

MINUTES

RESOURCES AND CONSERVATION COMMITTEE

March 13, 1986

TIME: 3:40 p.m. -
PLACE: Room 412 - Statehouse
PRESENT: All members present except:
ABSENT: Representative Crozier
GUESTS: Stan Hamilton and Fred Kisabeth, Department of Lands, Ken Dunn, Department of Water Resources, Ken Norrie, Fish and Game, Sherl Chapman, Idaho Water Users Association, Stan Boyd, Idaho Wood Growers, Dave Bivens, Idaho Farm Bureau, and Senator Michael Crapo.
ACTION: Representative Stucki moved and Representative Wood seconded that the minutes of the March 11, 1986, meeting be approved.
MOTION PASSED.

RS 1281: RELATING TO TERMS OF SALE OF STATE LANDS; TO PROVIDE THAT PAYMENT TERMS ON SALES OF STATE LANDS BE CASH ON THE DAY OF SALE UNLESS OTHERWISE PROVIDED BY THE STATE BOARD OF LAND COMMISSIONERS AND TO PROVIDE PARAMETERS FOR INSTALLMENT SALES; AND REPEALING SECTION RELATING TO STUMP LANDS.

Mr. Stan Hamilton explained that this legislation would provide for the State Land Board to establish a policy for the different categories of land that are for sale. Cash payment, by the purchaser, on the day of sale would be expected. The board may sell state lands on instalments with the down payment, number of instalments and interest deferred to be set by the Board. The down payment could not be less than 10% of the purchase price or the number of annual payments greater than 20. Mr. Hamilton said that currently land sales are not made for cash but they are done on a term basis and when the sale involves a small parcel of land and/or a small amount of money, this procedure is costly to the Department. He stated that there have been some problems in the past in collection of monies and that there are many requests for extensions. The Department would like to see 10-year structured instalments rather than the 20 year plan now in effect.

MOTION: Representative Edwards moved and Representative Little seconded that RS 1281 be sent to the floor with a "Do Pass" recommendation.

MOTION CARRIED. Representative Little will sponsor.

S 1358aa: RELATING TO TRUST WATERS ON THE SNAKE RIVER ESTABLISHED PURSUANT TO AGREEMENT; TO PROVIDE THAT A USER OF WATER FOR POWER PURPOSES SUBORDINATED BY AN AGREEMENT OR BY A PERMIT ISSUED AFTER 7/1/85, OR BY A LICENSE ISSUED AFTER 7/1/85, MAY CONTINUE USING THE WATER PENDING APPROVAL OF DEPLETIONARY FUTURE BENEFICIAL USES, TO CLARIFY APPLICATION TO CERTAIN WATERS OF THE SNAKE RIVER ON A SURFACE OR GROUND WATER TRIBUTARY UPSTREAM FROM MILNER DAM & DOWNSTREAM FROM MILNER DAM REGARDING THE DETERMINATION AND ADMINISTRATION OF RIGHTS TO THE USE OF CERTAIN WATERS OF THE SNAKE RIVER; TO PROVIDE THAT THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES SHALL REVIEW ALL PERMITS ISSUED PRIOR TO 7/1/85; TO CLARIFY LANGUAGE AND TO PROVIDE CORRECT CITATIONS.

Senator Crapo explained that this legislation is to clarify language in all Sections regarding minimum stream flows, ground water and tributary waters upstream and downstream from Milner Dam, actions the Director may take to review permits relating to trust waters, etc.

Sherl Chapman told the Committee of his group's support of this legislation.

MOTION: Representative Wood moved and Representative Winchester seconded that S 1358aa be sent to the floor with a "Do Pass" recommendation.

MOTION PASSED. Representative Wood will sponsor.

S 1282: RELATING TO DISPOSAL OF SURPLUS REAL PROPERTY BY THE STATE BOARD OF LAND COMMISSIONERS; TO PROVIDE FOR NOTICE OF THE PROPERTY SALE TO BE ADVERTISED IN A NEWSPAPER PUBLISHED IN THE COUNTY WHERE THE PROPERTY IS LOCATED FOR FOUR CONSECUTIVE WEEKS & TO STRIKE THE REQUIREMENT THAT NOTICE MUST ALSO BE PROVIDED IN A NEWSPAPER PUBLISHED IN BOISE.

Mr. Hamilton explained that this legislation reduces from 6 to 4 the number of weeks property must be advertised for sale. It also removes the requirement that the advertisement be published in the City of Boise. A \$300.00 savings per parcel advertised is expected by the Department.

MOTION: Representative Winchester moved and Representative Edwards seconded that S 1282 be sent to the floor with a "Do Pass" recommendation.

MOTION PASSED. Representative Echohawk will sponsor.

S 1283: RELATING TO THE APPRAISEMENT OF STATE LANDS AND TIMBER THEREON; TO ELIMINATE THE APPRAISEMENT FEE OF TWENTY CENTS PER ACRE FOR TIMBER, TO PROVIDE THAT THE APPRAISEMENT FEE FOR STATE LANDS MAY BE THE ACTUAL COST OF THE APPRAISAL AND TO ELIMINATE THE APPRAISEMENT FEE OF FIVE CENTS PER ACRE FOR LAND.

Mr. Hamilton explained that this legislation deals with appraisal costs and eliminates fees that are outdated. Several years ago JFAC instructed the Department to create a special fund for appraisals, charge the actual amount for appraisals, and keep the fund revolving. This legislation will cover the actions currently being taken by the Department.

MOTION: Representative Sutton moved and Representative Stucki seconded that S 1283 be sent to the floor with a "Do Pass" recommendation.

MOTION PASSED. Representative Sutton will sponsor.

S 1284: RELATING TO MINERAL RIGHTS IN STATE LANDS, TO PROVIDE THAT THE BOARD OF LAND COMMISSIONERS CAN WITHDRAW STATE LANDS UNDER THEIR CONTROL & JURISDICTION FROM MINERAL ENTRY.

Representative Wood requested that this bill be held in Committee until next week and the request was met without objection.

H 464: RELATING TO MEMBERSHIP OF THE IDAHO FISH & GAME COMMISSION; TO REQUIRE THAT NOT LATER THAN 1989, NO LESS THAN TWO MEMBERS OF THE FISH & GAME COMMISSION SHALL BE INDIVIDUALS WHOSE PRINCIPAL OCCUPATION IS AN AGRICULTURAL PURSUIT.

Representative Jones told the Committee he feels this legislation would allow for more cooperation between the Commission and landowners if the farmers and ranchers had more voice on the Board. Dave Bivens and Stan Boyd also spoke in favor of this bill stating the great deal of work that landowners do to support wildlife and the Commission.

Ken Norris stated that the Fish and Game Department has problems with the bill and feels that it may set a precedent for special interest groups. He continued that the agriculture industry has always been represented on the Commission by membership.

MOTION: Representative Little moved and Representative Jones seconded that H 464 be sent to the floor with a "Do Pass" recommendation.

SUBSTITUTE MOTION: Representative Haagensohn moved and Representative Edwards seconded that H 464 be held in Committee.

MOTION FAILED.

ORIGINAL MOTION: Moved and seconded that H 464 be sent to the floor with a "Do Pass" recommendation.

MOTION CARRIED.

There being no further business before the Committee, the meeting adjourned at 5 p.m.

J. Wood (Chairman) Linda Johnson