

**ASSOCIATION OF GALLATIN AGRICULTURAL IRRIGATORS  
2009 WEEKLY LEGISLATIVE HIGHLIGHTS  
March 15, 2009**

The committees are just starting to get back into the swing of the session after transmittal break. HB 2 is scheduled to be on the floor Monday and Tuesday of this week in the House. Once the budget is out we will have more of an idea on some of the other bills that have funding provisions. Most of the bills that we are testifying on now are bills that we are supporting. The stimulus package is also being discussed at length. We need to work to make sure that no amendments get on that change the intent of the bills. Please do not hesitate to let either Krista or Walt know about issues of concern, comments, and thoughts.

**Reports on Hearings Held March 9-March 13**

**SB 303 – (Wanzenried, D, Missoula)** –Requires the DNRC to update the state water plan base on the Missouri, the Yellowstone, and the Clark Fork Basins. Originally it was unclear regarding how the membership of these larger basin wide groups would be put together. It was also very specific in some areas and broader in others. AGAI worked with the sponsor to amend the bill so the language is broader and it leaves the discretion with the basin wide groups.

**SB 465 – (Hamlett, D – Cascade)** – This bill clarifies the laws related to the treatment of property consisting of the bed of navigable rivers as a result of the PPL decision and pending Supreme Court case. It also stated that in a dispute over the ownership of a bed of a river or stream, a presumption cannot be made based on the tax status of the property. It made clear that even if the bed of a river is determined to be state land, any structure located on the property remains the property of the original owner or their successor in interest. Finally it made it clear that adjoining landowners can control weeds along and on the riverbank.

**SJ 7 – (Brendan, R – Scobey)** – This resolution was to address federal legislation that was attempting to change the definition of which waters are subject to the federal clean water act. AGAI voiced concern regarding expanding the program and water bodies affected and the potential impacts that it might have on Montana's ability to retain primacy on water quality laws.

**Reports on Bills Heard but still in Committee – March 9-March 13**

**HB 52 – (McNutt, R – Sidney)** – Fund hydrogeologic Study was heard by House Appropriations on January 12. All those who testified were proponents. AGAI supported the legislation stating it is critical to provide sound, unbiased science so that informed decisions may be made with regard to water allocation in Montana. Estimated cost per basin for the ground water study is \$600,000. MT Bureau of Mines and Geology has determined that approximately 7 basins could be studied per biennium. It would take approximately 5 bienniums to complete all of the basins in MT. Rep. McNutt requested



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that the legislation be held until the budget picture was better understood. The bill requests \$4.2 million per biennium. Executive Action has not been scheduled.

**Reports on Floor Action Held March 9-March 13**

**HB 39** – Passed the Senate with amendments – 2<sup>nd</sup> Reading: 47-2, 3<sup>rd</sup> Reading: 42-7

**SB 120** – Passed the House – 2<sup>nd</sup> Reading: 76-24, 3<sup>rd</sup> Reading: 70-28

**Hearings for the week of March 16 – March 20**

**(Note: A hearing only requires a two day notice so this list may change)**

**Monday 3/16/09:**

**Tuesday 3/17/09:**

<a href="#">SB 437</a>	LC1684	Gary L Perry	(H) Hearing -- (H) Fish, Wildlife and Parks	03/17/2009; 3:00 PM, Rm 152	Clarify fish pond licensure
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**Wednesday 3/18/09:**

<a href="#">SB 94</a>	LC0288	Larry Jent	(H) Hearing -- (H) Natural Resources	03/18/2009; 3:00 PM, Rm 472	Revise closed water basin permitting laws
<a href="#">SB 396</a>	LC1949	Bob Story	(H) Hearing -- (H) Natural Resources	03/18/2009; 3:00 PM, Rm 472	Alter criteria for permitting certain changes to points of diversion

**Thursday 3/19/09:**

<a href="#">SB 507</a>	LC0046	Bob Story	(S) Hearing -- (S) Taxation	03/19/2009; 8:00 AM, Rm 405	Use of river beds
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**Friday 3/20/09:**

<a href="#">HB 321</a>	LC0815	Jill Cohenour	(S) Hearing -- (S) Local Government	03/20/2009; 3:00 PM, Rm 405	Clarify local government authority regarding public water and sewer
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