

AGENDA  
HOUSE WAYS AND MEANS COMMITTEE  
8:30 a.m.  
Room 311  
Monday, March 13, 2006

BILL NO.	DESCRIPTION	SPONSOR
RS 15985C1	Ground water recharge	Rep. Raybould
RS 16240	Salaries for judges	Rep. D. Field

COMMITTEE MEMBERS:

Chairman Jim Clark  
Rep Lawrence Denney  
Rep Mike Moyle  
Rep Julie Ellsworth

Rep Wendy Jaquet  
Rep George Saylor  
Rep Elmer Martinez

MINUTES

HOUSE WAYS AND MEANS COMMITTEE

DATE: March 13, 2006

TIME: 8:30 a.m.

PLACE: Room 311

MEMBERS: Chairman Clark, Representatives Denney, Moyle, Ellsworth, Jaquet, Saylor, Martinez

ABSENT/  
EXCUSED:

GUESTS: See attached sheet.

Chairman Clark called the meeting to order at 8:30 a.m. Rep. Saylor made a motion to accept the minutes of March 8, 2006. By voice vote, the motion passed.

**RS 15895C1:** Rep. Raybould reminded the committee that for two years an interim committee has been working on water issues, and, in particular, how to provide for recharge of the Eastern Snake Plain Aquifer. In the 1984 Swan Falls Agreement, Idaho Power agreed to subordinate its upstream hydropower water rights above the rights granted in the agreement at the Murphy gauge, to all upstream water rights in place at that time. In addition, any unappropriated water above Swan Falls was granted to the State to be held in trust for subsequent beneficial upstream uses. Legislation dealing with additional hydropower water rights for private utilities, making water used for recharge of the aquifers secondary to the hydropower rights, was passed in 1994. This legislation put in question whether water for recharge would be available when needed. Because of this question, Speaker Newcomb asked for an Attorney General's opinion as to the effect the Swan Falls Agreement had on the subsequent 1994 legislation. In response to that Attorney General's opinion, this legislation was prepared. **RS 15985C1** removes language from the 1994 legislation so no question would be permitted by statute limiting the State's authority to designate uses for the trust water provided by the Swan Falls Agreement. The legislation reaffirms the terms of the Swan Falls Agreement and does not affect the rights of the Idaho Power Company provided by the Swan Falls Agreement.

**MOTION:** Rep. Denney made a motion to introduce **RS 15985C1** and refer it to the Resources and Conservation Committee. By voice vote, the motion passed.

**RS 16240:** Patti Tobias, Idaho Supreme Court, stated that after review of data and Joint Finance and Appropriations Committee's (JFAC) actions on other state employees' salaries, Rep. Debbie Field and Sen. Darrington proposed this bill. Rep. Moyle pointed out that other state employees were receiving 3%. Ms. Tobias explained that this legislation was based on similar action being considered by JFAC for a special classification of state employees targeted for an additional 3% increase. Judges should


be in this special classification and given consideration because their salaries are far below market value. Rep. Moyle questioned why the Statement of Purpose (SOP) didn't show a total of 6% instead of 3% plus 3%. Ms. Tobias responded stating that the overall compensation addresses recruitment, retention and market demand and moves to a more market-based system. Chairman Clark asked why this legislation was using a multiple year request rather than one year at a time; the accepted approach. Ms. Tobias responded the RS showed a multiple year approach in order to bring the judges' salaries in line with the market. She mentioned that other state constitutional officers' and commissioners' salaries were handled by multiple years. Rep. Ellsworth agreed that constitutional officers were increased by multiple years, but that **HB 795** adjusted commissioners' salaries for one year.

**MOTION:**

Rep. Moyle made a motion to introduce **RS 16420** and refer it to the Judiciary and Rules Committee with a change to the SOP to reflect increases per year. He stated he didn't want to see a precedent set where salary requests were made on a multiple year basis. By voice vote, the motion passed.

**ADJOURN:**

There being no further business to come before the committee, Chairman Clark adjourned the meeting at 8:45 a.m.

  
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Representative Jim Clark  
Chairman

  
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Susan Frieders  
Secretary

