

MINUTES
SENATE RESOURCES & ENVIRONMENT COMMITTEE

DATE: Wednesday, March 09, 2016

TIME: 1:30 P.M.

PLACE: Room WW55

MEMBERS PRESENT: Chairman Bair, Vice Chairman Vick, Senators Siddoway, Heider, Nuxoll, Bayer, Hagedorn, Stennett and Lacey

ABSENT/ EXCUSED: None

NOTE: The sign-in sheet, testimonies and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

CONVENED: **Chairman Bair** called the meeting of the Senate Resources and Environment Committee (Committee) to order at 1:30 p.m.

MINUTES APPROVAL: **Senator Bayer** moved to approve the Minutes of February 24, 2016. **Senator Heider** seconded the motion. The motion carried by **voice vote**.

Senator Lacey moved to approve the Minutes of February 29, 2016. **Senator Nuxoll** seconded the motion. The motion carried by **voice vote**.

HCR 35 **Senator Johnson** presented **HCR 35**. This concurrent resolution recognizes and honors the Associated Logging Contractors of Idaho (ALC) for 50 years of accomplishments and service to Idaho. The ALC was organized and established in St. Maries in 1966 for the purpose of developing programs and helping members to manage costs of operation and to work together.

Senator Johnson said that in the mid 1990s he did some forestry consulting work, and he found that the loggers are hard working and proud of their profession. Over the years, the trade of logging has gone from the image of Paul Bunyan to one of a skilled tradesman operating computerized equipment. The ALC supports this resolution.

MOTION: **Senator Hagedorn** moved that **HCR 35** be sent to the floor with a **do pass** recommendation. **Senator Nuxoll** seconded the motion. The motion carried by **voice vote**. Senator Johnson will be the floor sponsor.

HCR 43 **Rich Hahn**, representing Idaho Power Company, said that **HCR 43** recognizes the Idaho Power Company for its 100 years of service in Idaho. It is headquartered in Boise and has been locally operated since 1916. Idaho Power employs more than 2,000 people who serve about 520,000 customers throughout southern Idaho and eastern Oregon. The customers of Idaho Power pay among the nation's lowest rates for electricity while the company maintains one of the smallest carbon footprints in the nation.

Mr. Hahn stated that he has been with the company for 40 years. One of his first jobs was to read meters, which required him to physically go to each meter and record in a book the kilowatts used. Now, meters are automatically read over the power lines.

A video that provided the history of Idaho Power and its accomplishments was shown to the Committee. **Mr. Hahn**, on behalf of the employees and retirees of Idaho Power, thanked the Chairman and Committee for the opportunity to present **HCR 43** and asked for their support of the legislation.

MOTION: **Senator Heider** moved that **HCR 43** be sent to the floor with a **do pass** recommendation. **Senator Bayer** seconded the motion. The motion carried by **voice vote**. Senator McKenzie will be the floor sponsor.

H 351 **Jeff Peppersack**, Chief, Water Allocation Bureau, Idaho Department of Water Resources (IDWR), presented **H 351**. **Mr. Peppersack** said this legislation would accomplish two things. First, it would change the definition of a dam to remove some smaller dams from regulation requirements (change from greater than 10 feet or 50 acre-feet to greater than 10 feet and 50 acre-feet). This change would allow IDWR to focus resources on larger dams rated "significant hazard" and "high hazard." They currently regulate almost 500 water storage dams, and the new definition would reduce this number by about 160. Thirty-five of the 160 are "significant hazard" rated and would likely continue to be regulated.

The second change would require written approval from the IDWR for plans, drawings and specifications to be submitted by a professional engineer to construct, enlarge, alter or repair all dams based on the new definition. This would eliminate the current gap for dams regulated by IDWR that do not have plans, drawings and specifications and the benefit of design by a professional engineer. The lack of these requirements hinders IDWR's ability to properly inspect and recommend action for protection of public safety.

MOTION: **Senator Siddoway** moved that **H 351** be sent to the floor with a **do pass** recommendation. **Senator Heider** seconded the motion. The motion carried by **voice vote**. Chairman Bair will be the floor sponsor.

HJM 13 **Representative Gibbs** stated that he, Senator Brackett and Speaker Bedke had been working with a group of Legislators from other states dealing with the sage-grouse issue for the past two years. He then yielded his time to Senator Brackett to present **HJM 13**.

Senator Brackett said that **HJM 13** asks the U.S. Congress to allow time for the Idaho sage-grouse conservation plan to be implemented and the data collected to be analyzed. It also calls on Congress to not provide funds to the Secretary of the Interior or the Secretary of Agriculture to implement recent federal land use plan amendments for a period of 10 years, through and including fiscal year 2026, if the plans are inconsistent with the State's sage-grouse conservation plan

Senator Brackett said that the U.S. Fish and Wildlife Service issued a federal land-use plan that is inconsistent with the State's sage-grouse plan and also elevated secondary threats to primary threat status.

MOTION: **Senator Hagedorn** moved that **HJM 13** be sent to the floor with a **do pass** recommendation. **Senator Heider** seconded the motion. The motion carried by **voice vote**. Senator Brackett will be the floor sponsor.

H 462aa **Representative Luker** presented **H 462aa**. Idaho Code § 36-401 provides an exception to the licensing requirement that only applies to resident children under the age of 12 to hunt, take or kill predatory, unprotected birds and animals by means other than with firearms. Another similar exemption applies to resident children under the age of 14 years to trap muskrats from irrigation ditches or from property on which they live during the open season. This bill would expand those exemptions to include any person on private property. However, the exemption does not apply to taking these animals with firearms.

TESTIMONY: **Sharon Kiefer**, Deputy Director, Idaho Department of Fish and Game (IDFG), testified in opposition to **H 462aa**. She stated that the current exemptions in 36-401 that would be amended by **H 462aa** were commonly called "farm kid exemptions" to kill gophers and muskrats on the farm and there was never any intent to provide broad exemption to adults. **Ms. Kiefer** said the IDFG Commissioners do not support this legislation. A copy of Ms. Kiefer's full testimony is attached (see attachment 1).

Written testimony was submitted by Patrick Carney, president of the Idaho Trappers Association (ITA). The ITA is opposed to **H 462aa**. A copy of his testimony is attached (see attachment 2).

MOTION: **Senator Nuxoll** moved that **H62aa** be sent to the floor with a **do pass** recommendation. The motion failed due to the lack of a second.

ANNOUNCEMENT: **Chairman Bair** announced that further meetings will be subject to the call of the Chair.

ADJOURNED: **Chairman Bair** adjourned the meeting at 2:50 p.m.

Senator Bair
Chair

Juanita Budell
Secretary