

1109 W. Main, Suite 300
P.O. Box 2624
Boise, ID 83701-2624

Phone: 208 381-0294
Fax: 208 381-5272

Email: [lynnominaga@
Hotmail.com](mailto:lynnominaga@Hotmail.com)
[btominaga@
idahowaterpolicygroup.org](mailto:btominaga@idahowaterpolicygroup.org)

April 20, 2009

Special points of interest:

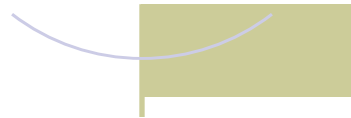
**Some Federal Stimulus
Dollars Earmarked for
CAMP**

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Legislative Reports 2009



VETOES PROLONG SESSION

The second longest session on record just got longer. Governor Otter called a press conference this morning to veto two bills: H161 and 245. The vetoes were meant to send a message to the Legislature regarding transportation. In case there was any doubt as to his intentions to hold their feet to the proverbial fire, more vetoes followed later in the day. The most recent vetoes were appropriation bills. The legislature cannot leave town without setting a balanced budget.

Otter has made it abundantly clear that he wants to raise money to ensure that Idaho's roads are maintained and improved. He believes transportation is key to Idaho's current and future economic well-being. In a move similar to Kempthorne's in 2003, he could continue to exercise his veto power until he and legislative leaders resolve the impasse.

In the event that legislative leaders opted to override the veto, balance the budget, and adjourn, he also made it clear that he would call them immediately in a special session.

On the brighter side, some of Idaho's federal stimulus dollars has been earmarked to fund CAMP next year. Legislative leaders have agreed to reserve \$7.9 million for the CAMP process and other projects.

April 20-24, 2009

Monday: April 20

Tuesday, April 21
IDEQ Board, Boise, 9 a.m.

Wednesday: April 22

Thursday: April 23

Friday: April 24

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WATER—HOUSE

H033 2/25 Returned to Ag Affairs

H0210 Replaced by H0264

H0264 COMPREHENSIVE AQUIFER MANAGEMENT PLAN

Adds to existing law to provide that the Comprehensive Aquifer Management Plan for the Eastern Snake Plain Aquifer is approved as a component of the Comprehensive State Water Plan; to provide that the Idaho Water Resource Board shall prepare and submit a funding mechanism to the Legislature for approval; to provide criteria related to the funding mechanism; and to provide that implementation of Phase I of the plan is subject to legislative approval of a funding mechanism.

**HOUSE: 3/27 Rules Suspended PASSED 66-0-4 SENATE: 4/13
PASSED 35-0-0 41/17 To Governor**

S1002 Held

S1096 PROCUREMENT Amends existing law relating to procurement requirements to provide an exception to certain procurement requirements for the procurement of used personal property by irrigation districts and their boards of control. (Competitive bidding)

SENATE: 3/2 PASSED 25-7-3 HOUSE: 4/8 PASSED 67-0-3 4/13 To Governor

S1162 DOMESTIC WATER SYSTEMS - 4/10 Held at Desk

S1167 WATER RESOURCE BOARD - Amends existing law relating to water to provide that project proposals relating to the diversion of certain natural flow water for specified managed recharge projects must be submitted to the Water Resource Board for approval or disapproval. **SENATE: 3/27 Introduce/Print 3/30 Resource & Environment 4/2 Report out "Do Pass" 4/3 2nd to 3rd reading 4/9 PASSED 35-0-0**

HOUSE: 4/10 Introduce/Resource & Conservation 4/14 Report out "Do Pass" to 2nd reading 4/15 2nd to 3rd reading 4/16 PASSED 67-0-3

Contact: Senator Geddes

Fiscal Note: None to general fund

<http://www.legislature.idaho.gov/legislation/2009/S1167Bookmark.htm>

S1168 Replaced by S1185

S1169 PUBLIC UTILITIES COMMISSION - SWAN FALLS AGREEMENT - WATER RIGHTS - Adds to existing law relating to the Idaho Public Utilities Commission and electric utility water rights to provide that the Public Utilities Commission shall have no jurisdiction to consider certain issues and shall accept as reasonable and in the public interest for all purposes Article II of the Framework Reaffirming the Swan Falls Settlement in any proceedings before the Commission; and to provide that implementation of provisions of Article II of the Framework Reaffirming the Swan Falls Settlement shall not constitute a sale, assignment, conveyance or transfer as specified. **SENATE: 3/27 Introduce/Print 3/30 Resource & Environment 4/2 Report out "Do Pass" 4/3 2nd to 3rd reading 4/9 PASSED 35-0-0**

HOUSE: 4/10 Introduce/Resource & Conservation 4/14 Report out "Do Pass" to 2nd reading 4/15 3rd reading 4/16 PASSED 66-0-4

Contact: Senator Geddes

Fiscal Note: None to general fund

<http://www.legislature.idaho.gov/legislation/2009/S1169Bookmark.htm>

S1185 GROUND WATER RECHARGE Amends and repeals existing law relating to ground water recharge to authorize the Director of the Department of Water Resources to issue certain permits and licenses; to provide for the regulation and reduction of the amount of water authorized to be diverted for recharge purposes; to provide that the director may fix a term of years in certain permits or licenses during which the amount of water authorized to be diverted shall not be reduced; to authorize the director to approve, disapprove or require alterations in methods employed to achieve ground water recharge; and to provide that the director shall order the cessation of operations under certain circumstances. **SENATE: 4/1 Introduce/Print/Resource & Environment 4/2 Report out "Do Pass" 4/3 2nd to 3rd reading 4/9 PASSED 35-0-0**

HOUSE: 4/10 Introduce/Resource & Conservation 4/14 Report out "Do Pass" to 2nd reading 4/15 3rd reading 4/16 PASSED 67-0-3

Contact: Senator Geddes

Fiscal Note: None to general fund

<http://www.legislature.idaho.gov/legislation/2009/S1185Bookmark.htm>

H007 Adds to existing law to allow the Public Utilities Commission to provide priority designation for electric transmission projects that will cause state agencies to expedite their permit procedures for electric transmission projects. **Session Law Chapter 9 Effective 7/1/09**

H052 Referred to Interim Committee at sponsor's request.

H0122 ENERGY ENTERPRISE ZONES - Held per sponsor's request.

HO200 ENERGY RESOURCE AUTHORITY Held at sponsor's request

HO203aa TAXATION—RENEWABLE ENERGY PROJECTS Withdrawn at request of sponsor

HO208 PROPERTY EXEMPT FROM TAXATION Held at sponsor's request

HO209 PROPERTY - TAX EXEMPTION Held at sponsor's request

H0233aa PROPERTY—TAX EXEMPTION Held

ENERGY— SENATE

S1027 ENERGY FACILITY SITING Held

S1097 PUBLIC HIGHWAYS—UTILITIES Session Law Chapter 142 Effective 07/01/09

S1119 FAILED 17-18-0

S1120 SCHOOL BUILDINGS Re-introduced as S1132

S1123 PUBLIC UTILITY RATES Session Law Chapter 145 Effective: 07/01/09

S1132 SCHOOL BUILDINGS Adds to and amends existing law relating to public school buildings and school districts to provide for school building design and energy efficiency.

SENATE: 3/13 PASSED 34-1-0 HOUSE: 4/1 PASSED 63-7-0

4/14 Governor signed Session Law Chapter 169 Effective: 7/01/09

S1143 PUBLIC UTILITIES COMMISSION Amends and repeals existing law relating to public utilities regulation to revise Public Utilities Commission authority regarding rates and to revise procedures before the Commission. **SENATE: 3/6 Introduce/Print 3/9 State Affairs**

Contact: Senator Geddes **Fiscal Note:** None to general fund

<http://www.legislature.idaho.gov/legislation/2009/S1143.pdf>

APPROPRIATIONS

HO061 OMNIBUS RESCISSION AND SUPPLEMENTAL - **HOUSE: 3/9 Ret'd to Finance**

H0250 OMNIBUS RESCISSION AND SUPPLEMENTAL - Declares legislative intent regarding General Fund revenues and expenditures for fiscal year 2009; adjusts the Public School appropriation; transfers dedicated funds into the General Fund; reduces General Fund appropriations for state agencies and institutions; increases appropriations from dedicated and federal funds to partially offset General Fund reductions for some agencies; and adjusts the appropriation for medicaid to account for a change in the Federal Medical Assistance Percentage (FMAP). **HOUSE: 3/23 PASSED 64-3-3 SENATE: 4/1 PASSED 33-2-0**
4/14 Governor signed Session Law Chapter 170 Effective: 4/14/09

H0255 OFFICE OF ENERGY RESOURCES - Transfers \$1.2 million to the Renewable Energy Resources Fund and \$920,028.30 into the General Fund for fiscal year 2009. **HOUSE: 3/24 PASSED 70-0-0**
SENATE: 4/7 PASSED 34-0-1 4/14 Governor signed Session Law Chapter 165 Effective: 4/14/09

H0272 APPROPRIATIONS - DEPARTMENT OF WATER RESOURCES - Appropriates \$22,092,400 to the Department of Water Resources for fiscal year 2010; limits the number of full-time equivalent positions to 165; and directs a 5% salary reduction. **HOUSE: 3/31 Introduce/Print 4/1 Print to 2nd reading 4/2 2nd to 34d reading 4/3 PASSED 46-18-6 SENATE: 4/7 Introduce/Finance Report out "Do Pass" 4/8 2nd to 3rd reading 4/16 PASSED 34-0-1**

H0276 APPROPRIATIONS - DEPARTMENT OF ENVIRONMENTAL QUALITY - Appropriates \$71,429,500 to the Department of Environmental Quality for fiscal year 2010; limits the number of full-time equivalent positions to 382.05; transfers \$1.5 million from the Water Pollution Control Fund to the Environmental Remediation Fund; requires an annual report of the superfund cleanup; expresses legislative intent regarding the Coeur d'Alene Lake Manangement plan; directs a 5% personnel cost reduction; and appropriates an additional \$1,032,900 for fiscal year 2009. **HOUSE: 4/1 Introduce/Print 4/2 Print to 2nd reading 4/3 2nd to 3rd reading Rules suspended 4/7 PASSED 53-16-1 SENATE: 4/8 Introduce/Finance 4/9 Report out "Do Pass" 4/10 2nd to 3rd reading 4/16 PASSED 34-0-1**

S1179 APPROPRIATIONS—ENERGY RESOURCES OFFICE—Appropriates \$18,850,800 to the Office of Energy Resources for FY 2010; limits the number of full-time equivalent positions to 18; and directs a 5% salary reduction. **SENATE: 4/1 Introduce/Print 4/2 Finance report out "Do Pass" to 2nd reading 4/9 PASSED 35-0-0 HOUSE: 4/10 Introduce/1st to 2nd reading 4/13 2nd to 3rd 4/14 PASSED 55-10-5**
4/17 To Governor 4/20 VETOED

S1188 APPROPRIATIONS - PUBLIC UTILITIES COMMISSION - Appropriates \$4,962,200 for the Public Utilities Division for fiscal year 2010; limits the number of authorized full-time equivalent positions to 49; directs the reduction of personnel costs, and declares an emergency. **SENATE: 4/3 Introduce/Print/Finance Report out "Do Pass" to second reading 4/9 PASSED 35-0-0 HOUSE: 4/10 Introduce/to 2nd reading 4/14 PASSED 61-5-4 4/17 To Governor 4/20 VETOED**

CONCURRENT RESOLUTIONS, JOINT MEMORIALS, PROCLAMATIONS & RESOLUTIONS

HCR013 NATURAL RESOURCE ISSUES - STUDY - **3/9 To Secretary of State**

HCR016 ENERGY, ENVIRONMENT AND TECHNOLOGY ISSUES - STUDY - **3/9 To Secretary of State**

HCR018 NATURAL RESOURCE INTERIM COMMITTEE - **3/16 To Secretary of State**

HJM006 CLEAN WATER RESTORATION ACT OF 2007 - OPPOSITION TO - **4/8 To Secretary of State**

SCR103 DEPARTMENT OF ENVIRONMENTAL QUALITY - RULE - **4/14 To Secretary of State**

SCR109 QUAGGA MUSSELS - ZEBRA MUSSELS - **4/14 To Secretary of State**

APPOINTMENTS/CONFIRMATIONS

Idaho Water Resource Board: Vince Alberdi, Leondard Beck,
Roger Chase, Terry Uhling

Idaho Energy Resources Authority: Larry Crowley

Idaho Energy Resources Authority: Ralph Williams

RULES

24-0501-0801 Pending Rule Rules of the Board of Drinking Water & Wastewater Professionals

31-0101-0801 Pending Rule Rules of Procedure of the Idaho Public Utilities Commission IPUC

37-0301-0801 Adjudication Rules IDWR

37-0309-0601 Well Construction Standard Rules IDWR

58-0112-0801 Pending Rule Rules for Administration of Water Pollution Control Loans (*Rulemaking to provide flexibility for use of loan fees and to meet nonpoint source needs*) IDEQ

58-0108-0802 Pending Rule Idaho Rules for Public Drinking Water Systems (*Incorporation by reference of federal Ground Water*) IDEQ

58-0108-0803 Pending Rule Idaho Rules for Public Drinking Water Systems (*Incorporation by reference of National Primary Drinking Water Regulations for Lead and Copper*) IDEQ

58-0108-0801 Pending Rule Idaho Rules for Public Drinking Water Systems (*Revision and clarification of facility and design standards*)

58-0116-0801 Pending Rule Wastewater Rules (*Revision and clarification of facility and design standards*) IDEQ

58-0111-0801 Pending Fee Rule Ground Water Quality Rule (*Rulemaking to clarify portions of the Ground Water Quality Rule to promote consistency in application of the rule to mining activities*) IDEQ

58-0103-0801 Pending Rule Individual/Subsurface Sewage Disposal Rules (*Rulemaking to provide for a revised method to estimate wastewater flow from single-family dwellings*) IDEQ

More information regarding these and other rules may be viewed at

<http://adm.idaho.gov/adminrules/bulletin>