

MINUTES  
**SENATE RESOURCES & ENVIRONMENT COMMITTEE**

**DATE:** Wednesday, February 19, 2020

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

**PLACE:** Room WW55

**MEMBERS PRESENT:** Chairman Heider, Vice Chairman Brackett, Senators Bair, Johnson, Mortimer, Patrick, Stennett, and Jordan

**ABSENT/ EXCUSED:** Senator Guthrie

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

**MINUTES APPROVAL:** **Vice Chairman Brackett** moved to approve the Minutes of February 5, 2020. **Senator Mortimer** seconded the motion. The motion carried by **voice vote**.

**GUBERNATORIAL APPOINTMENT:** **Senator Patrick** moved to send the Gubernatorial appointment of Zachary Mason to the Idaho Outfitters and Guides Licensing Board to the floor with recommendation that he be confirmed by the Senate. **Senator Stennett** seconded the motion. The motion carried by **voice vote**. Senator Stennett will carry the appointment on the floor.

**H 329** Relating to water resources, to authorize director to receive, file, record, or retain documents on media other than paper.

**Shelley Keen**, Water Allocation Bureau Chief, Department of Water Resources (IDWR), introduced himself and discussed that this proposed legislation gives the director of IDWR clear authority to receive and retain official documents on media other than paper. He informed that IDWR customers want to submit records digitally, but IDWR still requires original paper documents for many processes, and they maintain all those records in paper form. IDWR would like to introduce a records management program that includes digital records retention practices and digital filing opportunities, saving time and effort for their customers and staff. He reported that IDWR shared this proposal with the Idaho Water Users Association and received their vote of support.

**MOTION:** **Senator Mortimer** moved to send **H 329** to the floor with a **do pass** recommendation. **Senator Bair** seconded the motion. The motion carried by **voice vote**. Senator Mortimer will carry the bill on the floor.

**H 366** Relating to water, to revise provisions regarding meetings, watermasters, distribution of water, district budgets, and treasurers.

**Tim Luke**, Water Compliance Bureau Chief, IDWR, introduced Rob Whitney, Water Distribution Section Manager, Compliance, IDWR, who worked on the bill amendments and turned the time over to him. **Mr. Whitney** discussed that this bill was regarding water distribution for water resources and its purpose was to propose amendments to Chapter 6, Title 42 of Idaho Code, which provides foundational distribution of water within Idaho by water districts and their watermasters. He specified that this legislation:

- consolidates language, eliminates duplication of sections, and clarifies requirements for counties, related to the collection of water district assessments;
- consolidates the requirements for watermaster reporting into one section;
- authorizes watermasters to estimate the amount of water delivered to water users where actual delivery data is not available for purposes of assessment; and
- amends requirements for water district annual meeting notices.

He assured that no financial impact will result from the amendments since it is limited to clarifying, consolidating, or correcting language in the statute, thereby streamlining the process for water district annual meetings, and reducing some of IDWR's mailing costs. He informed that IDWR worked with the Idaho Water Users Association and the Idaho Association of Counties to review, assist, and refine the original draft.

**DISCUSSION:**

**Senator Mortimer** and **Mr. Whitney** discussed watermasters' compensation, accountability, and existing checks and balances. It was explained that watermasters are accountable to the water users and there is an advisory committee; the IDWR supervises the watermasters, and also reviews their reports, budgets, and expenditures. The treasurer, who assists with the disbursement of funds, would also review watermasters.

**Senator Stennett** and **Mr. Whitney** discussed pages 10, 11, and 12 regarding when commissioners choose a watermaster and a watermaster treasurer. If the district's budget is over \$7,500, a treasurer, who is not the watermaster, will be chosen. **Mr. Whitney** clarified that the watermaster can also serve as the water district's treasurer provided their budget is less than \$7,500, and that the treasurer usually collects all assessments and then disburses expenses, another form of checks and balances for the district. He explained that there are a lot of small districts throughout the state causing a variation, therefore they wanted to provide some latitude for smaller districts.

**MOTION:**

**Senator Mortimer** moved to send **H 366** to the floor with a **do pass** recommendation. **Senator Patrick** seconded the motion. The motion carried by **voice vote**. Senator Patrick will carry the bill on the floor.

**Chairman Heider** acknowledged the BYU Idaho class that was in attendance. Their professor, **Dr. Allan Walburger**, addressed the Committee and discussed that he wanted his students to see firsthand what they are learning in the classroom. Several students came forward and asked questions of the Committee.

**ADJOURNED:**

There being no further business at this time, **Chairman Heider** adjourned the meeting at 2:12 p.m.

---

Senator Heider  
Chair

---

Erin Miller  
Secretary