

MINUTES  
**SENATE RESOURCES & ENVIRONMENT COMMITTEE**

**DATE:** Wednesday, March 12, 2025

**TIME:** 1:00 P.M.

**PLACE:** Room WW55

**MEMBERS PRESENT:** Chairman Burtenshaw, Vice Chairman Hart, Senators Guthrie, Harris, Okuniewicz, Cook, VanOrden, and Taylor

**ABSENT/ EXCUSED:** Senator Kohl

**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 Burtenshaw** called the meeting of the Senate Resources and Environment Committee (Committee) to order at 1:00 p.m.

**H 194** **WATER - Amends existing law to revise provisions regarding water districts and assessments. Representative Mickelsen** explained this legislation amended Idaho Code § 42-5249 to fix two issues. First, it authorized ground water districts to create additional divisions when annexing new lands into the district, so that all areas were represented. Second, it revised ground water district assessment lien dates from January 1 to February 1, and delinquency deadlines from January 15 to February 15. This allowed groundwater districts time to send out invoices, customers time to return their payments, and treasurers time to file liens on delinquent assessments.

**MOTION:** **Senator Guthrie** moved to send **H 194** to the floor with a **do pass** recommendation. **Senator Taylor** seconded the motion. The motion carried by **voice vote**.

**HJM 6** **EQUAL ACCESS TO JUSTICE ACT - States findings of the Legislature and calls on Congress to amend the Equal Access to Justice Act. Representative Sauter** explained this legislation asked the U.S. House of Representatives and the U.S. Senate to re-evaluate the effectiveness of the Equal Access to Justice Act (EAJA). He reviewed the initial purpose of the EAJA, which was to provide legal reimbursement for plaintiffs that prevailed in lawsuits against the federal government for violating or misinterpreting federal laws or regulations. He reviewed how the original purpose of the EAJA had changed and how the EAJA was now used to keep projects stalled in court over natural resource or environmental issues. The result was businesses in his district were not initiating projects.

**TESTIMONY:** **Representative Mickelsen** testified in support of **HJM 6**. She shared her personal experience applying for EAJA funds, which she never received. She believed EAJA had become a waste of taxpayer dollars because it was not used the way it was intended.

**MOTION:** **Senator Guthrie** moved to send **HJM 6** to the floor with a **do pass** recommendation. **Senator Cook** seconded the motion. The motion carried by **voice vote**.

**ADJOURNED:** There being no further business at this time, **Chairman Burtenshaw** adjourned the meeting at 1:07 p.m.

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Senator Burtenshaw  
Chair

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Shelly Johnson  
Secretary