

MINUTES
SENATE RESOURCES & ENVIRONMENT COMMITTEE

DATE: Monday, March 04, 2013

TIME: 1:30 P.M.

PLACE: Room WW55

MEMBERS PRESENT: Chairman Pearce, Vice Chairman Bair, Senators Cameron, Siddoway, Brackett, Heider, Tippetts, Stennett and Lacey

**ABSENT/
EXCUSED:**

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 Pearce** called the meeting to order at 1:37 p.m. and apologized for the delay. The delay was caused by the festivities of the dedication of the "Abraham Lincoln Auditorium".

MOTION: **Senator Brackett** moved that the minutes of February 20 be approved. **Vice Chairman Bair** seconded the motion. The motion carried by **unanimous voice vote**.

RS 22152 **Mr. Norm Semanko**, Executive Director of the Idaho Water Users Association (IWUA), presented **RS 22152**. He said it would authorize water districts to use available water district funds to increase the salaries of water district employees, without an impact on the state general fund.

UNANIMOUS CONSENT: **Chairman Pearce** asked for unanimous consent to send **RS 22152** to a privileged committee for a print hearing. There were no objections.

RS 22154 **Mr. Semanko** presented **RS 22154**. This legislation creates a process and procedures for allowing certain, limited types of irrigation districts to be partitioned into more than one irrigation district.

UNANIMOUS CONSENT: **Chairman Pearce** asked for unanimous consent to send **RS 22154** to a privileged committee for a print hearing. There were no objections.

RS 22156 **Mr. Semanko** presented **RS 22156**. This legislation provides clarification regarding the persons and business entities that are allowed to vote in irrigation district elections.

UNANIMOUS CONSENT: **Chairman Pearce** asked for unanimous consent to send **RS 22156** to a privileged committee for a print hearing. There were no objections.

The **Chairman** announced that the RSs would be sent to the Senate State Affairs Committee for a print hearing.

H 130 **Mr. Semanko** presented **H 130** on behalf of the water districts. With land being developed into housing subdivisions, it is sometimes difficult for the public to know which district they reside in and the laws pertaining to holding office in those districts. This legislation is designed to ensure that candidates seeking election to the office of director of an irrigation district are qualified to hold office. It also revises and clarifies the dates on which the irrigation district election returns are to be canvassed, the oath administered, and the director-elect is to take office, thereby reducing costs associated with holding additional board meetings for those purposes.

Mr. Semanko suggested that **H 130** be sent to the amending order and he presented to the Committee an amendment to the bill.

- TESTIMONY:** **Mr. Dan Steenson**, an attorney for the Nampa-Meridian Irrigation District, testified in support of **H 130**.
- TESTIMONY:** **Mr. Daren Coon**, secretary-treasurer for the Nampa-Meridian Irrigation District, said they also support this legislation.
- MOTION:** **Senator Tippets** moved that **H 130** be sent to the 14th Order of business - the amending order. **Vice Chairman Bair** seconded the motion. The motion carried by **unanimous voice vote**. **Senator Tippets** will be the sponsor.
- Chairman Bair** asked that Senator Tippets and Mr. Semanko work together on the amendment for **H 130**.
- H 131** Presenting this legislation, **H 131**, was **Senator Thayn**. He stated that it has to do with developing water rights. It would provide water permit holders the opportunity to recoup development time lost due to delays caused by state, county, city or other local government's permitting or administrative actions related to the permit holder's land or water development efforts. It would also enable the Idaho Department of Water Resources (IDWR) to provide water permit holders longer extension periods for larger water right permits upon application and sufficient showing of good cause.
- TESTIMONY:** Testifying was **Mr. Andy Waldera**, representing Mr. Jones of the Rim Fire Ranch, who helped to write this legislation. He stated that they worked with IWUA, IDWR and the Idaho Farm Bureau to come up with a bill to help address some issues that are not covered by current code sections. Due to complications and circumstances beyond his control, Mr. Jones was delayed in developing his water right. Instead of the one-time five year extension, the proposal is a one-time extension up to ten years, providing one meets certain criteria.
- TESTIMONY:** **Mr. Jeff Peppersach**, who is with IDWR, said they were grateful to work with Mr. Waldera on this legislation and it gave them the opportunity to clarify some language. IDWR is in support of **H 131**.
- TESTIMONY:** **Mr. Lynn Tominaga** represents the Idaho Ground Water Appropriators and they are in support of this legislation. They feel it will be a fair process.
- Vice Chairman Bair** asked why was the time lengthened for the permitting, rather than trying to expedite the process. **Mr. Tominaga** replied that it would be difficult to get all government entities together and it would require going through different sections of code to do that.
- Senator Thayn** closed the discussion by stating that Mr. Jones and others have spent a lot of time trying to develop their water rights and it seems a shame to have it go away because of running out of time, especially when a good faith effort has been made.
- MOTION:** **Vice Chairman Bair** moved to send **H 131** to the floor with a **do pass** recommendation. The motion was seconded by **Senator Brackett**. The motion carried by **unanimous voice vote**. **Senator Thayn** will be the sponsor.
- ADJOURNED:** **Chairman Pearce** adjourned the meeting at 2:10 p.m.

Senator Pearce
Chairman

Juanita Budell
Secretary