

MINUTES  
**HOUSE RESOURCES & CONSERVATION COMMITTEE**

**DATE:** Tuesday, February 19, 2013

**TIME:** 1:30 P.M.

**PLACE:** Room EW40

**MEMBERS:** Chairman Denney, Vice Chairman Gibbs, Representatives Wood(35), Barrett, Moyle, Eskridge, Raybould, Andrus, Shepherd, Wood(27), Boyle, Vander Woude, Gestrin, Miller, Anderson(1), Pence, Erpelding, Ward-Engelking

**ABSENT/  
EXCUSED:** None

**GUESTS:** The sign-in sheet will be retained with the minutes in the committee secretary's office until the end of the session. Following the end of the session, the sign-in sheet will be filed with the minutes in the Legislative Services Library.

**Chairman Denney** called the meeting to order at 1:31 p.m.

**MOTION:** **Rep. Erpelding** made a motion to approve the minutes of February 7, 2013. **Motion carried by voice vote.**

**MOTION:** **Rep. Boyle** made a motion to approve the minutes of February 11, 2013. **Motion carried by voice vote.**

**H 93:** **Mr. David Groeschl**, Idaho Department of Lands, Division Administrator of Forestry and Fire, stated this bill provides language for non-profit rangeland fire protection associations, defines a term, and provides procedures. He stated that private landowners are funded solely by dues from membership. He stated the Governor supports this proposed statutory change.

In response to questions from the committee, **Mr. Groeschl** said the membership for the rangeland fire protection association would be volunteer. He said the ranchers can form a board consisting of their own members. He stated the Bureau of Land Management (BLM) has provided training for the ranchers. The BLM and ranchers are working cooperatively together as there is a mutual interest in keeping the fires down to reduce damage. He said there is federal grant money that has provided some equipment and there is a separate budget item that the Governor has supported to help incentivise the startup costs.

**MOTION:** **Rep. Gibbs** made a motion to send **H 93** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Boyle** will sponsor the bill on the floor.

**H 132:** **Mr. Jeremy Chou**, Givens Pursley, stated this legislation restates Idaho law in cases of range fire and property damage. Also this legislation will limit damages in certain civil actions for real and personal property damage caused by forest or range fire and will define terms and clarify the applicability of provisions of the law. He said this legislation will clarify that recovery for real and personal property damage caused by forest or range fire will be limited to reasonable costs, economic damages, and fair market value of the real and personal property, or the actual and tangible costs for restoration.

In answer to questions from the committee, **Mr. Chou** stated this legislation clarifies if a fire is inadvertently started, the fair market value would be used to cover the damage. He said language in this legislation will ensure the court would apply state law rather than federal law.

**Mr. Dennis Tanikuni**, Idaho Farm Bureau Federation, stated among their 14,500 producer members, many are range and forest land owners. He stated this bill can protect them from intangible damages should fires escape from their land and cause damage.

**Mr. Mark Benson**, Vice President of Public Affairs, The Potlatch Corporation, stated that in addition to timberland ownership, they own and operate a sawmill and plywood mill in St. Maries, Idaho. He said that as forest managers they are very aware of the risks of fire in the Inland West. He stated this legislation is a common sense piece of legislation and allows reasonableness to prevail when assessing the damages of a fire that spreads from one landowner to another.

**Mr. Stan Boyd**, Idaho Cattle Association, spoke in support of the legislation, stating this legislation is a common sense safety guard for Idaho. He stated that without this legislation, environmental groups could come in for environmental damages on behalf of the sage grouse.

**Mr. Jim Riley**, President, Riley & Associates, stated this bill would have a very good impact on the State of Idaho. He said last summer in the State of California, logging was shut down for fear of an escaped wildfire.

**MOTION:** **Rep. Gestrin** made a motion to send **H 132** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Gestrin** will sponsor the bill on the floor.

**H 128:** **Mr. Norm Semanko**, Idaho Water Users Association, said this statute has remained the same since 1913. He said the proposed changes would limit the lien for delinquent canal company assessments from two years to three years.

In answer to committee questions, **Mr. Semanko** stated foreclosure proceedings relate only to the water, not the land.

**MOTION:** **Rep. Miller** made a motion to send **H 128** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Miller** will sponsor the bill on the floor.

**H 129:** **Mr. Norm Semanko**, stated this legislation will make the interest rates consistent for delinquent assessments.

**MOTION:** **Rep. Raybould** made a motion send **H 129** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Erpelding** will sponsor the bill on the floor.

**H 130:** **Mr. Norm Semanko** stated this legislation provides a more defined process for a candidate of an irrigation district to qualify for office. He said the candidate must reside in the district's county and must notify the secretary if they no longer meet those requirements.

In answer to questions from the committee, **Mr. Semanko** stated this legislation will build more integrity in the process and provide more guidance to the irrigation districts.

**Mr. Dan Steenson**, Nampa Meridian Irrigation District, in answer to questions from the committee, gave an example of how a person in this position was not a qualified land owner at the time the office was taken. He stated that this legislation would provide safeguards and protect the integrity of the office.

**Mr. Darren Coon**, Secretary Treasurer, Nampa Meridian Irrigation District, in answer to committee questions, stated that 38,000 notices were sent out as required by Idaho Code and the district's website is used for voter notification. He said they have three polling places in the District and they also provide for absentee voting. He stated there is an honor oath that is taken by the voters to verify they are eligible to vote.

**Mr. Semanko** in summary stated this legislation is important for protecting the integrity of the office. He said this legislation is about upholding the law and making better procedures.

**MOTION**

**Rep. Raybould** made a motion to send **H 130** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Raybould** will sponsor the bill on the floor.

**ADJOURN:**

There being no further business to come before the committee, the meeting was adjourned at 2:39 p.m.

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Representative Denney  
Chair

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Rosee Winder  
Secretary