

MINUTES OF THE HOUSE COMMITTEE ON AGRICULTURE.

The meeting was called to order by Chairman Dan Johnson at 1:30 p.m. on April 10, 2002, in Room 423-S of the Capitol.

All members were present except: Representative Faber - excused  
Representative Flora - excused  
Representative Freeborn - excused  
Representative Hutchins - excused  
Representative Miller - excused  
Representative O'Brien - excused  
Representative Schwartz - excused  
Representative Showalter - excused

Committee staff present: Raney Gilliland, Legislative Research Department  
Gordon Self, Revisor of Statutes  
Kay Scarlett, Committee Secretary

Conferees appearing before the committee:

Others attending: See attached list

**Discussion and action on SB 436 - Fees and inspections of dams, levees, and other water obstructions.**

Chairman Johnson opened the hearing on **SB 436**.

Raney Gilliland explained the technical amendments proposed by the Revisor at the April 4<sup>th</sup> meeting that would renumber certain sections of the bill. (April 4, 2002, Attachment 7) Representative Feuerborn moved to make the necessary technical changes. Seconded by Representative Dahl, the motion carried.

Representative Thimesch moved to amend **SB 436** to require the Secretary of Agriculture and the Chief Engineer to evaluate the strengths and weaknesses of a watershed approach to the permitting of proposed dams and other stream obstructions with regard to clarifying the program's obligations to upstream and downstream landowners and make recommendations to the Legislature on or before January 1, 2003. Such evaluation and report shall include a review of the permit procedure; consultation with counties, cities and other stakeholders; and at least two public hearings. (Attachment 1) Representative Larkin seconded the motion. The motion carried.

Representative Thimesch moved to amend **SB 436** on page 5, lines 3-18, by tripling the "Construction in Progress" fees. Seconded by Representative Larkin, the motion failed.

Representative Thimesch, seconded by Representative Larkin, moved to amend **SB 436** on page 5, lines 3-18, by doubling the "Construction in Progress" fees. The motion failed.

Chairman Johnson, on behalf of Representative Schwartz, moved to amend **SB 436** on page 3, line 31, by deleting ",waste water or other liquids" Seconded by Representative Dahl, the motion failed.

Representative Ostmeyer moved to recommend **SB 436**, as amended, favorable for passage. Seconded by Representative Thimesch, the motion carried.

The meeting adjourned at 2:22 p.m. No further meetings of the House Agriculture Committee are scheduled for the 2002 Legislative Session.