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Legislative Reports 2007

Legislature Adjourns "Sine Die" March 30th

Conflict, controversy and contentiousness delayed the projected end of this legislative session by a week, something of a surprise in a session otherwise noticeably lacking in such drama. A new governor, new House leadership, and new legislators moved steadily and in workmanlike fashion to address what were mainly housekeeping issues.

Earlier in the session, the Idaho Supreme Court's anticipated ruling lent a certain amount of suspense. Once that ruling was announced, water interests turned away from the legislative session to focus more on the Idaho Water Resource Board, its newly appointed Eastern Snake Plain Advisory Committee, the Governor's Water Summit, and A&B Irrigation District's recent water call.

Governor Otter's Water Summit is scheduled for April 17th in Burley at the Burley Best Western. The one-day summit brings together ground surface and spring users representing the Eastern Snake Plain along with Idaho's other major aquifer systems.

A&B's water delivery call is a continuation of their 1994 delivery call. IGWA is closely monitoring Idaho Department of Water Resource's as it implements its administrative process in light of the recent Supreme Court ruling. For more information about these and other up-coming water and energy issues, the Water Summit, Natural Resource and Energy Interim Committees, and other up-coming water and energy issues, please visit our website at www.idahowaterpolicygroup.org.

For an in-depth overview of this session, watch for Legislative Service's 2007 Sine Die Report, a comprehensive legislative summary, to be posted at www.legislature.idaho.gov.

HOUSE & SENATE—Water**H0085aaS IRRIGATION FACILITIES - Amended—LAW Chapter 136 Effective: 07/01/07****H0086 IRRIGATION DISTRICTS - LAW Session Law Chapter 160 Effective: 07/01/07****H0087 IRRIGATION DISTRICTS - LAW Session Law Chapter 161 Effective: 07/01/07****H0099aa PETROLEUM CLEAN WATER TRUST FUND - Amended—LAW****House: 3/5 PASSED 51-17-2****Senate: 3/19 PASSED 28-3-4****3/27 Governor signed Session Law Chapter 194 Effective: 07/01/07****H0153 WATER AND SEWER DISTRICTS - House Local Government****H0170 WATER RIGHTS—LAW** Amends existing law relating to the adjudication of water rights to revise provisions relating to the truth and accuracy of statements contained in notice of claim or amended notice of claim.**House: 2/22 PASSED 66-2-2****Senate: 3/19 PASSED 32-0-3****3/26 Governor signed Session Law Chapter 187 Effective: 07/01/07****H0230 GEOTHERMAL RESOURCES—LAW** Amends existing law relating to geothermal resources to revise filing fee provisions; to revise procedures relating to the processing of applications and investigations; to revise requirements relating to the provision of good and sufficient security; and to authorize the director to accept a comprehensive security.**House: 3/2 PASSED 66-0-4****Senate: 3/19 PASSED 32-0-3****3/26 Governor signed Session Law Chapter 189 Effective: 03/26/07****H0241 WATER DISTRICTS—LAW** To revise water district expense provisions relating to costs of the Department of Water Resources for administration of certain water rights & provide for an appropriation request. This legislation addresses concerns about equitably assessing water administration in the various water districts of the conjunctively managed water connected to the ESPA. The Director of the Department of Water Resources, in consultation with an advisory committee from various water users, can establish a factor to apportion the Department's costs between surface, groundwater, consumptive and non-consumptive diversions. In addition, it provides for an IDWR general fund appropriation request to account for water uses not presently subject to water district assessments. The fiscal impact for compensation of the other uses could be \$287,500 for fiscal year 2008.**House: 3/6 PASSED - 63-3-4****Senate: 3/19 PASSED - 32-0-3****3/27 Governor signed Session Law Chapter 204 Effective: 07/01/07****H0290 WATER RESOURCES DEPARTMENT - House Referred to the Natural Resource Interim Committee****HCR012 NATURAL RESOURCE ISSUES - STUDY ADOPTED****HCR028 AQUIFER MANAGEMENT PLAN ADOPTED****S1100 WATER TREATMENT - Expected to be referred to Environmental Common Sense Committee this summer****S1101 WATER QUALITY - Expected to be referred to Environmental Common Sense Committee this summer****S1136 aa WOOD RIVER - MINIMUM STREAM FLOW—LAW** Adds to existing law to provide for minimum stream flow water rights in designated areas of the Big Wood River and the Little Wood River; to provide for certain donated water rights; to provide for a local committee; and to provide for the collection of water district expenses.**Senate: 3/9 PASSED 35-0-0****House: 3/20 PASSED - 68-0-2****3/29 Governor signed Session Law Chapter 262 Effective: 07/01/08 with specifics for local board; 12/31/12 Sunset Clause**

HOUSE—Energy**H0014 MOTOR FUELS - TAXATION - BIODIESEL—LAW** Session Law Chapter 37 Effective: 07/01/07**H0030 CITIES - ELECTRIC GENERATION - LAW** Session Law Chapter 28 Effective: 02/23/07**H0032aaS ENERGY RESOURCES AUTHORITY—LAW** Session Law Chapter 107 Effective: 03/20/07**H0109 LIQUEFIED PETROLEUM GAS—LAW** Relating to the Idaho Liquefied Petroleum Gas Public Safety Act to require a liquefied petroleum gas facility to have a certificate issued by an insurance company authorized to do business in Idaho as proof that a general liability policy of a specified sum is in effect; and to revise terminology.**House:** 2/27 PASSED - 64-0-6**Senate:** 3/20 PASSED - 33-0-2

3/27 Governor signed Session Law Chapter 198 Effective: 07/01/07

H0130aaS STATE LANDS—LAW— Session Law Chapter 138 Effective: 07/01/07 Replaced H0065**H0137 BUILDING CODES—LAW** To provide a date change regarding various building codes; and to provide for adoption of the 2006 International Residential Energy Conservation Code published by the International Code Council.**House:** 2/28 PASSED - 70-0-0**Senate:** 3/16 PASSED - 35-0-0

3/26 Governor signed Session Law Chapter 184 Effective: 07/01/07

H0149 RENEWABLE FUEL House Transportation**H0150 ALTERNATIVE FUEL—LAW** Adds to existing law to provide the Rural Idaho Economic Development Bio-fuels Infrastructure Matching Grant Fund; and to provide procedures for approving grant applications.**House:** 2/28 PASSED - 69-1-0**Senate:** 3/16 PASSED 33-0-2

3/26 Governor signed Session Law Chapter 185 Effective: 07/01/07; 07/01/12 Sunset clause

H0151 ALTERNATIVE FUEL - House Transportation**H0152 ELECTRICITY TRANSMISSION—LAW** Adds to and amends existing law to provide authority of the Public Utilities Commission regarding siting of electric transmission facilities in a National Interest Electric Transmission Corridor within Idaho. **House:** 2/22 PASSED - 67-0-3**Senate:** 3/19 PASSED - 32-0-3

3/26 Governor signed Session Law Chapter 186 Effective: 03/26/07

H0154 ENERGY FACILITIES—LAW Adds to existing law to provide that a city or county may request advice from state agencies regarding an energy facility; to provide state department responsibilities; to provide for consideration of an application; to provide prohibited factors for consideration; and to provide for public hearings and comments.**House:** 2/28 PASSED - 51-19-0**Senate:** 3/15 PASSED - 24-9-2

3/23 Governor signed Session Law Chapter 164 Effective: 07/01/07

H0156 OILSEED RESEARCH AND DEVELOPMENT -LAW Session Law Chapter 60 Effective: 07/01/07**H0169 HIGH-PERFORMANCE PUBLIC BUILDINGS -** House Environment, Energy & Technology**H0189 WIND ENERGY—** LAW Session Law Chapter 143 Effective: 01/01/07**H0209 PUBLIC UTILITIES COMMISSION -** House State Affairs**H0230 GEOTHERMAL RESOURCES** 3/26 Governor signed Session Law Chapter 189 Effective: 03/26/07**H0333 BIOFUELS -** Adds to existing law relating to biofuels to require that certain franchise agreements comply with specific federal law; to provide that certain supply agreements and contracts shall be null and void; to provide exceptions to applicability and to clarify application of provisions; to provide for violations and penalties; and to provide that the attorney general and specified prosecutors shall render assistance in executing provisions and prosecuting cases.**House:** 3/28 Introduce/Print/Ways & Means

HOUSE & SENATE—Energy cont'd**HCR013 IDAHO ENERGY PLAN ADOPTED****HCR014 FOSSIL FUEL DEPENDENCE** - Returned to Environment, Energy & Technology**HCR025 ENERGY, ENVIRONMENT AND TECHNOLOGY INTERIM COMMITTEE ADOPTED****HCR027 WOODY BIOMASS - STUDY ADOPTED****S1041 ENERGY FACILITY SITING** Withdrawn by sponsor (Stennett)**S1112 GASOHOL - BIODIESEL** - Senate Transportation**SJM107 GLOBAL NUCLEAR ENERGY PARTNERSHIP ADOPTED****OF OTHER INTEREST****H0261 INCOME TAX CREDIT** - Adds to existing law to provide an income tax credit for technology investment & criteria to be eligible for the credit. *Bioscience Tax Incentive*. **House** Revenue & Taxation**H0262 LAND CONSERVATION** - Adds to existing law to provide an individual and corporate income tax credit for voluntary conservation of ranch, farm and forest land. **House** Revenue & Taxation**H0265 SALES TAX EXEMPTION - POLLUTION CONTROL EQUIPMENT** - Amends existing law to revise provisions applicable to the sales tax exemption for pollution control equipment used to meet air or water quality standards. **House: 3/9 PASSED- 62-0-8** **Senate: 3/21 PASSED - 34-1-0** **3/26 To Governor****S1148 ENVIRONMENTAL MONITORING STATIONS— LAW-** Session Law Chapter 83 Effective: 07/01/07**APPROPRIATIONS****H0236 PUBLIC UTILITIES COMMISSION - LAW** Session Law Chapter 82 Effective: 07/01/07**H0284 AGRICULTURAL RESEARCH/COOPERATIVE EXTENSION PROGRAM** -Appropriates \$32,687,600 to the Board of Regents of the University of Idaho for the Agricultural Research and Cooperative Extension Service Program for fiscal year 2008; and reappropriates unexpended and unencumbered fund balances. **House: 3/12 PASSED - 68-0-2** **Senate: 3/19 PASSED - 32-0-3**
3/27 Governor signed Session Law Chapter 209 Effective: 07/01/07**H0316 WATER RESOURCES DEPARTMENT** - appropriates an additional \$690,000 to the Department of Water Resources for the Energy Resources Program for fiscal year 2008 through fiscal year 2009.**House: 3/16 Rules suspended PASSED - 67-0-3** **Senate: 3/22 PASSED - 35-0-0** **3/26 To Governor****H0317 WATER RESOURCES DEPARTMENT** - Appropriates an additional \$557,000 to the Department of Water Resources for the Water Management Program for fiscal year 2008.**House: 3/16 PASSED - 65-0-5** **Senate: 3/22 PASSED - 35-0-0** **3/26 To Governor****H0320 WATER MANAGEMENT FUND** - Directs the transfer of \$849,936.99 to the Water Management Fund and provides intent regarding use of the moneys.**House: 3/16 Rules suspended PASSED 65-0-5** **Senate: 3/22 PASSED - 35-0-0** **3/26 To Governor**

H0330 APPROPRIATION - States findings of the Legislature regarding certain economic issues; states findings regarding certain correctional populations; states findings regarding the federal Craig-Wyden bill; authorizes the transfer of \$60,000,000 to the Economic Recovery Reserve Fund; appropriates an additional \$15,000,000 to the Department of Commerce for July 1, 2007, through December 31, 2007, and provides for expenditure of the funds; appropriates an additional \$3,500,000 to the Educational Support Program/Division of Operations for fiscal year 2008 and directs the Superintendent of Public Instruction regarding the expenditure of the funds.

House: 3/28 Introduce/Print to 2nd reading 3/29 2nd to 3rd reading Rules suspended **PASSED 52-12-6**

Senate: 3//29 Introduce/Finance 3/30 Report out with "Do Pass" Rules suspended **PASSED 25-7-3**

3/30 Speaker signed/President signed

S1189—PUC SALARIES—LAW Session Law Chapter 121 Effective: 07/01/07

S1205 WATER RESOURCES DEPARTMENT - Appropriates \$25,538,600 to the Department of Water Resources for fiscal year 2008; limits the number of full-time equivalent positions to 189; directs the distribution of the funding for employee compensation; directs the allocation of salary savings; and provides legislative intent regarding the Northern Idaho adjudication. **Senate:** 3/20 **PASSED - 32-1-2** **House:** 3/21 **PASSED 62-5-3**

3/26 To Governor

S1206 DEPARTMENT OF ENVIRONMENTAL QUALITY—LAW Appropriates \$60,850,400 to the Department of Environmental Quality for fiscal year 2008; limits the number of full-time equivalent positions to 378.55; directs the transfer of funds to the Environmental Remediation Fund; provides intent regarding remediation of the Coeur d'Alene Basin; provides intent regarding the Water Pollution Control Fund; directs the distribution of the funding for employee compensation; directs the allocation of salary savings; and provides for a transfer of funds to the Idaho Community Reinvestment Pilot Initiative Fund. **Senate:**

3/16 **PASSED - 35-0-0** **House:** 3/20 Rules suspended **PASSED - 62-5-3**

3/29 Governor signed Session Law Chapter 265 Effective: 07/01/07

S1207 AGRICULTURE DEPARTMENT—LAW Appropriates \$41,774,100 to the Department of Agriculture for fiscal year 2008; limits the number of full-time equivalent positions to 207.60; directs the distribution of funding for employee compensation; directs the allocation of salary savings; and reappropriates certain unexpended and unencumbered fund balances. **Senate:**

3/16 **PASSED - 35-0-0** **House:** 3/20 Rules suspended **PASSED - 66-1-3**

3/29 Governor signed Session Law Chapter 266 Effective: 07/01/07