

**MINUTES**

**MONTANA SENATE  
58th LEGISLATURE - REGULAR SESSION**

**COMMITTEE ON NATURAL RESOURCES**

**Call to Order:** By **CHAIRMAN BILL TASH**, on February 19, 2003 at 3:27 P.M., in Room 405 Capitol.

**ROLL CALL**

**Members Present:**

Sen. Bill Tash, Chairman (R)  
Sen. Aubyn Curtiss, Vice Chairman (R)  
Sen. Sherm Anderson (R)  
Sen. Gregory D. Barkus (R)  
Sen. Jon Ellingson (D)  
Sen. Rick Laible (R)  
Sen. Bea McCarthy (D)  
Sen. Dan McGee (R)  
Sen. Gary L. Perry (R)  
Sen. Glenn Roush (D)  
Sen. Debbie Shea (D)  
Sen. Ken Toole (D)

**Members Excused:** None.

**Members Absent:** None.

**Staff Present:** Krista Lee Evans, Legislative Branch  
Roberta Opel, Committee Secretary

**Video-taped Committee:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. A video-taped recording of the meeting is available from the Montana Historical Society.

**Committee Business Summary:**

Hearing & Date Posted: SB 194, 2/16/2003; SB 417,  
2/16/2003; SB 416, 2/16/2003; SB  
321, 2/16/2003  
Executive Action: None

**HEARING ON SB 194**

**Opening Statement by Sponsor:** CHAIRMAN BILL TASH, SD 17, Dillon, opened on SB 416; an act to revise laws governing appropriation of water.

**Proponents' Testimony:**

3:43pm REP. JOHN BRUEGEMAN, HD 74, Polson  
3:45pm Chris Tweeten, Chairman, Reserved Water Rights Compact Commission EXHIBIT (nas37a01)  
3:50pm Ric Smith, Polson  
3:52pm Randy Ingram, Polson Mayor  
3:53pm John Carter, representing the Confederated Salish-Kootenai Tribes EXHIBIT (nas37a02)  
4:01pm Dale Sanders, Hot Springs  
4:03pm Mike Murphy, MT. Water Resources Association  
4:04pm Steve Hughes, President, MT. Water Resources Association

**Opponents' Testimony:**

4:05pm Jon Metropoulos, Flathead Joint Board of Control

**Informational Witnesses and Testimony:**

4:10pm Don MacIntyre, attorney, DNRC

**Questions from Committee Members and Responses:**

4:17pm Begin  
4:35pm End  
18 min Elapsed time

**Closing by Sponsor:**

4:35pm CHAIRMAN TASH closed on SB 194.

**HEARING ON SB 417**

**Opening Statement by Sponsor:** SEN. GREG BARKUS, SD 39, Kalispell, opened on SB 417; an act to revise adjudication and negotiation of Indian water rights.

**Proponents' Testimony:**

4:41pm Jon Metropoulos, Flathead Joint Board of Control  
4:48pm Mike Murphy, Montana Water Resources Association  
4:49pm Roy Lake, resident, Flathead Indian Reservation

**Opponents' Testimony:**

4:51pm Chris Tweeten, Chairman, Reserved Water Rights Compact  
Commission **EXHIBIT (nas37a03)** and **EXHIBIT (nas37a04)**  
5:01pm Ric Smith, Flathead Valley resident  
5:02pm Randy Ingram, Polson Mayor  
5:02pm John Carter, representing the Confederated Salish and  
Kootenai Tribes

**Questions from Committee Members and Responses:**

5:06pm Begin  
5:13pm End  
7 min Elapsed time

**Closing by Sponsor:**

4:13pm **SEN. BARKUS** closed the hearing on SB 417.

**HEARING ON SB 416**

**Opening Statement by Sponsor:** **SEN. GREG BARKUS, SD 39,**  
**Kalispell**, opened on SB 321; an act to revise membership of the  
water pollution control advisory council.

**Proponents' Testimony:**

5:19pm Jon Metropoulos, Flathead Joint Board of Control

**Opponents' Testimony:**

5:21pm John Carter, representing the Confederated Salish and  
Kootenai Tribes  
5:31pm Ric Smith, Flathead Valley resident

**Informational Witnesses and Testimony:**

5:32pm Don MacIntyre, attorney, DNRC

**Questions from Committee Members and Responses:**

5:35pm Begin  
5:52pm End  
17 min Elapsed time

**Closing by Sponsor:**

5:52pm **SEN. BARKUS** closed on SB 416.

**NOTE:** Committee Recess at 5:52pm until 5:54pm.

**HEARING ON SB 321**

**Opening Statement by Sponsor:** **SEN. RICK LAIBLE, SD 30, Victor,** opened on SB 194; an act to revise authorization of interim water agreement.

**Proponents' Testimony:**

5:56pm Gail Abercrombie, MT. Petroleum Association

**EXHIBIT (nas37a05)**

6:03pm Steve Pilcher, Montana Stockgrower's Association

6:05pm Don Allen, representing Western Environmental Trade Association (WETA, Montana Farm Bureau, and Montana Mining Association

6:09pm Jan Sensibaugh, Director, MT. Dept. of Environmental Quality

**Opponents' Testimony:**

6:10pm Richard Parks, Gardiner, on behalf of the Fishing Outfitters Association of Montana (FOAM) **EXHIBIT (nas37a06)**

6:16pm Ann Hedges, Montana Environmental Information Center (MEIC)

**Questions from Committee Members and Responses:**

6:18pm Begin

6:21pm End

3 min Elapsed time

**Closing by Sponsor:**

6:21pm **SEN. LAIBLE** closed on SB 321.

**ADJOURNMENT**

Adjournment: 6:21 P.M.

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SEN. BILL TASH, Chairman

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ROBERTA OPEL, Secretary

BT/RO

**EXHIBIT (nas37aad)**