

SENATE JOINT RESOLUTION NO. 16

INTRODUCED BY DOHERTY, RANEY, MAZUREK,
JERGESON, WEEDING, NATHE, DEVLIN, FRANKLIN

IN THE SENATE

FEBRUARY 8, 1991 INTRODUCED AND REFERRED TO COMMITTEE
ON NATURAL RESOURCES.

FIRST READING.

FEBRUARY 19, 1991 COMMITTEE RECOMMEND BILL
DO PASS. REPORT ADOPTED.

FEBRUARY 20, 1991 PRINTING REPORT.

FEBRUARY 21, 1991 SECOND READING, DO PASS.

FEBRUARY 22, 1991 ENGROSSING REPORT.

THIRD READING, PASSED.
AYES, 49; NOES, 0.

TRANSMITTED TO HOUSE.

IN THE HOUSE

MARCH 4, 1991 INTRODUCED AND REFERRED TO COMMITTEE
ON NATURAL RESOURCES.

MARCH 4, 1991 FIRST READING.

APRIL 2, 1991 COMMITTEE RECOMMEND BILL BE
CONCURRED IN. REPORT ADOPTED.

APRIL 6, 1991 SECOND READING, CONCURRED IN.

ON MOTION, RULES SUSPENDED. BILL
PLACED ON THIRD READING THIS DAY.

THIRD READING, CONCURRED IN.
AYES, 93; NOES, 3.

RETURNED TO SENATE.

IN THE SENATE

APRIL 9, 1991 RECEIVED FROM HOUSE.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

1 *Senate* JOINT RESOLUTION NO. 116
 2 INTRODUCED BY *Doherty*
 3 *Randy Magallon Ferguson* *Reed* *WAT* *the* *House* *of* *Bozeman*
 4 A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF
 5 REPRESENTATIVES OF THE STATE OF MONTANA URGING THE USE OF
 6 ALL AVAILABLE METHODS TO ENSURE THE MAINTENANCE OF ADEQUATE
 7 WATER LEVELS IN THE FORT PECK RESERVOIR.

8
 9 WHEREAS, Montana is the state of origin for all water
 10 that flows into the Fort Peck Reservoir; and

11 WHEREAS, the citizens of Montana have used and have a
 12 right to continue to use the waters of this state for
 13 recreational purposes; and

14 WHEREAS, the citizens of Montana have enjoyed and have a
 15 right to continue to enjoy economic benefits from the
 16 recreational use of waters of this state; and

17 WHEREAS, the federal authorization for the Fort Peck
 18 Reservoir, found in Public Law No. 99-662, section 861, 100
 19 Stat. 4181 (1986), specifically includes recreation as a
 20 project purpose; and

21 WHEREAS, the United States Army Corps of Engineers has
 22 not maintained adequate reservoir water levels to promote
 23 and protect the valuable recreational resource and economic
 24 benefits of an adequately filled Fort Peck Reservoir; and

25 WHEREAS, the Montana Legislature's interim Water Policy

1 Committee examined the issue of inadequate reservoir water
 2 levels during the 1989-91 interim and endorsed "the
 3 continued use of all available methods, including
 4 negotiation and litigation, to ensure the maintenance of
 5 adequate water levels in the Fort Peck Reservoir".
 6

7 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE
 8 OF REPRESENTATIVES OF THE STATE OF MONTANA:

9 (1) That the 52nd Legislature endorse Montana's current
 10 negotiation efforts with the United States Army Corps of
 11 Engineers to obtain adequate water levels in the Fort Peck
 12 Reservoir and recommend that these efforts continue.

13 (2) That the 52nd Legislature recommend that the state
 14 pursue discussions and negotiations with Indian tribes,
 15 water users, and other Missouri Basin states to promote and
 16 protect our common interests.

17 (3) That the 52nd Legislature endorse all efforts,
 18 including but not limited to litigation, to ensure adequate
 19 water levels in the Fort Peck Reservoir.

20 BE IT FURTHER RESOLVED, that the Secretary of State send
 21 copies of this resolution to each member of Montana's
 22 Congressional Delegation, the United States Army Corps of
 23 Engineers, the United States Department of the
 24 Interior--Bureau of Reclamation, the Governors of the
 25 Missouri River Basin states, and representatives of affected



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1 Indian tribes.

-End-

APPROVED BY COMM. ON NATURAL RESOURCES

Senate JOINT RESOLUTION NO. 16

INTRODUCED BY

Doherty

Randy Ferguson *Committee on Natural Resources*
Boblin

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA URGING THE USE OF ALL AVAILABLE METHODS TO ENSURE THE MAINTENANCE OF ADEQUATE WATER LEVELS IN THE FORT PECK RESERVOIR.

WHEREAS, Montana is the state of origin for all water that flows into the Fort Peck Reservoir; and

WHEREAS, the citizens of Montana have used and have a right to continue to use the waters of this state for recreational purposes; and

WHEREAS, the citizens of Montana have enjoyed and have a right to continue to enjoy economic benefits from the recreational use of waters of this state; and

WHEREAS, the federal authorization for the Fort Peck Reservoir, found in Public Law No. 99-662, section 861, 100 Stat. 4181 (1986), specifically includes recreation as a project purpose; and

WHEREAS, the United States Army Corps of Engineers has not maintained adequate reservoir water levels to promote and protect the valuable recreational resource and economic benefits of an adequately filled Fort Peck Reservoir; and

WHEREAS, the Montana Legislature's interim Water Policy

Committee examined the issue of inadequate reservoir water levels during the 1989-91 interim and endorsed "the continued use of all available methods, including negotiation and litigation, to ensure the maintenance of adequate water levels in the Fort Peck Reservoir".

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

(1) That the 52nd Legislature endorse Montana's current negotiation efforts with the United States Army Corps of Engineers to obtain adequate water levels in the Fort Peck Reservoir and recommend that these efforts continue.

(2) That the 52nd Legislature recommend that the state pursue discussions and negotiations with Indian tribes, water users, and other Missouri Basin states to promote and protect our common interests.

(3) That the 52nd Legislature endorse all efforts, including but not limited to litigation, to ensure adequate water levels in the Fort Peck Reservoir.

BE IT FURTHER RESOLVED, that the Secretary of State send copies of this resolution to each member of Montana's Congressional Delegation, the United States Army Corps of Engineers, the United States Department of the Interior--Bureau of Reclamation, the Governors of the Missouri River Basin states, and representatives of affected

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1 Indian tribes.

-End-

1 *Senate* JOINT RESOLUTION NO. 16
 2 INTRODUCED BY *DeWitty*
Roney, McHugh, Ferguson, Perdue, & NATHANIELSON
 4 A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF
 5 REPRESENTATIVES OF THE STATE OF MONTANA URGING THE USE OF
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 THIRD READING
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1 Indian tribes.

-End-

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3 JERGESON, WEEDING, NATHE, DEVLIN, FRANKLIN

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6 REPRESENTATIVES OF THE STATE OF MONTANA URGING THE USE OF
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25 Interior--Bureau of Reclamation, the Governors of the

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- 1 Missouri River Basin states, and representatives of affected
- 2 Indian tribes.

-End-