

MINUTES
SENATE RESOURCES & ENVIRONMENT COMMITTEE

DATE: Monday, January 31, 2022

TIME: 1:30 P.M.

PLACE: Room WW55

MEMBERS PRESENT: Chairman Vick, Vice Chairman Heider, and Senators VanOrden (Bair), Blair (Johnson), Patrick, Guthrie, Burtenshaw, Stennett, and Semmelroth

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

RS 29237 **Relating to the Exchange of State Lands. Senator Mark Harris**, Idaho State Senate Legislative District 32, introduced **RS 29237**. **Senator Harris** explained this proposed legislation clarifies existing authority for Idaho's State Board of Land Commissioners (Land Board) to receive lands with pre-existing encumbrances in land exchanges. It further clarifies responsibilities of the Land Board when contemplating land exchanges with the federal government, and it provides for continuation of existing land uses subsequent to exchanges as approved by the Land Board.

MOTION: **Vice Chairman Heider** moved that **RS 29237** be sent to print. **Senator Blair** seconded the motion. The motion carried by **voice vote**.

RS 29238 **Relating to the Taylor Grazing Act. Senator Mark Harris** introduced **RS 29238**. **Senator Harris** explained this legislation amends existing law to revise provisions regarding grazing preference rights to clarify that grazing preferences can be compensated as the taking of real property.

MOTION: **Senator Patrick** moved that **RS 29238** be sent to print. **Senator VanOrden** seconded the motion. The motion carried by **voice vote**.

PASSED THE GAVEL: Chairman Vick then passed the gavel to Vice Chairman Heider.

DOCKET NO. 15-0301-2100 **Idaho Forest Products Commission Notice of Omnibus Rulemaking. Jennifer Okerland**, Director of the Idaho Forest Products Commission presented **Docket No. 15-0301-2100**, which is the sole chapter for her agency. Ms. Okerland reported the Idaho Forest Products Commission worked with DFM (Department of Financial Management) to identify duplicative language or language that was unnecessary, but they did not change any fees, and nothing has changed in this Docket since last seen and approved by the Committee.

DISCUSSION: Motion was made and then withdrawn after discussion regarding the Docket No. **Ms. Okerland** clarified that this is a fee rule. Vote will be postponed and made when correct **Docket No. 15-0301-2100F** is on the agenda.

**DOCKET NO.
26-0000-2100**

Department of Parks and Recreation Notice of Omnibus Rulemaking - Proposed Rule. **Susan Buxton**, Director of the Department of Parks and Recreation (IDPR) presented **Docket No. 26-0000-2100**. Ms. Buxton provided a handout titled, "IDPR Combined Rules with Edits". (Attachment 1) **Ms. Buxton** explained rulemaking focused on revisions to rules governing the administration of the state and federal grant funds provided by IDPR and to Rules Governing the Administration of the Land and Water Conservation Fund Program. The area receiving the most comments, and most significant rule change, was the Waterways Improvement Fund (WIF) grant limit. The prior rule stated a total sum of WIF grant funds approved to be used in any one county may not exceed thirty percent of the total WIF grant funds approved to be used statewide in any fiscal year. This cap was increased to 50 percent. In addition, all boating rules were moved from rule to statute. This move will be completed by legislation currently in the House.

DISCUSSION:

Chairman Vick referred to page 71 of Attachment 1 and 26.01.31.10.08 and questioned the definition of Director as noted in the revised rule. A discussion ensued regarding approving this rule, while rejecting the section with the erroneous language.

MOTION:

Chairman Vick moved to approve **Docket No. 26-0000-2100** with the exception of 26.01.31.10.08 10. **Senator Stennett** seconded the motion. The motion carried by **voice vote**.

**DOCKET NO.
26-0000-2100F**

Department of Parks and Recreation Notice of Omnibus Rulemaking (Fee) Rule - Proposed Rule. **Susan Buxton**, then reviewed changes to **Docket No. 26-0000-2100F**. **Ms. Buxton** reported that there are no fee changes since those that were approved last year. The only changes made were to 26.01.33, Rules Governing the Administration of the Land and Water Conservation Fund Program, including changes as already mentioned, with additional changes to conform with federal guidelines and remove redundancy.

MOTION:

Senator VanOrden moved to approve **Docket No. 26-0000-2100F**. **Senator Stennett** seconded the motion. The motion carried by **voice vote**.

**PASSED THE
GAVEL:**

Vice Chairman Heider passed the gavel to Chairman Vick.

ADJOURNED:

There being no further business as this time, **Chairman Vick** adjourned the meeting at 2:02 p.m.

Senator Vick
Chair

Shelly Johnson
Secretary