAS OF FOCUS

The Montana Stockgrowers Association advocates for private property rights, protects senior water rights, manages wildlife issues pertaining to ranchers, and provides oversight on agency regulations that impact the ranching sector.

AGENCY OVERSIGHT: MSGA actively engages in legislation that provides oversight to state agencies related to agricultural issues.

DEPARTMENT OF LIVESTOCK: We continue to advocate to maintain a stand-alone agency governed by a producer board. We support sufficient funding for the Montana Veterinary Diagnostic Lab, Designated Surveillance Area, and Livestock Loss Program.

DEPARTMENT OF NATURAL RESOURCES & CONSERVATION: We encourage creating efficiencies between the Water Court and DNRC to aid in the adjudication process in the Water Resources Division. We support reducing time and cost to accomplish a water right change. We continue to address DNRC's effort to co-own private water rights.

We support continuing the state land leasing program and the 8,100 current grazing leases. We support school trust lands management resulting in revenue from grazing leases that benefit public schools.

FISH, WILDLIFE AND PARKS: We support legislation that achieves wildlife population objectives and a balanced management approach for wildlife and private property owners. We encourage local landowners' input on any wildlife introduction decisions in their county, including bison.

TAXATION: We support the elimination of the Business Equipment Tax, support efforts to reduce Workers' Compensation costs, and work to ensure agricultural lands are treated as revenue-neutral.

WATER POLICY: We support the Prior Appropriation Doctrine—first in time, first in right. We prioritize the need for the completion of an accurate and timely adjudication process.

WILDLIFE MANAGEMENT: We support adequate funding for state programs, like the Livestock Loss Program, that cover a portion of loss faced by ranchers due to predators. We advocate for reduced conflicts with grizzly bears and wolves. We encourage maintaining funding for the state Sage Grouse program.

PRIVATE PROPERTY RIGHTS: We advocate property owners' rights are protected. We ensure issues related to land and road access do not impede private property rights.



4,595

BILL TITLES



1,759

BILLS INTRODUCED



41

MSGA SUPPORTED
BILLS PASSED



13

OPPOSITION BILLS
DEFEATED



75%

MSGA SUCCESS RATE

Appropriations

HB 2 - General Appropriations Act - HB 2 is the State of Montana's budget for the next biennium. Within the budget, MSGA supported budgets for the Department of Livestock, Department of Natural Resources and Conservation, and Fish, Wildlife, and Parks. The Department of Livestock's budget included an increase in funding for the Veterinary Diagnostic Lab equipment purchases and for a staff expense increase for meat inspectors across the state.

MSGA's Position: SUPPORT

PASSED

Fire

HJ 35 - Joint Resolution Urging Changes to Federal Wildfire Policy - The bill highlights concerns over the United States Forest Service's "let it burn" policy, ineffective federal forest management practices, and the financial burden of wildfire suppression on taxpayers. The resolution calls for the implementation of aggressive initial attacks on wildfires on federal lands, maintaining open and drivable forest roads for effective fire suppression, and modifying EPA air quality standards to account for wildfire smoke.

MSGA's Position: SUPPORT

PASSED

HB 84 - Revise Liability, Training for Prescribed Fires - The bill creates a certification and training program for landowners and NGO's through the Department of Natural Resource and Conservation for prescribed fire managers and sets standards for liability related to prescribed fires. The bill also limits the liability of certified prescribed fire managers and landowners who utilize their services, provided they comply with the established rules and standards.

MSGA's Position: SUPPORT

PASSED

HB 127 - Revise Laws Related to the Fire Suppression Account - HB 127 modifies statutory appropriation language, allowing up to 0.5% of all general revenue appropriations in the second year of the biennium to be appropriated annually from the Fire Suppression Account for fire preparedness. The bill is designed to enhance the management and oversight of funds allocated for fire suppression and related activities, ensuring that the Department of Natural Resources and Conservation provides transparency in its financial reporting.

MSGA's Position: SUPPORT

PASSED

DOCUMENT KEY

SB = Senate Bill

HB = House Bill

SJ = Senate Joint Resolution

SR = Senate Resolution

HJ = House Joint Resolution

Bill was Vetoed

VETOED

Bill Passed

PASSED

Bill Failed

FAILED

HB 130 - Revise State Wildland Fire Policy and Funding - The bill requires the Department of Natural Resources and Conservation engage in wildfire suppression activities regardless of land ownership if federal suppression efforts within five miles are deemed inadequate. Furthermore, the bill authorizes the department to bill the responsible federal fire protection agency for costs incurred during suppression activities when appropriate.

MSGA's Position: SUPPORT

PASSED

HB 421 - Increase DNRC Fire Assessment Fees - HB 421 raises the maximum fee for fire protection from \$50 to \$58.70 for each landowner within a wildland fire protection district. The bill also changes the additional charge for landowners with more than 20 acres from \$0.30 to \$0.49 per acre per year for each acre exceeding that threshold. MSGA has policy to support landowner votes for fire assessment fee collection, not a legislative process.

MSGA's Position: OPPOSED

PASSED

Fish, Wildlife, and Parks

HB 139 - Revise Laws Related to Mule Deer Buck Hunting in November - MSGA opposed this bill which would have created restrictions on the closure of mule deer buck hunting during the general rifle season in November. It would have prevented the FWP Commission from closing mule deer buck hunting in more than 20% of hunting districts in a given season, for more than two years within a six-year period in any one district, or before November 6 in any district. MSGA's position was a concern of the erosion of flexible management authority of the FWP commission.

MSGA's Position: OPPOSED

FAILED

HB 354 - Revise Penalties for Criminal Trespass while Fishing, Trapping, Hunting or Collecting Antlers/Sheds/Horns - MSGA supported HB 354 which requires hunting, fishing, and trapping privileges be revoked for up to 24 months if criminal trespass is committed on state or private property while collecting or attempting to collect antlers, sheds, or animal horns.

MSGA's Position: SUPPORT

PASSED

HB 847 - Provide Funding for Grizzly Bear Management - This bill provided funding for the management of grizzly bear populations in Montana, specifically in Region 3, which encompasses several counties and a significant land area. To address these challenges, the bill proposes the appropriation of \$210,000 from the general license account to the Department of Fish, Wildlife, and Parks for each fiscal year in the biennium beginning July 1, 2025.

MSGA's Position: SUPPORT

FAILED

SR 84 - Confirm Governor's Appointee for Director of Dept. of Fish, Wildlife and Parks - This resolution nominated Christy Clark as the Director of the Department of Fish, Wildlife and Parks, who serves at the pleasure of the Governor.

MSGA's Position: SUPPORT

CONFIRMED

SB 235 - Revising Landowner Preference Qualifications for Elk - MSGA supported this bill to revise the qualifications for landowner-preference elk licenses in Montana by establishing stricter ownership requirements. Specifically, it mandates that applicants must own 640 acres or more of contiguous land to qualify for special permits, eliminating the previous allowance for individuals who were merely under contract to purchase such land. Additionally, the bill defines "employee" and clarifies that only those who are paid and have taxes withheld for their work can be designated by landowners to apply for licenses.

MSGA's Position: SUPPORT

PASSED

SB 441 - Establishing the Montana Block Management Enforcement Network - SB 441 aims to assist landowners enrolled in the block management program with enforcing compliance by hunters with their rules and state law. Landowners have the option to opt-in or opt-out of this network, and opting in does not waive their right to deny access to their property for valid reasons. The bill outlines specific consequences for individuals who violate access rules while on lands enrolled in the network, including prohibitions on accessing these lands for varying lengths of time based on the number of convictions.

MSGA's Position: SUPPORT

PASSED



M BAR LEADERSHIP ACADEMY COHORT AT THE CAPITOL

Pictured (left to right): Katharine Taylor, Lacey Clark, Asha Malcolm, Heidi Kool, Garrett Harshbarger, Governor Gianforte, Wyatt Lesh, RJ Fitzgerald, Dusty Hahn, Celia Herbel, MSGA EVP Raylee Honeycutt, MSGA Gov Affairs Specialist Ellie Brighton

General Agriculture Bills

HB 357 - Provide Funding for Middle School Career and Technical Education - The bill appropriates \$240,000 from the general fund for fiscal year 2027 specifically for middle grades CTE. This appropriation is intended to be part of the ongoing budget for future legislative sessions.

MSGA's Position: SUPPORT

PASSED

HB 860 - Provide for Veterinary Training Loan Program - HB 860 allocated \$425,000 from the general fund for a veterinary training loan program designed to incentivize veterinary students to practice in underserved areas of Montana. Eligible veterinary medicine students, particularly those who were Montana residents, could receive loans up to \$100,000 and loan forgiveness, contingent upon their commitment to work in these areas for four years after graduation.

MSGA's Position: SUPPORT

VETOED

SR 79 - Confirm Governors Appointee for Director of the Department of Agriculture - This resolution confirmed the appointment of Jillian Streit for Director of the Department of Agriculture. Director Streit will serve at the pleasure of the governor.

MSGA's Position: SUPPORT

CONFIRMED

SB 386 - Provide for the Montana Local Meat Act - This bill exempted certain meat processors from various food safety regulations, including licensure, permitting, and inspection, under specific conditions.

MSGA's Position: OPPOSED

FAILED

Livestock

HJ 34 - Resolution Supporting Montana's Beef Producers - This resolution expresses strong support for Montana's beef producers, highlighting their critical role in the state's agricultural economy. The resolution calls for policies that support fair market conditions, reduce regulatory burdens, and promote sustainable beef production, reaffirming its commitment to the viability of the beef industry and the preservation of Montana's agricultural heritage.

MSGA's Position: SUPPORT

PASSED

HB 119 - Establish the Montana Cattle Committee - The bill proposed establishing a commodity check-off board, the Montana Cattle Committee, composed of members appointed by the governor from nominees provided by agricultural associations. The bill also allowed for a producer vote in which an assessment of \$1.00 per head would be implemented after a successful passage of a referendum vote. MSGA supported HB 119.

MSGA's Position: SUPPORT

FAILED

HB 324 - Allow Livestock Loss Reimbursement for Black Bear Predation - The bill expands the existing Livestock Loss Reduction and Mitigation Programs in Montana to include black bears as a species for which livestock producers can receive assistance. MSGA's policy supports

adding black bear depredations for eligibility for reimbursement.

MSGA's Position: SUPPORT

PASSED

HB 418 - Ban mRNA Vaccines in Montana for Animals - MSGA opposed this bill which proposed prohibiting the administration of gene-based vaccines to animals in Montana and restricted the importation of animals that had been treated with or exposed to such vaccines. Additionally, the bill established penalties for violations, classifying them as misdemeanors with fines of \$500 for each incident. MSGA advocated for keeping all tools in the toolbox for protection against foreign animal disease outbreaks.

MSGA's Position: OPPOSED

PASSED

SJ 27 - Joint Resolution Urging Congress to Act on Brucellosis Vaccines for Livestock - The resolution calls for Congress to enact legislation that would expand the availability of brucellosis vaccinations, provide assistance to states for rapid response to outbreaks, and create funding opportunities for preventative vaccinations. Additionally, it mandates that the Secretary of State send copies of the resolution to various federal and state officials to ensure awareness and prompt action on the matter.

MSGA's Position: SUPPORT

PASSED

SR 35 - Confirm Governor's Appointees to the Board of Livestock - This appointment included Eric Moore of Miles City, Montana as the cattle representative. Eric Moore is a MSGA member.

MSGA's Position: SUPPORT

CONFIRMED

SR 45 - Confirm Governor's Appointees to the Board of Veterinary Medicine - This appointment included Joshua Donald of Melville, Tia Nelson, and Garrett Ryerson. Joshua Donald is a MSGA member.

MSGA's Position: SUPPORT

CONFIRMED

SB 78 - Revise Laws Related to Marking Hides and Meat - SB 78 eliminated the requirement that each dressed carcass of a slaughtered animal must be stamped, which streamlines inspection process. Additionally, the bill updates the requirements for bills of sale related to the ownership of hides and carcasses, ensuring that proper documentation is maintained during inspections.

MSGA's Position: SUPPORT

PASSED

SB 79 - Repeal Laws Related to Inspection of Animals in Feedlots - MSGA supported this bill which repeals the inspection requirements and penalties associated with dead animals in feedlots. As the code originally read, brand inspectors were required to inspect all deads in

feedlots and notify cattle owners. This bill aligns code with current practices, as feedlot operators are notifying their customers of deaths.

MSGA's Position: SUPPORT

PASSED

SB 80 - Allow for Digital Copies of Required Documentation for Transport of Livestock - The bill, supported by MSGA and requested by the Department of Livestock, allows individuals to exhibit a digital copy, such as a photo, for required documentation for the transportation of livestock. This change aims to modernize the process by which livestock owners can demonstrate compliance with inspection and transportation permit requirements.

MSGA's Position: SUPPORT

PASSED

SR 90 - Confirm Governor's Appointees to the Board of Livestock - This appointment included Jake Feddes of Belgrade as the cattle representative, and Greg Wichman of Hilger as the sheep representative. Jake Feddes is a MSGA member.

MSGA's Position: SUPPORT

CONFIRMED

SR 103 - Confirm Governor's Appointees to the Livestock Loss Board - This appointment included three nominations - Doreen Gillespie of Ethridge, Joseph Kipp of Browning and Jordan Mannix of Helmsville. Doreen Gillespie is a MSGA member.

MSGA's Position: SUPPORT

CONFIRMED

93,149,312

TOTAL ACRES IN MONTANA

61.9%

OF THOSE ACRES ARE MADE
UP OF FARM & RANCH LAND



Natural Resources

HB 31- Revise Wind and Solar Facility Decommissioning - MSGA supported this bill to revise the qualifications for landowner-preference elk licenses in Montana by establishing stricter ownership requirements. Specifically, it mandates that applicants must own 640 acres or more of contiguous land to qualify for special permits, eliminating the previous allowance for individuals who were merely under contract to purchase such land. Additionally, the bill defines "employee" and clarifies that only those who are paid and have taxes withheld for their work can be designated by landowners to apply for licenses.

MSGA's Position: SUPPORT

PASSED

HB 80 - Provide for Cash Lease-Only Bidding - The bill modifies cash basis competitive bidding for state land agricultural leases in Montana. Key amendments included changes to the bid deposit requirements, where the previous stipulation for a crop share basis has been removed, allowing for a more straightforward cash deposit of 100% of the annual rental bid for grazing land and \$20 per acre for agricultural land. It also introduces a requirement for applicants to submit bids in dollars per acre for agricultural leases issued through competitive bidding, replacing the previous requirement for a minimum annual guarantee based on crop share.

MSGA's Position: SUPPORT

PASSED

SJ 14 - Resolution to Release Federal Wilderness Study Areas - This resolution calls for Congress to enact legislation that would release all wilderness study areas identified in the Montana Wilderness Study Act and the National Landscape Conservation System, as well as all inventoried roadless areas. It notes that many of the designated areas have not been formally recommended for wilderness designation, leading to legal ambiguities and federal litigation regarding land use.

MSGA's Position: SUPPORT

FAILED

SR 77 - Confirm Governors Appointee for Director of the Department of Environmental Quality - This resolution appointed Sonja Nowakowski as the Director of the Department Environmental Quality, who serves at the pleasure of the Governor.

MSGA's Position: SUPPORT

CONFIRMED

SR 85 - Confirm Governors Appointee for the Department of Natural Resources and Conservation - This resolution

appointed Amanda Kaster as the Director of the Department of Natural Resources and Conservation, who serves at the pleasure of the Governor.

MSGA's Position: SUPPORT

CONFIRMED

SR 160 - Revise Alternative Energy Project Laws to Require a Bond Prior to Construction - SR 160 mandates that owners of such facilities must secure decommissioning bonding before construction and operation can commence. It introduces new timelines for decommissioning, slightly stricter than HB 31.

MSGA's Position: SUPPORT

FAILED

SB 167 - Provide Funding for Noxious Weed Trust - This bill mandates that one-quarter of the interest and income generated by the trust fund must remain within the fund itself. The bill also outlines that the state treasurer is required to transfer \$10 million from the general fund to the trust fund by June 30, 2025.

MSGA's Position: SUPPORT

VETOED

SB 221 - Generally Revise the Montana Environmental Policy Act - This bill was one of many MEPA reform bills post Held decision. SB 221 clarified that MEPA is procedural and that green house gas emissions will be analyzed but not regulated under MEPA.

MSGA's Position: SUPPORT

PASSED

SB 381 - Provide for Montana's Future Homesteading Act - MSGA opposed this bill which proposed making certain parcels of state lands available for homesteading in 5 acre parcels and once successful homesteading was proven the land would be sold at market value to the homesteader.

MSGA's Position: OPPOSED

FAILED



DUSTY AND CHUCK HAHN WITH REPRESENTATIVE JANE GILLETTE.

Private Property

SB 209 - Revise Term Length of Conservation Easements - The bill limits the duration of conservation easements to a maximum of 40 years. Additionally, the bill prohibits the conversion of land under easement to federal control.

MSGA's Position: OPPOSED

FAILED

Taxation

HB 231 - Revise Property Tax Rates for Certain Property - HB 231 came out of the Governor's Property Tax Advisory Committee and revises property tax laws in Montana, focusing on class four residential and commercial properties. The bill introduces a lower tax rate for certain owner-occupied residential properties and long-term rentals, as well as a reduced tax rate for a portion of commercial property value. In general, it shifts the tax burden from residential to commercial properties. It was amended numerous times in such a way that it was nullified upon governor signature of SB 542.

MSGA's Position: OPPOSED

PASSED

HB 337 - Revise Income Tax Laws to Lower Income Taxes - HB 337 lowers the top tax rate from 5.9% to 5.65% for tax year 2026 and reduces the rate further in 2027 to 5.45%. It increases the threshold level of taxable income at the rate of 4.7% to \$95,000 for married filing jointly. HB 337 also increases Montana's earned income tax credit from 10% to 20% of the Federal Earned Income Tax Credit. MSGA supported HB 337.

MSGA's Position: SUPPORT

PASSED

HB 528 - Revise Property Tax Rates for Agricultural, Residential, and Commercial Property - The bill reduces the tax rate for Class Three property from 2.16% to 1.7% of its productive capacity value and for Class Four residential property from 1.35% to 0.76% of market value. Additionally, the tax rate for commercial property is also adjusted to 1.35%. However, because Class Three land value is different based on location within the state, some agricultural property could see a tax increase of anywhere from 15% to 25%. The bill shifts the tax burden from residential to other class properties at a local level.

MSGA's Position: OPPOSED

FAILED

SR 78 - Confirm Governors Appointee for the Department of Revenue - This resolution appointed Brendan Beatty as the Director of Revenue, who serves at the pleasure of the Governor.

MSGA's Position: SUPPORT

CONFIRMED

SB 322 - Increase Business Equipment Tax Exemption - SB 322 raises the business equipment tax exemption from \$1 million to \$3 million. After amendments the final bill product raises the exemption to \$1.5 million. Unfortunately, SB 322 was killed on the House floor. The Business Equipment Tax exemption remains at \$1 million.

MSGA's Position: SUPPORT

FAILED

SB 323 - Revise Individual Income Tax Rates and Earned Income Credit - SB 323 is the Governor's proposal to lower the top rate in two steps. The income tax rate drops from 5.9% to 5.4% in 2026. Then lowers the rate to 4.9% in 2027. The bill reduces the tax rate on capital gains from 4.1% to 3.9% and raises the earned income credit from the current 10% to 15%.

MSGA's Position: SUPPORT

FAILED

SB 542 - General Revise Property Tax Laws - This bill creates a rebate of up to \$400 for owner-occupied residential properties that qualified for the rebates given in 2023 and 2024, sets up a one-year tax rate system in 2025 for residential and commercial properties and sets up a permanent system of tax rates in 2026. This is the chosen bill by the legislature to pass residential property tax relief however it shifts the tax burden on to all other classes of property.

MSGA's Position: OPPOSED

PASSED

Water

HB 256 - Creation of Montana Water Trust and Special Revenue Accounts - This bill creates a special revenue account to fund water storage projects and dam inspections. It includes an allocation of \$50 million from the general fund to this new account with two installments by August of 2026.

MSGA's Position: SUPPORT

FAILED

HB 432 - Revise Water Laws Concerning Exceptions to Change in Appropriation Right Process - MSGA supported HB 432 which allows for the place of use to be changed without prior approval from the department under specific conditions, such as adding another stock tank. Additionally, an exemption to the change process also was added when replacing an existing well when the well is within 200 feet of the well it is replacing.

MSGA's Position: SUPPORT

PASSED

HB 441 - Align Provisional Water Rights with Final Decrees - MSGA supported HB 441 which revises Montana's water laws to create a process to transition provisional water rights to final certificates of water and clarifies the processes for post-decree petitions regarding permits. Key amendments include the definition of provisional permits as those authorized before a final decree is issued and the establishment of a clear process for petitioning to reduce, modify, or revoke these permits.

MSGA's Position: SUPPORT

PASSED

HB 580 - Clarify Water Right Abandonment - MSGA supported HB 580 which clarifies the conditions under which a water appropriation right may be considered abandoned, particularly during periods of drought. It establishes that if a water right holder reduces or ceases the use of their water right due to drought conditions and is part of an active drought management plan, this action does not automatically indicate an intent to abandon the right.

MSGA's Position: SUPPORT

PASSED

HB 676 - Generally Revise State Land and Water Laws - MSGA opposed HB 676 bill which revised laws concerning state lands and water rights, specifically prohibiting the Board of Land Commissioners from acquiring ownership of private water rights used on state lands. It amended existing sections of the law to allow lessees of state lands to register improvements made on those lands, including water rights, prior to a specified date. In doing

so it redefined water rights as land improvements which is inconsistent with state law. Further consequences of the bill included adjudication disruption, volume reductions, operational conflicts and constitutional challenges. MSGA was instrumental in ensuring this bill did not become law and was the only agricultural organization to request a veto from the Governor, which we were successful in getting.

MSGA's Position: OPPOSED

VETOED

HB 681 - Generally Revise Groundwater Laws - The bill clarifies the definition of "water right" to exclude authorized notices of intent to appropriate groundwater and amends the process for issuing certificates of water rights for exempt groundwater appropriations.

MSGA's Position: OPPOSED

PASSED

HB 704 - Generally Revise Groundwater Laws - This bill, opposed by MSGA, sought to revise Montana's groundwater laws by establishing temporary legislative controlled groundwater closure and monitoring areas in regions such as the Gallatin Valley, Helena Valley, Bitterroot Valley, and Missoula Valley. This bill allowed for an expansion of exempt wells.

MSGA's Position: OPPOSED

FAILED

HB 775 - Repeal Sunset on Water Court Actions - MSGA supported House Bill 775 which repealed the sunset date associated with laws governing judicial review of water rights in Montana. The bill authorizes the water court to review specific decisions made by the Department of Natural Resources and Conservation, thereby enhancing the oversight and accountability of water management decisions. Additionally, it clarifies the duties of the water court to ensure effective administration of water rights.

MSGA's Position: SUPPORT

PASSED

HB 886 - Provide for Water Division Court Judges - MSGA supported this bill which proposed using Divisional Water Courts for water administration post final decree, to be overseen by judges appointed by the Governor from a list provided by the Chief Justice of the Supreme Court.

MSGA's Position: SUPPORT

FAILED

HB 924 - House Bill 924 establishes the Montana Growth and Opportunity Trust, to be funded through annual transfers. The bill outlines the allocation of these funds, including annual distributions of interest income to various state special revenue accounts including the Montana Water Development account. The Water Development account is a special revenue account to fund water storage projects and dam inspections. It includes an allocation of \$50 million from the general fund to this new account with two installments by August of 2026.

MSGA's Position: **SUPPORT**

PASSED

SR 15 - Confirm Supreme Court Chief Justice Appointee for Water Judge - This resolution appoints Bina R. Peters as the Associate Water Judge.

MSGA's Position: **SUPPORT**

CONFIRMED

SR 16 - Confirm Supreme Court Chief Justice Appointee for Water Judge - The resolution from the Senate of the State of Montana confirms the appointment of Stephen R. Brown as Chief Water Judge.

MSGA's Position: **SUPPORT**

CONFIRMED

SB 61 - Revise Laws Related to Considerations for Measuring of Streamflow - This bill establishes key policy

considerations regarding the measurement and monitoring of streamflow in Montana. It emphasizes that all water resources within the state are owned by the state and are subject to appropriation for beneficial uses. The bill outlines that the legal appropriation of water necessitates that it be both legally and physically available, and it highlights the importance of accurate, real-time streamflow measurement for effective water management and distribution.

MSGA's Position: **SUPPORT**

PASSED

SB 76 - Revise Laws Related to Preliminary Determinations for Water Right Permits or Changes Appropriations - SB 76 modifies the process for preliminary determinations regarding water right permits or changes in appropriation rights. Key changes include the requirement for the department to publish notice of receipt of applications on its website and to update this notice when an application is deemed correct and complete. The timeline for the department to issue a draft preliminary determination has been adjusted, allowing 60 days if the applicant has completed a preapplication meeting, or 120 days if they have not.

MSGA's Position: **SUPPORT**

PASSED

MONTANA

BY THE NUMBERS

ITEM	TOTAL
Number of farms & ranches	24,300
Lands in farms & ranches (acres)	57,601,320
Average farm size (acres)	2,370
All Cattle and Calves (head)	2,120,000
Cattle on feed (head)	38,000

Based on the 2024 Montana Annual Bulletin



**MSGA MEMBER JOHN HAGENBARTH TESTIFYING
AT THE HOUSE AGRICULTURE COMMITTEE**

SB 178 - Provide for Temporary Lease of Water Rights - The bill allows for temporary leasing of water in Montana, allowing water right holders to lease water under specific conditions. MSGA supported this bill only after key stipulations were added in, similar to the water leasing bill that passed in 2013. Additionally, the use of the appropriation right at the associated place of use is prohibited during the lease period, and the leased water must be measured at the point of diversion.

MSGA's Position: SUPPORT

PASSED

SB 186 - Provide for Expedited Processing in District Courts of Water Cases Arising Under Final Decrees - SB 186 established procedures for water rights to be administered only through district courts. MSGA opposed this bill and supported a divisional court model for water adjudication.

MSGA's Position: OPPOSED

FAILED

SB 190 - Allow Water Right Holders to Consent to Waive Adverse Effects Analysis in Permit or Change Applications - The bill allows applicants to waive the requirement of proving a lack of adverse effects on existing water rights if they obtain written consent from affected water right holders, reducing the burden of proof on water right owners when applying for temporary change authorizations. Furthermore, the bill clarifies that temporary change authorizations can remain valid if the associated water right is transferred with real property and limits the maximum quantity of water that can be changed for instream flow purposes to the amount historically diverted.

MSGA's Position: SUPPORT

PASSED

SB 263 - Revise State Ownership of Water Rights on State Lands - MSGA opposed SB 263 which aimed to revise the regulations surrounding state ownership of water rights used on state lands. The bill removed previous restrictions on state ownership of water rights and introduced a new process for the Land Board to determine whether to authorize the state to obtain ownership interest in a water right used on state lands, through legal proceedings. It mandated that the Land Board must hold a public hearing where affected parties can present their case against the department's request with legal counsel, turning the Land Board into a quasi-judicial entity and circumventing the currently effective process.

MSGA's Position: OPPOSED

FAILED

SB 358 - Revise Exempt Water Right Laws - MSGA supported SB 358 which was a compromise bill that sought to revise how an exempt well could be used. The bill established protocols for aquifer closure and monitoring. Key provisions include the identification of certain wells, enforcement mechanisms, and new reporting requirements for water appropriators. It included legislative closure areas in Montana where aquifers are overappropriated.

MSGA's Position: SUPPORT

FAILED

SB 436 - Generally Revise Laws Relating to Exempt Wells - MSGA opposed SB 436 which amended existing definitions and provisions related to water rights, beneficial use, and exceptions to permit requirements, including increasing the maximum allowable appropriation rates and volumes for groundwater outside controlled areas. This bill ultimately expanded the exception process for permits.

MSGA's Position: OPPOSED

FAILED

Advocating for Montana ranching families since 1884



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