

MINUTES
SENATE RESOURCES & ENVIRONMENT COMMITTEE

DATE: Thursday, March 22, 2018

TIME: 9:00 A.M.

PLACE: Room WW55

MEMBERS PRESENT: Chairman Bair, Vice Chairman Siddoway, Senators Brackett, Heider, Vick, Bayer, Johnson, Stennett, and Jordan

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 Senate Resources and Environment Committee (Committee) meeting to order at 9 A.M.

MINUTES APPROVAL: **Senator Vick** moved to approve the Minutes of March 7, 2018. **Senator Heider** seconded the motion. The motion carried by **voice vote**.

MINUTES APPROVAL: **Senator Johnson** moved to approve the Minutes of March 12, 2018. **Senator Bayer** seconded the motion. The motion carried by **voice vote**.

MINUTES APPROVAL: **Vice Chairman Siddoway** moved to approve the Minutes of March 14, 2018. **Senator Bayer** seconded the motion. The motion carried by **voice vote**.

H 718 **Senator Harris** presented **H 718** which pertains to stockwater rights. **Senator Harris** stated the changes made from the previous bill, **H 603**, are found on page 2, lines 23 and 24. It states, "Following the ninety (90) day period as provided in subsection (1) of this section, the director shall, upon approval by the governor, ...". **Senator Harris** said this will give the State more time to work with the federal government to address possible forfeiture of stockwater rights.

MOTION: **Vice Chairman Siddoway** moved to send **H 718** to the floor with a **do pass** recommendation. **Senator Heider** seconded the motion.

DISCUSSION: **Vice Chairman Siddoway** asked Gary Spackman, Director, Idaho Department of Water Resources (IDWR) what he thought the timeline might be for the federal government to respond. **Director Spackman** said there have been numerous discussions about this stockwater legislation. He stated he argued for more flexibility when **H 603** was heard by the House Resource and Conservation Committee. Without flexibility, **Director Spackman** said he could not craft the show cause order that would withstand the judicial challenge. Two of the flexible provisions are: 1.) the removal of the emergency clause and 2.) the granting to the governor the ability to determine when the show cause order is issued. **Director Spackman** stated these provisions will allow the State to move forward cooperatively with the federal agencies.

WRITTEN TESTIMONY: Written testimony was submitted by Bryan Searle, President, Idaho Farm Bureau Federation, in support of **H 718**. The letter states the intent of **H 718** is to ensure that no one is above Idaho law as it pertains to water, including the federal government. This will help clear the way for the legitimate users of the water to apply for and receive stockwater rights in their name on these federally-administered lands.

VOICE VOTE: **Chairman Bair** said a motion had been made and with no further discussion, he asked for a vote on the motion. The motion carried by **voice vote**. **Senator Harris** will be the floor sponsor.

PAGE RECOGNITION: **Chairman Bair** thanked the Committee's Page, Jessie Page, for her assistance to the Committee during this Legislative Session. He presented her with a letter of recommendation, signed by the Committee members, and a monetary gift to be applied to her future education. **Chairman Bair** also presented Jessie with a decorated cake that had a school-room theme, made by Committee secretary, Juanita.

Chairman Bair asked Jessie to briefly describe her thoughts about being a Page. **Jessie** replied the experience has broaden her horizons and given her a new outlook on how the legislative process works. She stated she aspires to become an elementary school teacher or, perhaps, go into public service.

Chairman Bair also recognized Juanita for her dedication to the Committee.

ADJOURNED: There being no further business, **Chairman Bair** adjourned the meeting at 9:20 a.m.

Senator Bair
Chair

Juanita Budell
Secretary