

**ASSOCIATION OF GALLATIN AGRICULTURAL IRRIGATORS  
2009 WEEKLY LEGISLATIVE HIGHLIGHTS  
April 5, 2009**

The session is drawing nearer to an end. The legislators are under pressure to move legislation out of their committees. House Bill 2 will be on the Senate Floor this week so we will be watching bills to make sure that projects and programs we are concerned with stay funded. Everyone is trying to figure out how to get their bills through the process in the waning days. We will be working hard on SB 507 this week to try to keep it whole as it makes its way through the house. The bill will be heard in House Tax because SB 465 was heard in House Tax and the sponsors want to keep the issue in front of the same committee. Please do not hesitate to let either Krista or Walt know about issues of concern, comments, and thoughts.

**Reports on Hearings Held March 30-April 3**

**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. Rep. McNutt requested that the legislation be held until the budget picture was better understood. The bill requests \$4.2 million per biennium. *Appropriation was cut to \$900,000. Passed out of Senate Natural Resources 9-2.* [AGAI supported]

**SB 343 – (Jackson, R, Kalispell)** -- Created the Montana Aquatic Invasive Species Act. As the bill was initially drafted it was not limited to aquatics. AGAI worked with other interested parties to amend the bill to limit it to aquatic species. It provides for public education, joint management and identification of management areas by FWP and Dept. of Agriculture. Hearing was held in front of House Agriculture. [AGAI – Supported]

**SB 465 – (Hamlett, D, Cascade)** – As a result of the District Court's decision in PPL v. Montana the Department of Revenue removed what they deemed to be navigable rivers from the tax rolls and did not differentiate between high water mark and low water mark. The primary concern with this action by the DOR is that they do not have the authority to determine title to property as an administrative action and the risk that the "lines" that were drawn by DOR would somehow be applied by DNRC to determine which property is school trust land. Hearing was held in front of House Tax. [AGAI – Supported]

**Reports on Bills Heard but still in Committee – March 30-April 3**

**Reports on Committee Action – March 30-April 3**

**SB 94 – (Jent, D, Bozeman) – WPIC bill** – This bill as introduced removed many of the requirements that were provided through HB 831 in the 2007 session. However, after



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significant amendments, AGAI chose to support the bill in order to make it clear that the Water Court is responsible for determining historic beneficial use – not the DNRC.  
**FAILED IN COMMITTEE ON A TIE VOTE** [AGAI – Supported]

**SB 437 – (Perry, R, Manhattan)** – This bill prohibited the issuance of new fish licenses if ponds were built using groundwater from a well that was exempt from water right permitting pursuant to 85-2-306. **FAILED IN COMMITTEE ON A TIE VOTE** [AGAI – Supported]

**Reports on Floor Action Held March 30 – April 3**

**SB 22 – Interim Water Policy Committee** – House 2<sup>nd</sup> Reading 75-20  
**HB 40 – Revise Water Right Permit Process** – Senate 2<sup>nd</sup> Reading 50-0/3<sup>rd</sup> Reading 49-0  
**SB 303 – Update State Water Plan** – Senate 2<sup>nd</sup> Reading 43-7/3<sup>rd</sup> Reading 45-5  
**SB 396 – Alter Criteria for Certain Changes in Points of Diversion** – House 2<sup>nd</sup> Reading 95-4/3<sup>rd</sup> Reading 99-0 Senate 2<sup>nd</sup> Reading Concurred 50-0

**Hearings for the week of April 6 – April 10**

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

**Monday 4/6/09:**

<a href="#">SB 303</a>	LC0463	David E Wanzenried	(H) Hearing -- (H) Natural Resources	04/06/2009; 3:00 PM, Rm 472	Update state water plan
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**Tuesday 4/7/09:**

<a href="#">SB 507</a>	LC0046	Bob Story	(H) Hearing -- (H) Taxation	04/07/2009; 9:00 AM, Rm 152	Use of river beds
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**Wednesday 4/8/09:**

<a href="#">HB 2</a>	LC0166	Jon C Sesso	(S) Hearing -- (S) Finance and Claims	03/27/2009; 8:00 AM, Rm 317	General appropriations act
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**Thursday 4/9/09:**

<a href="#">HB 2</a>	LC0166	Jon C Sesso	(S) Hearing -- (S) Finance and Claims	03/27/2009; 8:00 AM, Rm 317	General appropriations act
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**Friday 4/10/09:**



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