

MINUTES
SENATE RESOURCES & ENVIRONMENT COMMITTEE

DATE: Wednesday, February 10, 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. He said that approval of Minutes was the first order of business.

MINUTES APPROVAL: **Senator Nuxoll** moved to approve the Minutes of January 25, 2016. **Senator Siddoway** seconded the motion. The motion carried by **voice vote**.

MINUTES APPROVAL: **Senator Hagedorn** moved to approve the Minutes of January 27, 2016. **Senator Heider** seconded the motion. The motion carried by **voice vote**.

MINUTES APPROVAL: **Senator Heider** moved to approve the Minutes of February 1, 2016. **Senator Nuxoll** seconded the motion. The motion carried by **voice vote**.

GUBERNATORIAL APPOINTEE HEARING: **Peter Black**, Pocatello, Idaho, was appointed to the Idaho Parks and Recreation Board to serve a term commencing July 28, 2015, and expiring June 30, 2021. Mr. Black has lived all his life in Idaho, except for the first two years. His family owned ranches and farms in the Salmon and Challis areas and he understands the issues of rural Idaho as well as issues of urban concern.

Mr. Black's education consisted of:

- Pocatello High School, 1964
- Idaho State University, Bachelor's Degree - Elementary Education, 1975
- Idaho State University, Library Science Endorsement, 1986
- Idaho State University, Master's Degree - Education Administration, 1998

After 34 years, Mr. Black retired from the Pocatello/Chubbuck School District in June 2006. He worked in various capacities as a classroom teacher, school librarian/media specialist, technology staff member and public information officer.

Mr. Black stated that he was elected to the Idaho House of Representatives in 1982 and served until 1996. His committee assignments were Education, Business, Local Government, Joint Finance and Appropriations and Ways and Means. From 1986 to 1996, Mr. Black was House Assistant Minority Leader.

Mr. Black was a member of the Pocatello Parks and Recreation Board for about 10 years, serving as a representative for the school district, then later as a "citizen-at-large," and also serving as chairperson for the board for most of that time. When the Region 5 position on the Idaho Parks and Recreation Board became available, Mr. Black applied for the position. He indicated that he has the experience needed and would be a very good fit for the Idaho Parks and Recreation Board.

Chairman Bair thanked Mr. Black for speaking to the Committee and said that voting on his appointment would take place at the Committee's next meeting.

**PASSED THE
GAVEL:**

Chairman Bair passed the gavel to Vice Chairman Vick so that he could present **RS 24454**.

RS 24454

Chairman Bair said there was an error in the previous RS that dealt with the settlement agreement. There was an omission of a water district. **RS 24454** corrects that.

MOTION:

Senator Stennett moved to print **RS 24454**. **Senator Siddoway** seconded the motion. The motion carried by **voice vote**.

**PASSED THE
GAVEL:**

Vice Chairman Vick passed the gavel back to Chairman Bair.

RS 24383

Senator Heider presented this joint memorial and the purpose was to thank the U.S. Army Corps of Engineers for appropriating \$4 million in funding for watercraft inspection stations as authorized by the Water Resources Reform and Development Act. It also requests that Congress ensure the continued appropriation of these funds in the fiscal year 2017 budget.

MOTION:

Senator Heider moved to print **RS 24383** and that it be sent to the 10th Order. **Senator Stennett** seconded the motion. The motion carried by **voice vote**.

RS 24428

Senator Brackett said the purpose of **RS 24428** is to provide a process for the Idaho Department of Fish and Game to have an independent entity carry out drawings for tags for controlled hunts. He said the department shall contract with a private entity to conduct drawings for controlled hunt permits and the drawings must be conducted using a computer program that awards permits based on a random order of selection. The estimated cost is approximately \$102,500 depending on the number of applications and the level and type of service desired. Senator Brackett provided a list of co-sponsors that numbered 30.

MOTION:

Senator Lacey moved to print **RS 24428**. **Senator Nuxoll** seconded the motion. The motion carried by **voice vote**.

RS 24398C1

Norm Semanko, Executive Director, Idaho Water Users Association, Inc., presented **RS 24398C1**. This legislation clarifies that an irrigation district is not required to conduct an election or confirmation proceeding when construction of a hydroelectric plant does not involve any indebtedness. It has no fiscal impact to the General Fund.

MOTION:

Senator Heider moved to print **RS 24398C1**. **Vice Chairman Vick** seconded the motion. The motion carried by **voice vote**.

RS 24424

Kate Hass, representing Kestrel West, said that **RS 24424** streamlines the administrative permitting process for the oil and gas industry, providing certainty and clarity for developers, state agencies and members of the public who own mineral interests. Currently, an oil and gas application in Idaho can take more than 400 days to process. The bill seeks to address that problem by clarifying the permitting process for drilling permits.

MOTION:

Senator Heider moved to print **RS 24424**. **Senator Hagedorn** seconded the motion. The motion carried by **voice vote**.

- S 1244** **Orville Green**, Administrator, Waste Management and Remediation, Department of Environmental Quality (DEQ), said the purpose of this legislation is to provide DEQ the authority to begin collecting tank fees to supplement the remaining federal grant dollars and state matching funds. DEQ's Underground Storage Tank (UST) program regulates approximately 3,350 tanks at approximately 1,180 facilities throughout the state. Due to grant reductions and recently released new UST rules that increase requirements and costs for the agency, it is necessary to begin collecting tank fees.
- DEQ has requested general fund appropriations to support the UST program while a fee program is developed and implemented. If the proposed fee program is not approved, ongoing General Fund appropriations will be necessary to maintain program primacy.
- Fees to tank owners are limited to \$100 per tank per year. If the year-end fee balance exceeds \$35,000, fees for the following year will be reduced to avoid excessive buildup of funds. All fees must only be used for the UST program.
- TESTIMONY:** **Suzanne Budge**, representing the Idaho Petroleum Council, stated that they support this legislation.
- MOTION:** **Senator Siddoway** moved that **S 1244** be sent to the floor with a **do pass** recommendation. **Senator Nuxoll** seconded the motion. The motion carried by **voice vote**. Senator Siddoway will be the floor sponsor.
- S 1222** **Lynn Tominaga**, Executive Director, Idaho Ground Water Appropriators, Inc., presented **S 1222**. He said this places irrigators and nonirrigators on equal footing by clarifying that nonirrigators who join a ground water district for mitigation purposes only may be subject to all mitigation plans and activities of the district.
- MOTION:** **Senator Hagedorn** moved that **S 1222** be sent to the floor with a **do pass** recommendation. **Vice Chairman Vick** seconded the motion. The motion carried by **voice vote**. Senator Hagedorn will be the floor sponsor.
- S 1223** **Mr. Tominaga** said this legislation gives ground water districts the ability to contract with nonmembers who wish to participate in and obtain the benefits of the district's mitigation plans. Ground water districts have geographical boundaries and many mitigation plans have geographical and other limitations. This legislation gives districts the ability to decline to contract with a nonmember if the district board of directors determines it is not in the district's best interests.
- MOTION:** **Senator Lacey** moved that **S 1223** be sent to the floor with a **do pass** recommendation. **Senator Siddoway** seconded the motion. The motion carried by **voice vote**. Senator Lacey will be the floor sponsor.
- S 1224** **Mr. Tominaga** presented **S 1224** and said this legislation amends the Ground Water District Act. It will enable the ground water districts to impose assessments based on the number of acres authorized to be irrigated as an alternative to the quantity of water authorized to be diverted.
- MOTION:** **Senator Stennett** moved that **S 1224** be sent to the floor with a **do pass** recommendation. **Vice Chairman Vick** seconded the motion. The motion carried by **voice vote**. Senator Stennett will be the floor sponsor.
- S 1225** **Mr. Tominaga** said that **S 1225** also amends the Ground Water District Act. It clarifies that ground water districts may incur short-term debt without holding an election or seeking judicial confirmation. As presently written, districts are required to obtain judicial confirmation prior to incurring any financial obligation, even routine expenses such as utilities.

MOTION: **Senator Siddoway** moved that **S 1225** be sent to the floor with a **do pass** recommendation. **Senator Hagedorn** seconded the motion. The motion carried by **voice vote**. Chairman Bair will be the floor sponsor.

ADJOURNED: **Chairman Bair** adjourned the meeting at 3 p.m.

Senator Bair
Chair

Juanita Budell
Secretary