

MINUTES OF THE MEETING
NATURAL RESOURCES
MONTANA STATE SENATE

February 19, 1977

The nineteenth meeting of the Natural Resources Committee was called to order by Senator Elmer Flynn, Chairman, at 8:00 a. m. on the above date in Room 405 of the State Capitol Building.

ROLL CALL: Upon roll call all members were present.

Mr. Larry Weinberg, Staff Attorney of the Legislative Council, was also present.

CONSIDERATION OF SJR 31: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting the United States Congress to rename the Fort Peck Reservoir in honor of the late Senator Burton K. Wheeler.

Senator Pat Goodover, representing District 22, stated that SJR 31 is a Resolution requesting Congress to rename the Fort Peck Reservoir in honor of Senator Burton K. Wheeler.

Mr. Sam Gilluly, appearing as a citizen, stated that the Fort Peck Project really wasn't originated by Montanans. Senator Wheeler was also the author of the Wheeler-Fort Peck Power Bill.

Mr. Bill Merrick, representing the Broadcasters of Montana, said that Burton K. Wheeler was the father of the Communications Act. We feel the Resolution before you is a fitting tribute to a great man in Montana's history.

Senator Goodover, in closing, read statements from the Congressional Record, and letters which are attached. (See Attachment #1.) I urge favorable consideration of SJR 31.

Senator Flynn stated, that at the dedication of Fort Peck, Tom Walsh was there. How do you know he didn't have some influence in consideration of this dam.

Mr. Gilluly answered, that Senator Walsh died before this thing had gotten under way.

Mr. Tom Ryan, representing himself, registered his support for this bill.

Senator Goodover closed, calling attention to the fact that they would be naming the Reservoir for Burton K. Wheeler, not the Dam. It would remain as is.

CONSIDERATION OF SJR 23: A Joint Resolution of the Senate and the House of Representatives of the State of Montana to send delegates to the Western States Forestry Task Force.

Senator Roskie, in the absence of Senator Brown, the Sponsor, stated that this Resolution provides to send delegates to the Western States Forestry Task Force. I think it should be very definitely continued. They have, in my opinion, done a good job for the state and for the industry in Montana. Letter from Mr. Robert N. Holding, Executive Director of Montana Wood Products Association, was read, which extended its vigorous support to the passage of SJR 23. (See Attachment #2.) He said, there is a \$7500 price tag on this which provides travel for members to meetings which occur throughout the biennium when they have to appear on behalf of Montana.

Senator Flynn asked, what do we accomplish by sending it to the Legislatures in Washington, Idaho, Oregon, and California?

Senator Roskie replied, that it verifies we will be participating in the Western States Forestry Task Force.

DISPOSITION OF SJR 23: Motion was made by Senator Manley and seconded by Senator Galt that SJR 23 DO PASS. Motion carried unanimously.

CONSIDERATION OF SB 442: An Act to Amend Section 50-1203, R.C.M. 1947, as it defines small miners.

Senator Manley explained the small miner bill. He said it doesn't affect the small miner at all. It helps people at certain times of the year to get the job done.

DISPOSITION OF SB 442: Motion was made by Senator Galt and seconded by Senator Roskie that SB 442 DO PASS. Motion carried unanimously.

DISPOSITION OF SB 381: Motion was made by Senator Galt and seconded by Senator Dover that SB 381 BE AMENDED. Motion carried unanimously. (See Attached Standing **Committee Report.**)

Motion was then made by Senator Manley and seconded by Senator Galt that SB 381 AS AMENDED DO PASS. Motion carried unanimously.

At this time, recess of the meeting was held until 9:30 a. m.

CONSIDERATION OF SB 235: The Smith River Preservation Act, to preserve the Smith River in its present natural and scenic condition and protect its water quality and adjacent lands.

Hearing was held previously on SB 235 on February 15, 1977, at which time the proponents were heard.

Senator Galt briefly explained this bill again.

At this time, the opponents of SB 235 were heard.

Mr. Ronald Jackson, Landowner on the Smith River, stated that this is a scaled down variation of trying to gain control of private lands without having to pay for them. I urge you to oppose SB 235. (See Attachment #3.)

Mr. Gordon E. Swanberg, representing the Montana Railroad Association, said if it is going to be done as public benefit then it should be done at public expense.

Mr. George Zeig, of White Sulphur Springs, Montana, a proponent of this bill at our meeting on February 15, also submitted a letter to the committee. (See Attachment #4.)

Mr. R. E. Saunders, of White Sulphur Springs, Montana, speaking on behalf of himself and several farmers in the community, stated that he didn't think it should be an appropriation of private property. I am afraid of the precedence this will create. (See Attachment #5.)

Marlene Cope, of White Sulphur Springs, Montana, speaking as a proponent, stated that she is in favor of this bill with an amendment from 160 acres to 40 acres. It could become a rich man's resort.

Mr. Frank Murphy, of White Sulphur Springs, Montana, stated that he would favor this kind of amendment also.

Senator Galt spoke briefly in closing.

CONSIDERATION OF SJR 7: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting the Governor's Office and the Commissioner of Higher Education to establish a Committee charged with developing an information system for in-state renewable resource research efforts and exploring methods of implementing new research needs.

Senator Margaret Warden, Chief Sponsor of SJR 7, and representing District 18, stated, I am hoping that by this bill I will have the Governor's Office and Commissioner of Higher Education, establish a Committee for in-state renewable resource research efforts and exploring methods of implementing new research needs. Two letters from the Commissioner of Higher Education and from the Lieutenant Governor were also read. (See Attachment #6.)

Senator Flynn asked, is this joint committee going to work with the Environmental Quality Council.

Senator Warden replied, no, not really.

Senator Dover asked, what good is putting everything together if

we are not going to coordinate it.

Senator Warden said, all I am talking about is a listing.

Senator Smith said, why the Commissioner of Higher Education.

Senator Warden replied, because the universities have research programs.

CONSIDERATION OF SJR 17: A Joint Resolution of the Senate and the House of Representatives of the State of Montana urging public authorities to seek a distribution point for Montana along any arctic gas pipeline which may be constructed.

Senator Ed Smith, of District 1, stated that if and when this pipeline is constructed there should be an outlet. An amendment was proposed that we endorse the inland proposed route. (See Attachment #7.)

Mr. Bill Coldiron, Executive Vice-President of the Montana Power Company, stated that this is probably the largest project proposed by private enterprise in the history of the world. We hope to get some gas off of that line. We are very interested in there being a Montana tap on that line. This pipeline, if it is built will be finished about 1983 and this gas would be coming in about the time our Canadian gas license expires.

Senator Smith stated, that the bill should be amended to go to the Federal Power Commission and also that an amendment be in there that we do support the inland route of the Alaskan Arctic Gas Project.

CONSIDERATION OF SJR 22: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting the Congress of the United States to deregulate the price of new natural gas.

Senator Tom Hager, of District 30, stated that this is a Resolution requesting Congress to deregulate the price of natural gas. We all know we have got an energy crisis. I think there is a lot of natural gas out there to be found.

Mr. Don Allen, Executive Director of the Montana Petroleum Association, appeared in favor of this proposal. With the recent cold spell that has taken place in the country, it is in the best interest of the consumer at every level.

Mr. Don Winsor, of the Montana Chamber of Commerce, also appeared as a proponent of this bill.

Senator Flynn asked, is natural gas a replenishable resource.

Mr. Allen replied, it is a non-renewable resource. About 20% of the oil wells in Montana produce gas as well as oil.

Senator Flynn wondered, is our dollar better spent making available what we have or should we be spending our dollars looking for a new source.

Mr. Allen answered, it would be a draw.

Senator Smith said, in my county we have several small oil wells and at the present time they are not being produced.

Senator Manley expressed concern that this could be another ripoff.

Senator Hager said, new gas right now is controlled at 52 cents, while buying Canadian gas at the border is \$1.93. By those prices you can see the American producers are being ripped off.

Mr. Allen said, if you want to call it a ripoff at least it is going to the benefit of the public.

Senator Roskie said, you can anticipate when that source which is badly needed hits the border that it is going to be expensive.

At this time, the hearing was closed.

At this time, Mr. Dick Bourke, Acting Director of the Environmental Quality Council, was given time to state his position in regard to SJR 7 as he had missed appearing at the hearing on SJR 7. This asks that the Commissioner of Higher Education see if there is a better way that the handle can be gotten on the research that is being done. I have talked with the Commissioner of Higher Education and the Governor and both felt they can comply with it in its current funding.

Senator Roskie asked, did this originate with the Environmental Quality Council?

Mr. Bourke replied, yes, it did. I would probably get involved with it only to the extent of going to the meetings but we wouldn't have any authority.

Senator Roskie wondered, where do you think it should be.

Mr. Bourke replied, I think that Commissioner Pettit should be the lead person.

CONSIDERATION OF SJR 24: A Joint Resolution of the Senate and the House of Representatives of the State of Montana expressing support for the construction of additional hydroelectric generation capacity at the Fort Peck Project.

Senator Greg Jergeson, of District 3, stated this calls for additional hydroelectric generation capacity at the Fort Peck Project. It is a good idea that we recommend we get additional power.

Mr. Riley Childers, representing the Rural Electric Cooperatives, stated there is a study now in putting additional generation up there. The Bureau of Reclamation is conducting a study on that.

Senator Flynn asked, it would be only certain times.

Mr. Childers said, it would be for peaking power.

Senator Manley stated, when the water goes out of the dam through a generator, why can't it continue going through the generator.

Mr. Childers replied, you only have so much fall.

Senator Dover asked, what do you use the peaking for.

Mr. Childers answered, hydro is the very best. Generally from 5 to 7 in the evening is when you need that peaking power.

DISPOSITION OF SJR 24: Motion was made by Senator Manley and seconded by Senator Dover that SJR 24 DO PASS. Motion carried unanimously.

CONSIDERATION OF SJR 27: A Joint Resolution of the Senate and the House of Representatives of the State of Montana urging amendment of the Act authorizing the Fort Peck Project to include recreation and conservation of fish and wildlife as a purpose.

Senator Greg Jergeson, of District 3, stated that we hope to be able to put boat docks in at Fort Peck. We want to get some tourist interest. This Resolution is not going to give the sportsmen any advantage over the rancher. This is to increase the recreation potential at the Fort Peck area.

Senator Roskie said, this relates to the Reservoir and Dam area and will not affect the Charles Russel Game Range.

Senator Jergeson replied, it is certainly not my intention.

Senator Roskie said, do you see any conflict in management of development of tourism in that area.

Senator Jergeson said, I don't think so.

Senator Flynn wondered, isn't there other ways to make this change without changing the original act.

Senator Jergeson replied, I understand no. Senator Melcher and Representative Marlenee are for this also.

DISPOSITION OF SJR 27: Motion was made by Senator Jergeson and

seconded by Senator Devine that SJR 27 DO PASS. Motion carried unanimously.

CONSIDERATION OF SJR 26: A Joint Resolution of the Senate and the House of Representatives of the State of Montana directing the Governor to request the United States State Department to urge the Canadian Government to price gas so as to reflect the varying competitive conditions in the different market areas.

Senator Devine, Sponsor of SJR 26, briefly explained this bill.

DISPOSITION OF SJR 26: Motion was made by Senator Devine and seconded by Senator Galt that SJR 26 DO NOT PASS. Motion carried unanimously.

DISPOSITION OF SJR 7: Motion was made by Senator Roskie and seconded by Senator Devine that SJR 7 DO PASS. Motion was withdrawn.

Senator Manley moved and seconded by Senator Dover that SJR 7 DO NOT PASS. Upon roll call vote, seven voting yes, and one voting no, the motion carried. (See attached roll call vote.)

DISPOSITION OF SJR 17: Motion was made by Senator Smith and seconded by Senator Dover that SJR 17 BE AMENDED. Motion carried unanimously.

Motion was then made by Senator Smith and seconded by Senator Manley that SJR 17 AS SO AMENDED DO PASS. Motion carried unanimously. (See Attached Standing Committee Report.)

DISPOSITION OF SJR 21: Motion was made by Senator Jergeson and seconded by Senator Roskie that SJR 21 BE AMENDED. Motion carried unanimously.

Motion was made by Senator Jergeson and seconded by Senator Roskie that the words "at this time" be added in the amendment. Motion carried. (See Attached Standing Committee Report.)

Mr. Pat McKittrick, representing Northern Lights Inc., stated that this doesn't materially change our position. This resolution hangs a cloud over the due process hearing. The procedure has been set up and now a cloud has been set up.

Motion was made by Senator Galt and seconded by Senator Dover that SJR 21 AS SO AMENDED DO NOT PASS. Roll call vote was taken, and five voting yes and three voting no, the motion carried. (See attached roll call vote.)

DISPOSITION OF SJR 22: Motion was made by Senator Dover and seconded by Senator Smith that SJR 22 DO PASS. Motion carried with Senator Manley voting no.

DISPOSITION OF SJR 31: Motion was made by Senator Manley and seconded by Senator Jergeson that SJR 31 DO NOT PASS. Upon roll call vote, six voting yes and two voting no, the motion carried. (See attached roll call vote.)

DISPOSITION OF SB 235: Motion was made by Senator Smith and seconded by Senator Dover that SB 235 BE AMENDED. Motion carried unanimously. (See attached Standing Committee Report.)


Motion was then made by Senator Dover and seconded by Senator Manley that SB 235 AS AMENDED DO NOT PASS. Upon roll call vote, five voting yes and three voting no, the motion carried. (See attached roll call vote.)

DISPOSITION OF SB 317: Motion was made by Senator Jergeson and seconded by Senator Roskie that SB 317 BE AMENDED. Motion carried unanimously.

Motion was made by Senator Galt and seconded by Senator Dover that SB 317 BE FURTHER AMENDED. Motion carried unanimously.

Motion was then made by Senator Galt and seconded by Senator Dover that SB 317 AS SO AMENDED DO NOT PASS. Upon roll call vote, seven voting yes, and one voting no, the motion carried. (See attached roll call vote.) (See attached Standing Committee Report.)

ADJOURNMENT: There being no further business, the meeting was adjourned at 11:50 a. m.



SENATOR ELMER FLYNN, CHAIRMAN

NAME: R. E. Saunders Jr. DATE: Oct 17, 1967

ADDRESS: Box 221 White Sulphur Springs

PHONE: 147-3590

REPRESENTING WHOM? Self

APPEARING ON WHICH PROPOSAL: SB 235

DO YOU: SUPPORT? _____ AMEND? _____ OPPOSE? X

COMMENTS: _____

Attached sheet.

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

Don Allen

2/19/77

Box 1398 Billings, MT.

252-3871 (B. Miss) 442-1770 (Helene)

Montana Petroleum Assoc.

SJR 22

SUPPORT?

✓

AMEND?

OPPOSE?

COMMENTS :

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME:

Ronald L Jackson

DATE:

2-11-1977

ADDRESS:

White Sulph Springs, Montana

PHONE:

242 3414

REPRESENTING WHOM?

Self

APPEARING ON WHICH PROPOSAL:

SB 235

DO YOU:

SUPPORT?

AMEND?

OPPOSE?

X

COMMENTS:

Attack

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME. Gorham E. Swanberg

DATE: 2 / 19 / 77

ADDRESS: 409 So. Harris Helena

PHONE: 442-4810

REPRESENTING WHOM? Montana R.R. Assoc.

APPEARING ON WHICH PROPOSAL: S.B. 235

DO YOU: SUPPORT? _____ AMEND? _____ OPPOSE? ☒

COMMENTS:

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: George Zieg DATE: 2/1/68

ADDRESS: White Sulphur Spgs. Mont

PHONE: 542-3502

REPRESENTING WHOM? SPIF

APPEARING ON WHICH PROPOSAL: 235

DO YOU: SUPPORT? X AMEND? OPPOSE?

COMMENTS:

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Tom Wilson DATE: 2/19/71

ADDRESS: 110 Neill Ave, Helena

PHONE: 442-2405

REPRESENTING WHOM? Montana Chamber of Commerce

APPEARING ON WHICH PROPOSAL: SR 22

DO YOU: SUPPORT? ☒ AMEND? ☐ OPPOSE? ☐

COMMENTS: _____

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME:

Frank Murphy

DATE:

2/19/75

ADDRESS:

Box 651 - White Sulphur Springs

PHONE:

547-3413

REPRESENTING WHOM?

self

APPEARING ON WHICH PROPOSAL:

235

DO YOU:

SUPPORT?

AMEND?

X

OPPOSE?

COMMENTS:

Would support bill if
subdivision acreage were changed
to read 40 acres instead of
160 acres.

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME:

V. H. COLDIRON

DATE:

2/19/77

ADDRESS:

406 BROADWAY, BUTTE, MT. 59701

PHONE:

723-5421

REPRESENTING WHOM?

THE MONTANA POWER CO.

APPEARING ON WHICH PROPOSAL:

~~S~~ JRN 17

DO YOU:

SUPPORT?

X

AMEND?

OPPOSE?

COMMENTS:

Support of Arctic Gas Pipeline.

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: William A. Morris DATE: 2/19/77

ADDRESS: 717 50 Terry Bozeman

PHONE: 66008

REPRESENTING WHOM? _____

APPEARING ON WHICH PROPOSAL: SHJR 31

DO YOU: SUPPORT? ☒ AMEND? _____ OPPOSE? _____

COMMENTS: _____

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME:

J M LILLY

DATE:

2-19-71

ADDRESS:

507 W Lawrence Helena

PHONE:

442-2887

REPRESENTING WHOM?

Self

APPEARING ON WHICH PROPOSAL:

SJR 31

DO YOU:

SUPPORT?

☒

AMEND?

☐

OPPOSE?

☐

COMMENTS:

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME:

William Cape

DATE:

2-17

ADDRESS:

100 17th White Sulphur

PHONE:

217-2777

REPRESENTING WHOM?

1 of 1

APPEARING ON WHICH PROPOSAL:

235

DO YOU:

SUPPORT?

AMEND?

X

OPPOSE?

COMMENTS:

1. A. Addition from 160 am.

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: ERVAL RAINEY DATE: 2-19 77

ADDRESS: BOX 199A RT 2 SANDPOINT IDAHO

PHONE: 208 263 5141

REPRESENTING WHOM? NORTHERN LIGHTS

APPEARING ON WHICH PROPOSAL: SSP #21

DO YOU: SUPPORT? _____ AMEND? _____ OPPOSE? X

COMMENTS: _____

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

STANDING COMMITTEE REPORT

February 19

19 77

MR. PRESIDENT

We, your committee on NATURAL RESOURCES

having had under consideration SENATE JOINT RESOLUTION Bill No. 23

Respectfully report as follows: That SENATE JOINT RESOLUTION Bill No. 23

~~SENADOPTED~~

~~DO PASS~~

~~ADOPTED~~



STANDING COMMITTEE REPORT

February 19 19 77

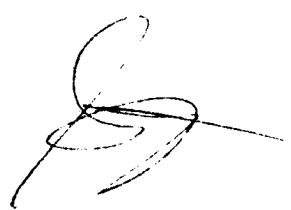
MR. PRESIDENT

We, your committee on NATURAL RESOURCES

having had under consideration SENATE Bill No. 442

Respectfully report as follows: That SENATE Bill No. 442

DO PASS



STANDING COMMITTEE REPORT

February 19

1977

MR. PRESIDENT

We, your committee on NATURAL RESOURCES

having had under consideration SENATE Bill No. 331

Respectfully report as follows: That SENATE Bill No. 381

introduced bill, be amended as follows:

1. Amend page 1, section 1, line 17.

Following: "affected."

Insert: "This exemption from the requirement of a contract shall be allowed only once for each mineral deposit. For the purpose of this section, deposit means a separate and distinct natural accumulation of mineral."

AND AS SO AMENDED, DO PASS

~~ADO-PASSX~~

STANDING COMMITTEE REPORT

..... February 19 19 77

MR. PRESIDENT

We, your committee on NATURAL RESOURCES

having had under consideration SENATE JOINT RESOLUTION Bill No. 24

Respectfully report as follows: That SENATE JOINT RESOLUTION Bill No. 24

DO PASS

STANDING COMMITTEE REPORT

February 19 19 77

MR. PRESIDENT

We, your committee on NATURAL RESOURCES

having had under consideration SENATE JOINT RESOLUTION Bill No. 27

Respectfully report as follows: That SENATE JOINT RESOLUTION Bill No. 27,

DO PASS

STANDING COMMITTEE REPORT

February 19 19 77

MR. PRESIDENT

We, your committee on NATURAL RESOURCES

having had under consideration SENATE JOINT RESOLUTION Bill No. 26

Respectfully report as follows: That SENATE JOINT RESOLUTION Bill No. 26

DO NOT PASS

DO PASS

STANDING COMMITTEE REPORT

February 19

1977

MR. PRESIDENT

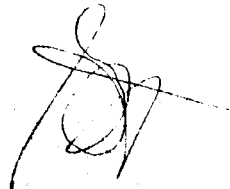
We, your committee on NATURAL RESOURCES

having had under consideration SENATE JOINT RESOLUTION Bill No. 7

Respectfully report as follows: That SENATE JOINT RESOLUTION Bill No. 7,

DO NOT PASS

~~DO PASS~~



STANDING COMMITTEE REPORT

.....February 19..... 19.77.....

MR. **PRESIDENT**

We, your committee on **NATURAL RESOURCES**

having had under consideration **SENATE JOINT RESOLUTION** Bill No. **17**

Respectfully report as follows: That **SENATE JOINT RESOLUTION** Bill No. **17**,

introduced bill, be amended as follows:

1. Amend title, line 9.

Following: "CONSTRUCTED"

Insert: "AND URGING THE CONSTRUCTION OF THE ARCTIC GAS PROJECT PIPELINE
ALONG THE INLAND ROUTE THROUGH MONTANA"

2. Amend page 1, line 14.

Following: line 13

Insert: "WHEREAS, one proposal, the Arctic Gas Project pipeline, would
follow an inland route through Canada and the United States; and"

3. Amend page 2, line 6.

Following: line 5

Insert: "BE IT FURTHER RESOLVED, that the Senate and House of Representatives
of the State of Montana urge the selection and construction of the proposed
Arctic Gas Project pipeline proposal along the inland route.

BE IT FURTHER RESOLVED, that the Secretary of State of Montana send a

~~COPY~~

CONTINUED

STANDING COMMITTEE REPORT - Natural Resources - SJR 17

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copy of this resolution to the Montana Congressional Delegation and the Chairman of the Federal Power Commission."

AND AS SO AMENDED, DO PASS


SENATOR ELMER FLYNN, CHAIRMAN

STANDING COMMITTEE REPORT

February 19

19 77

MR. PRESIDENT

We, your committee on NATURAL RESOURCES

having had under consideration SENATE JOINT RESOLUTION Bill No. 21

Respectfully report as follows: That SENATE JOINT RESOLUTION Bill No. 21,

cond reading bill, be amended as follows:

Amend title, line 5 through line 8.
Following: "REQUESTING THE"
Strike: line 5 through 8 in their entirety.
Insert: "UNITED STATES CONGRESS BAR HYDROELECTRIC POWER DEVELOPMENT ON THE
KOOTENAI RIVER AT THE KOOTENAI FALLS SITE AT THIS TIME."

Amend page 1, lines 19 through 21.
Following: line 18
Strike: lines 19 through 21 in their entirety.

Amend page 1, line 24.
Following: "significance"
Strike: "."
Insert: "; and"

DO-PASS
XXXXXX

CONTINUED

Chas. F. Lyman
Chairman.

STANDING COMMITTEE REPORT

Standing Committee Report - Natural Resources - SJR 21

Page two

4. Amend page 1, line 25.

Following: line 24

Insert: "WHEREAS, this locally, regionally, and nationally significant scenic and recreational resource should not be impacted by a small hydroelectric development which will have only local value."

5. Amend page 2, line 3 through 7.

Following: "That"

Strike: line 3 through line 7 in their entirety.

Insert: ", the Montana legislature request the United States Congress bar hydroelectric power development on the Kootenai River at the Kootenai Falls Site at this time."

AND AS SO AMENDED, DO NOT PASS: 21


Elmer Flynn
SENATOR ELMER FLYNN, CHAIRMAN

STANDING COMMITTEE REPORT

.....February 19..... 19 77.....

MR. ~~PRESIDENT~~.....

We, your committee on.....NATURAL RESOURCES.....

having had under consideration.....SENATE JOINT RESOLUTION..... Bill No. 22.....

Respectfully report as follows: That.....SENATE JOINT RESOLUTION..... Bill No. 22,.....

DO PASS
.....

STANDING COMMITTEE REPORT

February 19

19 77

MR. **PRESIDENT**

We, your committee on **NATURAL RESOURCES**

having had under consideration **SENATE JOINT RESOLUTION**

Bill No. **31**

Respectfully report as follows: That **SENATE JOINT RESOLUTION**

Bill No. **31,**

DO NOT PASS

~~DO NOT PASS~~

STANDING COMMITTEE REPORT

February 18, 1977

MR. **PRESIDENT**

We, your committee on **NATURAL RESOURCES**

having had under consideration **SENATE** Bill No. **235**

Respectfully report as follows: That **SENATE** Bill No. **235** introduced bill, be amended as follows:

1. Amend the title, line 4 through line 7.

Following: "ENTITLED!"

Strike: line 4 through line 7 in their entirety.

Insert: "AN ACT TO PRESERVE THE SMITH RIVER IN ITS PRESENT NATURAL AND SCENIC CONDITION, TO PROTECT THE RIVER'S WATER QUALITY AND ADJACENT LANDS, TO PROVIDE FOR MANAGEMENT OF RECREATIONAL USE OF THE RIVER, AND TO PROVIDE RESTRICTIONS ON CERTAIN SUBDIVISIONS."

2. Amend the bill, page 1 through page 6.

Strike: all of the bill following the enacting clause.

Insert: "Section 1. Policy and purpose. (1) The Smith River possesses outstanding scenic, recreational, geological, fish and wildlife, botanical, historical, archeological, and other values that should be protected and preserved for all citizens of Montana."

(2) It is not the intent of this act to require or authorize

---more---

DO:PASSX

Elmer Flynn

Chairman.

acquisition of land within the scenic corridor of the Smith River. This act serves to assure the preservation of scenic, ecological, and other values associated with the Smith River and to provide proper management of the natural resources of the scenic corridor. It is the intent of this act that the river and the land within the scenic corridor will continue to be used for agricultural and grazing uses. This act does not affect the right of the owner of land within the scenic corridor to maintain an action for trespass.

Section 2. Definitions. As used in this act, unless the context clearly indicates otherwise, the following definitions apply:

(1) "Commission" means the fish and game commission provided for in 22A-2004.

(2) "Department" means the department of fish and game provided for in Title 32A, chapter 20.

(3) "Scenic corridor" or "scenic corridor of the Smith River" means a strip of land, including the river, extending one-quarter mile on either side of the centerline of the Smith River from the Camp Baker access site below Fort Logan to the confluence of the Smith River and Round Creek.

Section 3. Float season and quota. (1) The department shall, prior to April 1 of each year, determine a float season for the Smith River. The float season shall not commence prior to May 1 and shall end prior to July 10. The season shall be determined by the availability of water and the likelihood of fire. Upon 3 days' notice, the department may shorten or increase the float season as conditions may require. No person may float the Smith River other than during the float season.

(2) If necessary to preserve the natural beauty of the Smith River, to avoid overcrowding and overuse of the river resources, or to avoid fire danger, the department may establish a quota on the number of canoes, rafts, or other boats used to float the Smith River on either a daily, weekly, or seasonal basis.

Section 4. Float permit -- decal -- map. (1) No person may float the Smith River without obtaining a float permit as provided for in subsection (2).

(2) The department shall issue a float permit to each person filing an application with the department or its authorized agents unless a quota imposed under [section 3] is in effect and would be exceeded.

(3) The permit and the application shall show:

(a) the boat owner's name and address;

(b) the passengers' names and addresses, if there are passengers:

---more---

Standing Committee Report - Natural Resources - SB 235

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(c) the starting and ending dates of the float trip; and

(d) the starting and ending points of the trip and the location of all other planned landfalls.

(4) The department shall provide each holder of a permit with:

(a) a dated decal which shall be displayed on the boat used to float the river; and

(b) a map indicating all fish and game access points, campgrounds, forest service land, state land, and private land.

(5) The department may charge a reasonable fee for the permit, map, and decal.

Section 5. Department maintenance. (1) In cooperation with the United States forest service and private landowners, the department shall furnish, install, and maintain signs one-quarter mile upstream from and indicating the presence of each boat gate, fish and game access point, and campground.

(2) The department shall install and maintain boat gates, at least 8 feet in width, which will enable boats to pass through or go around stock fences.

(3) All fish and game access points shall be equipped with outdoor sanitary facilities for men and women and bear-proof refuse containers. The department shall maintain the access points as demand warrants to preserve the scenic and natural values of the Smith River. The department shall assist the United States forest service to provide a similar level of maintenance to forest service campgrounds.

(4) The department shall patrol the river and inspect the boat gates, fish and game access points, and the campgrounds to insure that the provisions of this act are implemented.

Section 6. Smith River preservation committee. (1) There is a Smith River preservation committee composed of nine individuals as follows:

(a) the head of the region four fish and game district;

(b) the district ranger for the Belt Creek ranger districts or his designated representative;

(c) a representative of Cascade County, selected by the county commissioners;

(d) a representative of Meagher County, selected by the county commissioners;

---more---

Standing Committee Report - Natural Resources - SB 235

- (e) two representatives of area wildlife and conservation groups selected by the governor from a list submitted by the groups;
 - (f) two representatives of owners of property within the scenic corridor of the Smith River selected by the governor from a list submitted by the landowners; and
 - (g) the director of the department of natural resources and conservation or his designated representative.
- (2) The head of the region four fish and game district shall serve as acting chairman until the committee organizes. The committee may adopt rules for organization and procedure and shall meet at least once a year. All committee meetings shall be open to the public.
- (3) A member or representative of the commission shall attend all committee meetings.
- (4) The committee shall formulate policy and management decisions for preserving the Smith River and make recommendations to the commission. The commission shall consider such recommendations but is not required to follow them.

Section 7. Land use restrictions within scenic corridor. (1) No subdivision of less than 160 acres may be made within the scenic corridor of the Smith River after July 1, 1977.

(2) All new construction within the scenic corridor or which can be seen from the river shall be done in such a manner as to blend with the natural environment and scenery.

(3) All existing uses of land within the scenic corridor may be continued, but no new nonagricultural or nongrazing uses may be commenced.

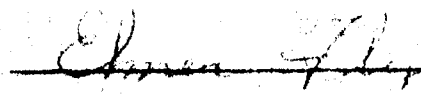
(4) Other than roads required by the owner of land within the scenic corridor for agricultural or grazing purposes, no roads may be constructed within the scenic corridor after July 1, 1977. Existing roads may be maintained.

Section 8. Use of nonstate money. The department may use money made available to it for the administration of this act by federal, private, or other sources.

Section 9. Affect on state agencies. Nothing in this act is intended to affect the jurisdiction or responsibility of state agencies. All state agencies shall endeavor to perform their duties in a manner consistent with the purposes of this act.

Section 10. Severability. If a part of this act is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of this act is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications."

and as amended.
DO NOT PASS


Chairman

STANDING COMMITTEE REPORT

.....February 19..... 1977.....

MR.PRESIDENT.....

We, your committee onNATURAL RESOURCES.....

having had under considerationSENATE..... Bill No. 317.....

Respectfully report as follows: That.....SENATE..... Bill No. 317,.....

introduced bill, be amended as follows:

1. Amend page 6, section 1, line 15.

Following: "and"

Insert: "100-year"

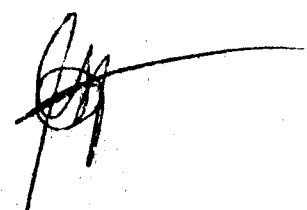
2. Amend page 9, section 2, line 5.

Following: "floors"

Insert: "unless the operator shows that the floors can be reclaimed in accordance with rules promulgated by the department"

AND AS SO AMENDED, DO NOT PASS

DOUBLED



SENATOR ELMER FLYNN

Chairman.

"Burt," he replied smoothly, "Bryan killed the remonetization of silver in 1896."

"Mr. President," I responded, "if this situation keeps up, you're going to take a lot worse remedies to solve our monetary problem than the remonetization of silver."

At this point, Senator William H. King of Utah arrived and proved to be more tractable in listening to Roosevelt's views. Finally, to ward off my offering my amendment again, the President persuaded King and me to step outside and draft a compromise proposal. We devised one which gave the President the right to remonetize silver at 16-1—but did not make it mandatory. I offered the amendment in the Senate and it was made part of the administration bill which reduced the gold content of the dollar.

While FDR never remonetized silver, he did inflate our currency by cutting the gold content of the dollar and he started a program of buying silver above the market price. The silver purchase program was all the mining companies were interested in. Sometimes the President would call me at my home or at my office and tell me he was buying silver. But I was not interested in raising the price. I was convinced that remonetization would help the people as a whole, but all the big banking houses in New York were against it, on the ground that it would be inflationary. I realized it would be somewhat inflationary. Other countries had inflated their currencies by going off the gold standard. I reasoned that it would be much better to use silver to counter the serious deflation that had taken place than some of the other measures that were being proposed. I felt there wasn't gold enough to form an adequate base for our money.

I believe FDR invited me to the White House on that occasion because he felt guilty for having left me out of the conference on silver. He knew what I'd done to get him nominated and how I had campaigned for him and with him in the Northwest. Indeed, I was considered to be so close to the President in the early days of the New Deal that Senator Tom Connally called me "teacher's pet."

Roosevelt sought to square himself with me in typical fash-

LAW OFFICES

WHEELER & WHEELER

SOUTHERN BUILDING 15TH & H STREETS, N. W.

BURTON K. WHEELER (1882-1975)

EDWARD K. WHEELER

ROBERT G. SEARS

L. DON S. OLSON

RICHARD H. STRODEL

CHANDLER L. VAN ORMAN

RICHARD H. STREETER

WASHINGTON, D. C. 20005

February 2, 1977

(202) 347 7117

Honorable Pat Goodover
Box 14
State Capitol Building
Helena, Montana 59601

Dear Pat,

John called me yesterday and told me that you had introduced a resolution urging that the Fort Peck Dam or Lake be named after Father. We are greatly indebted to you for undertaking this project.

John also told me that you needed some information regarding Fort Peck Dam. I have been endeavoring to pull it together as quickly as possible. I am sure you realize that trying to get information back in the 30's is somewhat difficult even here in Washington. I am enclosing an excerpt from Father's autobiography Yankee From The West which tells how he obtained the initial authorization and funds from President Roosevelt. Roosevelt at that time had almost absolute discretion in the use of Public Works Administration funds. After the project was started with PWA funds it became necessary to get Congressional authorization. As shown in the enclosed excerpt from a pamphlet issued by the Bureau of Reclamation on the Fort Peck Project, Congress by the River and Harbor Act of 1935 authorized the construction of the dam which had commenced in October of 1933. Also enclosed is the initial page of S.2650, a bill introduced by Father on June 15, 1937 to authorize the completion, maintenance and operation of Fort Peck. This bill became law on May 18, 1938. You will note that the law refers to S.2650. This bill and law provided for production of hydroelectric power as well as for the continued construction and the operation of the project after construction by the Bureau of Reclamation. Also enclosed is an excerpt from the Congressional Record of March 8, 1938 in which Father spoke of the essentiality of adding a power plant to the project. His statements were made subsequent to his introduction in 1937 of 2650 and prior to the passage of the Act of May 18, 1938 which resulted from S.2650.

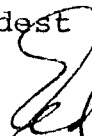
WHEELER & WHEELER

Honorable Pat Goodover
February 2, 1977
Page Two

I hope this material will be adequate for your purposes. I have asked for some additional information from the Corps of Engineers but I do not know of what it will consist. In any event, whatever I receive from them I will also send along to you. If you have any questions please call me collect at the above number.

Many thanks.

Kindest regards,

A handwritten signature in dark ink, appearing to be 'Ed' or 'Edward', written over the printed name.

Edward K. Wheeler

EKW/sls

Enclosures

The Honorable Pat Goodover
Box 14
State Capitol Building
Helena, Montana 59601

February 3, 1977

Dear Senator:

At the request of Edward Wheeler, I am sending you the enclosed photocopy. It shows how Senator Burton K. Wheeler went about securing the approval of the United States Congress for the construction of the Fort Peck Dam. Though President Franklin D. Roosevelt began the construction of the dam by using public works funds, the legislation introduced by Senator Wheeler provided formal approval of the project, greatly reducing the chance that the building of the dam might be stopped for one reason or another.

The photocopy also suggests how much of a legislative craftsman the Senator was. He kept the legislation simple. By acting without fanfare, he avoided raising opposition to the project.

Sincerely yours,

James Sayler
James Sayler

4208 Woodberry Street
Hyattsville, Maryland 20782

cc: Edward Wheeler

SEC. 8. For the purposes of this Act, the term "underage" shall be construed in accordance with the terms of the treaty signed at London, March 25, 1936.

SEC. 9. The United States would welcome and support an international conference for naval limitations and in the event of an international treaty for the further limitations of naval armament to which the United States is signatory, the President is hereby authorized and empowered to suspend so much of its naval construction as has been authorized as may be necessary to bring the naval armament of the United States within the limitations so agreed upon, except that such suspension shall not apply to vessels and aircraft then actually under construction.

SEC. 10. (a) The Secretary of the Navy is hereby authorized and directed to appoint a board consisting of not less than five officers to investigate and report upon the need, for purposes of national defense, for the establishment of additional submarine, destroyer, mine, and naval air bases on the coasts of the United States, its territories and possessions.

(b) The Secretary of the Navy is further directed to cause the report of the board authorized by this section to be transmitted to the Speaker of the House of Representatives during the first session of the Seventy-sixth Congress.

SEC. 11. That the Navy Department shall construct upon the Pacific coast of the United States such vessels as the President of the United States may determine to be necessary in order to maintain shipyard facilities upon the Pacific coast necessary and adequate to meet the requirements of national defense.

SEC. 12. The construction, alteration, furnishing, or equipping of any naval vessel authorized by this Act, or the construction, alteration, furnishing, or equipping of any naval vessels with funds from any appropriation available for such purposes, contracts for which are made after June 30, 1938, shall be in accordance with the provisions of Public Law 846, Seventy-fourth Congress, approved June 30, 1936, unless such course, in the judgment of the President of the United States, should not be in the interest of national defense.

Approved, May 17, 1938.

[CHAPTER 250]

AN ACT

To authorize the completion, maintenance, and operation of the Fort Peck project for navigation, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of improving navigation on the Missouri River, and for other purposes incidental thereto, the dam and appurtenant works now under construction at Fort Peck, Montana, and a suitable power plant for the production of hydroelectric power (which dam, power plant, and appurtenant works are hereinafter called Fort Peck project), shall be completed, maintained, and operated under the direction of the Secretary of War and the supervision of the Chief of Engineers, subject to the provisions of this Act relating to the powers and duties of the Bureau of Reclamation (hereinafter called the Bureau), as provided for in section 2 (a), respecting the transmission and sale of electric energy generated at said project. The Secretary of War shall provide, construct, operate, maintain, and improve at Fort Peck project such machinery, equipment, and facilities for the generation of electric energy as the Bureau may deem

"Underage" construed,
69 Stat. 4383.

International conference for naval limitations favored.

National defense. Appointment of board to investigate need for additional submarine, etc., bases.

Report to House of Representatives.

Naval construction on Pacific coast.

Construction, etc., contracts.

49 Stat. 2036.
41 U. S. C., Supp. II, § 36.

May 18, 1938
[S. 2630]
[Public, No. 579]

Fort Peck project, Mont.
General purposes declared.

Completion, maintenance, and operation under Secretary of War.
Administrative provisions respecting Bureau of Reclamation.

LAW OFFICES

CORETTE, SMITH & DEAN

PRUDENTIAL FEDERAL SAVINGS BUILDING

BUTTE, MONTANA

59701

TELEPHONE

723-3205

AREA CODE 406

J. E. CORETTE
ROBERT D. CORETTE
KENDRICK SMITH
H. G. DEAN
R. D. CORETTE, JR.
DOLPHY O. POHLMAN
SAM B. CHASE
GERALD R. ALLEN
JOHN W. LARSON

February 16, 1977

Honorable Pat M. Goodover
S e n a t o r - District 22
State Capitol Building
Helena, M o n t a n a 59601

Dear Pat:

It has come to my attention that Joint Senate Resolution 31 in the Montana Senate would name the reservoir at Fort Peck, the "Wheeler Reservoir" after B. K. Wheeler.

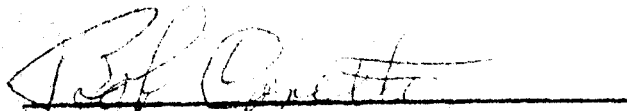
I want you to know that I am heartily in favor of this Resolution. I knew Senator Wheeler well for a period of forty years and I can assure you he did great things for Montana. It would be little enough to have this reservoir named after him.

I hope you will use your best efforts to have this Resolution passed.

With kind personal regards,

I am

Sincerely,



is one of the best appropriations Congress ever made, because after all, Mr. President, what this country is in danger of in the years which are to come, which are beyond our lifetimes, is that the side hills of the country will be washed away when they have been denuded of their forests, and that the fertile soil of the plains and the side hills will go down our streams and out into the Atlantic Ocean. I do not believe Congress ever engaged in any better work than the control of the floods of our rivers. As I see the matter, we must have some logical, efficient method of control, or a great part of our country will become uninhabitable. I do not want our posterity to have the right to say of you and of me that we did not do our duty while we were in control of the Government.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. NORRIS. I yield to the Senator from Montana.

Mr. WHEELER. The Senator mentioned a dam in Montana, the Fort Peck Dam.

Mr. NORRIS. Yes.

Mr. WHEELER. That is essentially a flood-control dam; but, in addition to that, the people of my State were given to understand that a power plant would be constructed there for the purpose of pumping water for irrigation and reclamation purposes. The Fort Peck Dam is in the heart of the Dust Bowl. It would cost about \$6,000,000 to construct the power plant. Ever since that time I have been trying to get through an authorization and an appropriation of six or eight million dollars for the purpose of constructing a power plant to pump water on the dry lands in the heart of the Dust Bowl for the benefit of those people. I have not yet been able to get it through. I hope, however, that at some time in the not distant future we shall be able to secure an appropriation which will take care of that matter. The amount of money involved is a comparatively small one. The economic and social benefits to be derived from cheap power in northwestern Montana are multiple.

Mr. NORRIS. I would go farther than the Senator from Montana would go in that direction. I should be glad to have him accomplish what he is trying to do. That is only a small matter; but I should like to establish power in that hatched power in the Tennessee Valley. I myself have had hatched power in the Tennessee Valley. I myself have had the question up with the authorities. I am deeply interested in it, and I commend the Senator from Montana. I shall be glad to help him in any fashion that I can in my weak way; but I understand that when the dam is finished the necessary steps will be taken so that at any time in the future power can be installed.

Mr. WHEELER. I thank the Senator from Nebraska. I will deeply appreciate, as will the people of my State, the assistance of the Senator in procuring the enactment of my bill authorizing the installation of power-generating facilities at Fort Peck Dam. What the Senator says about the plans for power is true, for power is provided; but what is the use of having such an opportunity if we do not take advantage of it, if we are not going to establish a power plant to furnish cheap power to the people of eastern Montana, and likewise set a precedent for furnishing adequate power for irrigation and reclamation in that area?

Here, as a matter of fact, is an opportunity of doing something for the Dust Bowl rather than talking about it. Here is an opportunity actually to get water on the land by pumping it by electrical apparatus. I know the Senator from Nebraska is favorable to it. He will not go any farther than I will in the direction of establishing a power plant there; but as yet I have not been able to induce the powers that be to establish or construct an electrical generating plant for the purpose of pumping water for the Dust Bowl, for irrigation and reclamation.

I know the Senator from Nebraska would do everything in his power to help along that line. As he knows, I am one of those who have been very strong for the T. V. A., and I still am. While I do not know anything about this controversy, I hope the Senator's resolution will be adopted, and that an investigation of the T. V. A. will be ordered.

Mr. NORRIS. Mr. President, I entirely agree with the Senator from Montana. I think we ought to do just what he says. We ought to do it all over the United States. This program of controlling floods ought not to be confined to the Tennessee Valley. We ought to go to the White River, we ought to go to the Arkansas River, we ought to go down into Missouri and Arkansas and elsewhere, and do the same thing to the rivers there that we have done on the Tennessee River. When we have done it, and have completed the great dam in Montana, we shall have made the Missouri, the Tennessee, the Ohio, and the Mississippi to some extent almost normal in height the year around.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. NORRIS. I yield to the Senator from Kentucky.

Mr. BARKLEY. A moment ago the Senator referred to the fact that it is strange that all this controversy is aired just at the time when the Senate amendment authorizing the beginning or the continuance of construction of the Gilbertsville Dam is in conference, and is, as I understand, to be voted on in another body. On yesterday the Acting Comptroller General made a report for a 3- or 4-year period in which he took occasion to criticize the entire T. V. A. Does the Senator know whether that report was released at this particular time for the purpose of having any influence on the matter to which I refer?

Mr. NORRIS. No; I do not; but I will say to the Senator from Kentucky that from the very beginning of the T. V. A. the General Accounting Office have been unfair, and I think wrong, in their attitude toward it. I do not desire now to discuss that matter. I discussed it once before in the Senate, and I am ready to do it again; but I do not expect to go into it today, except to say that the General Accounting Office have never treated the T. V. A. with justice or with fairness. They have done in the past what this morning's newspapers seem to indicate they are again doing--announcing something to the newspapers, and the newspapers spread it over the United States. Nobody knows whether or not it is true. They say such a thing is about to happen, and when the matter is over the probabilities are that it will be found that a mountain has been made out of a mole hill. In some cases there is absolutely nothing to it but a malicious attempt to injure the T. V. A.

Mr. BARKLEY. I wonder if the Senator can inform us whether it is customary for the Comptroller General to withhold his reports for a period of 3 years, instead of making them more frequently.

Mr. NORRIS. No; I myself do not quite understand why the present Comptroller General is now making reports that were made by the former Comptroller General when he was in office.

Mr. BARKLEY. A part of them is merely a reiteration.

Mr. NORRIS. I do not know anything about it.

Mr. SCHWELLENBACH. Mr. President, will the Senator yield?

Mr. NORRIS. I yield to the Senator from Washington.

Mr. SCHWELLENBACH. Does not the law provide that these reports shall be made annually?

Mr. NORRIS. Yes.

Mr. SCHWELLENBACH. Does not the fact that at this particular time the Acting Comptroller General brings in a 3-year report have some significance?

Mr. NORRIS. I notice that. To me it looks very suspicious on its face. I do not know that the report is out yet. The newspaper report which I read said it was coming out. Some newspaper got hold of the information and spread it all over the United States.

Mr. BARKLEY. The reports are supposed to be made to Congress, as I understand.

Mr. NORRIS. Yes; the reports are supposed to be made to Congress, but, as a matter of fact, they have been made to newspapers when they thought there was something wrong in them; and Congress got hold of the reports after a while. I went into that subject several years ago when the same thing happened with the T. V. A. I put the correspondence in the Record at that time, and it is all there. I

75TH CONGRESS
1ST SESSION

S. 2650

IN THE SENATE OF THE UNITED STATES

JUNE 15, 1937

Mr. WHEELER introduced the following bill; which was read twice and referred
to the Committee on Commerce

became law

A BILL

To authorize the completion, maintenance, and operation of the
Fort Peck project for navigation, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That for the purpose of improving navigation on the Missouri
4 River, and for other purposes incidental thereto, the dam
5 and appurtenant works now under construction at Fort Peck,
6 Montana, and a suitable power plant for the production of
7 hydroelectric power (which dam, power plant and appur-
8 tenant works are hereinafter called Fort Peck Project), shall
9 be completed, maintained, and operated under the direction
10 of the Secretary of War and the supervision of the Chief
11 of Engineers, subject to the provisions of this Act relating

Fort Peck Project

MONTANA and NORTH DAKOTA, 17 Counties¹

REGION 6, Bureau of Reclamation

PROJECT HEADQUARTERS, Fort Peck, Mont.



The Bureau's Fort Peck project markets and distributes the electrical energy generated by the Fort Peck Powerplant. The Fort Peck Dam, Powerplant, and Reservoir were constructed by the Corps of Engineers. Principal features of the Bureau's project include about 290 miles of 161-kilovolt transmission lines and 510 miles of 115 kilovolt transmission lines. Numerous lower voltage transmission lines and tap-lines are also included in the project. From Fort Peck Dam the transmission lines extend to Great Falls, Havre, Shelby, Miles City, and Glendive, Mont., and to Williston, N. Dak.

PLAN

Electrical energy from Fort Peck Dam is furnished to commercial and irrigation pumping load centers in the Great Plains area of eastern Montana and western North Dakota. The project serves the area along the Yellowstone River below Miles City, the area along the Missouri River from Fort Peck, Mont., to Williston, N. Dak., and the area along the Milk River from Fort Peck to Havre, Mont., thence westerly and south-westerly, to Shelby and Great Falls, Mont.

Power is furnished to customers directly from substations on these lines or by wheeling agreements over the lines of interconnecting power systems. Fort Peck power is transmitted to Great Falls via Havre, Mont., 290 miles over a 161-kilovolt line. Approximately 540 miles of 115-kilovolt transmission lines serve the cities of Shelby, Glendive, and Miles City, Mont., and connect with the Missouri River Basin project at Williston, N. Dak. The total installed transformer capacity in all substations as of July 1, 1958, was 263,050-kilovolt amperes.

The Fort Peck power system has been integrated with the Missouri Basin project to serve a common market area.

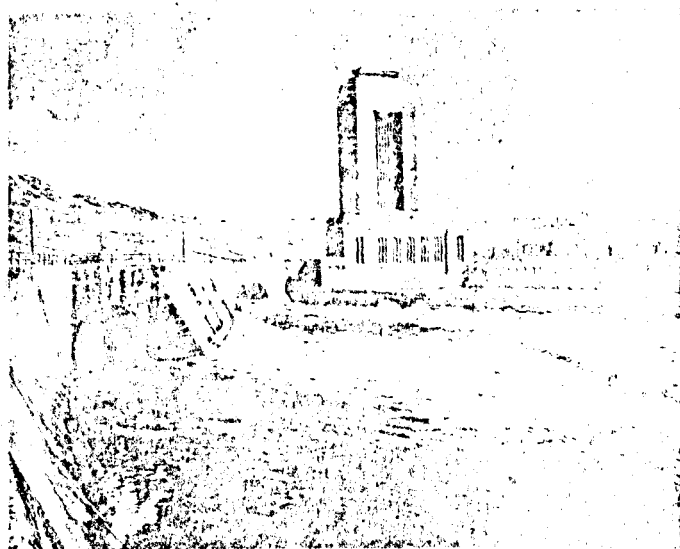
DEVELOPMENT

The Fort Peck Dam and Reservoir were built by the Corps of Engineers. Construction began under an

Executive Order in October 1933 as a part of the Public Works Administration Program. Congress, in the River and Harbor Act of August 30, 1935, authorized construction of Fort Peck Dam primarily for navigation but with provisions for future power development. The act of May 18, 1938, authorized the Corps, in addition to completing Fort Peck Dam, to construct, maintain, and operate a powerplant and to install additional generating facilities when deemed necessary by the Bureau of Reclamation. The act authorized the Bureau to provide, operate, and maintain transmission lines to market the energy.

Authorization

The Fort Peck Project Act of May 18, 1938 (52 Stat. 403), authorized the completion, maintenance, and operation of the Fort Peck project. The Secretary of War was made responsible for completion, maintenance, and operation of the dam and powerplant. The Bureau of Reclamation is responsible for construction, maintenance, and operation of facilities for transmitting and marketing the electrical energy generated by the power plant. By approving Senate Document No. 191, 78th Congress, proposing the plan, the Flood Control Act of 1944 authorized integration of operation of



Fort Peck Powerplant.

¹ Montana: Blaine, Cascade, Chouteau, Custer, Dawson, Hill, Liberty, McCone, Phillips, Prairie, Richland, Roosevelt, Sheridan, Teton, and Valley. North Dakota: McKenzie and Williams.

(Attachment #2.)

Senate Natural Resources Committee

Senator Elmer Flynn, Chairman

SUBJECT: SJR 23

Mr. Chairman and members of the committee:

My name is Robert N. Holding and I live in Missoula, Montana. I am the Executive Director of the Montana Wood Products Association. This Association is composed of pulp mills, plywood plants, sawmills and logging and pole companies situated throughout the state of Montana. The timber industry is an employer of over 10,000 people a year, paying salaries of some \$80 million yearly.

The Montana Wood Products Association wishes to extend its vigorous support to the passage of SJR 23. The Western States Forestry Task Force is composed of two Senators and two Representatives each from the western states of Montana, Idaho, Oregon, Washington and California. These ten Senators and ten Representatives are doing a very fine job of reviewing and analyzing various federal programs that effect the timber industry in these western states. I have had the opportunity to attend meetings of this task force in Idaho, Oregon and Washington during the past year, as well as a meeting the task force held in Washington, D. C. last year in conjunction with the enactment into law of the Forest Management Act of 1976. This task force performed in a very admirable manner in the solving of the "Monogahela problem" which dealt with the matter of federal timber supply in the United States. In addition, they are actively working on all natural resource problems common to these several states including federal water programs such as Section 404 and 208. Studies and reports are also being conducted on insect and disease problems in timbered areas.

Senators Brown and Roberts of Montana have contributed greatly to the success of the task force accomplishments. Senator Brown has just recently been elected vice chairman of this group to serve along with Senator Steen of Idaho, the new chairman. Former Montana Representatives Magone and Gywnn also contributed substantially while they were members.

The Montana Wood Products Association deems this task force as an essential element to the continued best interests of the State of Montana and its citizens because of the tremendous importance all federal lands and federal programs concerning these lands have on our state. We heartily endorse the continued support of the task force and recommend to this committee that it give a favorable "do pass" to SJR 23 and the necessary appropriation request.

Yours truly,

ROBERT N. HOLDING
Executive Director
Montana Wood Products Association

(Attachment #3.)

Ronald Jackson
Jackson Angus Ranch

MR. AND MRS. RONALD JACKSON

Box 673 -- Phone 547-3414

White Sulphur Springs, Montana

SENATE BILL 235

I would like to talk to you for a few minutes in opposition to Senate Bill 235, "The Smith River Preservation Act". Over the past several sessions of the Legislature, we have seen many attempts made to give the Fish and Game Department control of our streams and one-fourth mile of land on each side of these streams.

To date the success of this type of legislation has been very limited. I view this bill as another attempt, on a very scaled-down version, to once again try to gain control of private lands without having to pay for them. Should this bill pass and a precedent be established, I can see in the near future, this type of action covering every stream in the State.

To have camping facilities on Smith River, which I am sure would be a definite benefit to everyone, should be attainable without legislating away the land owners rights of ownership. I'm sure that at present the Fish and Game Commission has cooperative agreements with the Forest Service, B. L. M. and State Lands. Is it not possible for the Fish & Game to provide these services without legislation of this type?

Therefore, I urge you to oppose Senate Bill 235.

Thank you.

Ronald L. Jackson
Jane Jackson

Kenneth Mike McGuire

Patricia M. McGuire

(Attachment #4.)

George Zieg
R.R.1, White Sulphur Springs, Montana
Landowner

This is additional testimony to that of Feb. 15th.

Bill 235 is the landowners view of a fair and reasonable way to regulate an area such as the Smith river canyon. It does not control the landowner only, nor does it give the general public unlimited use. This bill controls "people use" which no "Wild Rivers" legislation or zoning proposals do, nor intend to do.

Another good point is that this proposed legislation would put the total Smith river canyon under the jurisdiction of one act. The canyon is between 55 and 60 miles long, being split almost equally between Cascade and Meagher counties. It should be regulated as one unit, as this bill proposes. Thank you.

(Attachment #5.)

White Sulphur Springs, Montana
February 19, 1977

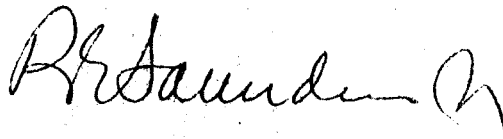
Senate Bill 235

This bill appears to be a mechanism whereby a relatively large land area adjacent to a river can be expropriated to create a form of state park without acquiring title to the land by the state.

While preservation of the unique values of the Smith River Canyon is a laudable objective, I do not believe it should be accomplished by legislative appropriation of private property. Certainly creation of Yellowstone and Glacier Parks was not accomplished by such means, and additions to these parks have been made thru conventional market-place procedures.

Should the legislature feel it mandatory to create what amounts to a state park under the jurisdiction of the Fish and Game Department, I submit that the land should be first acquired in the same way in which the Mt. Haggin property was acquired. To arbitrarily confiscate basic property rights as outlined in this bill would establish a dangerous ~~and~~ far reaching precedent.

R. E. Saunders Jr.



(Attachment #6.)

State of Montana
Office of The Lieutenant Governor
Helena 59601

TED SCHWINDEN
LIEUTENANT GOVERNOR

February 17, 1977

The Honorable Margaret Warden
Montana State Senate
Capitol Station
Helena, Montana 59601

Dear Senator Warden:

I want to take this opportunity to endorse Senate Joint
Resolution #7. The cost for such a Committee would be
negligible and the benefits could be substantial.

Best regards.

Sincerely,



TED SCHWINDEN
Lt. Governor



THE MONTANA UNIVERSITY SYSTEM

33 SOUTH LAST CHANCE GULCH

HELENA, MONTANA

59601

COMMISSIONER OF HIGHER EDUCATION

February 1, 1977

Senator Margaret Warden
State Capitol
Helena, MT 59601

Dear Senator Warden:

I have reviewed the text of Senate Joint Resolution #7 to establish a committee to develop an information system for in-state renewable resource research efforts and to explore methods for implementing new research needs.

I do support the proposed resolution as introduced. At this time, I do not believe there should be significant financial resources required to implement the joint resolution. There would be some slight costs involved in the committee meetings, but since these would probably be held in Helena, I do not feel it would be very significant.

If the information system was to involve some type of computer retrieval, it might then have some cost implications. In any event, any recommendations that the committee makes could be taken to the legislature if there are such associated costs.

Sincerely,

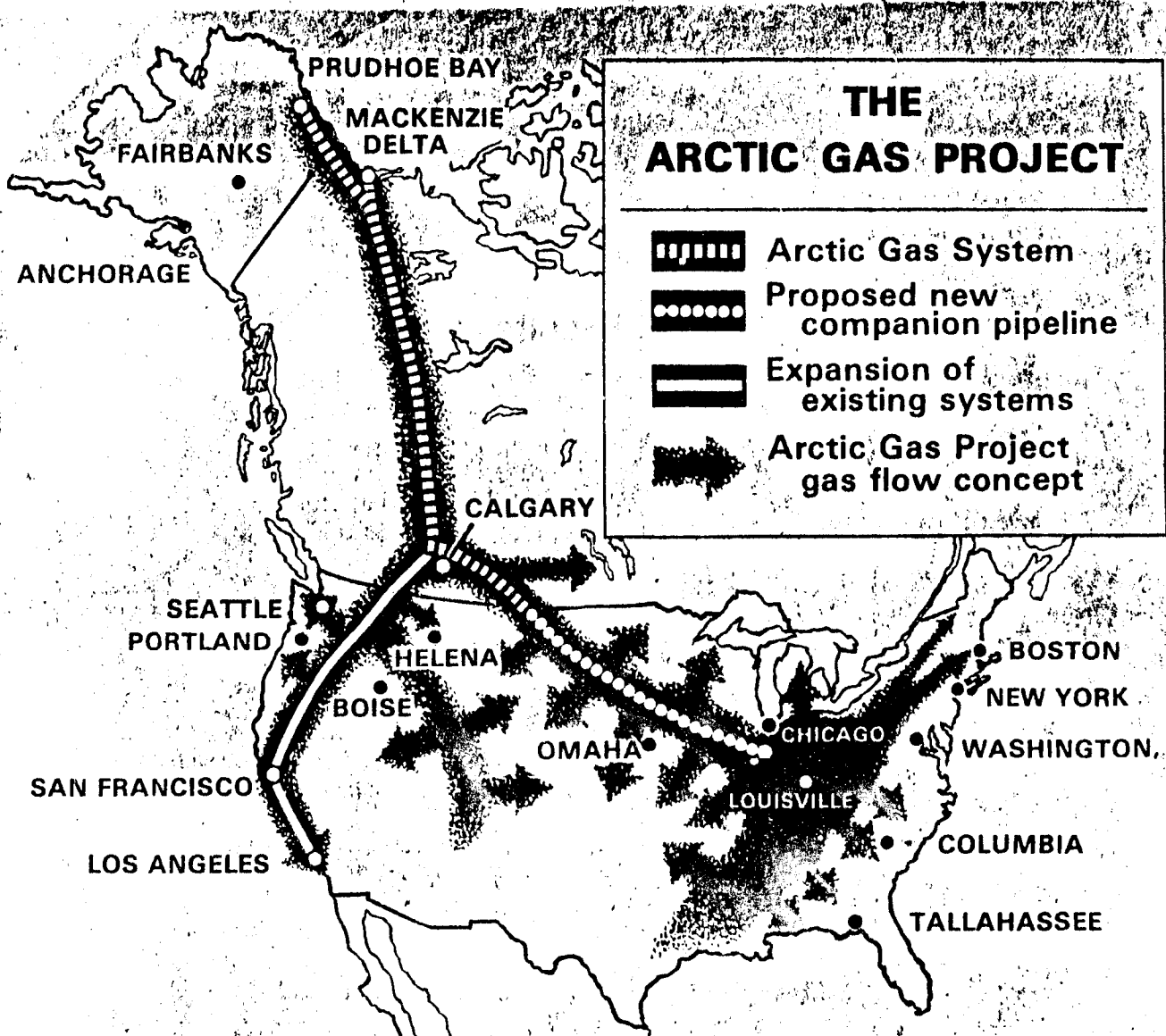
A handwritten signature in cursive script, appearing to read "Larry".

Lawrence K. Pettit
Commissioner of Higher Education

LKP:ct
cc: Richard Bourke

The Billings Gazette

State



Proposed Arctic Gas Project pipeline

Natural gas from Alaska's North Slope would be brought to major areas of the United States under a proposal of the Arctic Gas Project, a consortium of 15 U.S. and Canadian

route over two competing proposals, but said that the pipeline leg which would deliver gas to the U.S. west coast wasn't needed. Part of the plan is for a new 1,100-mile pipeline from