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**March 2, 2009**

Special points of interest:

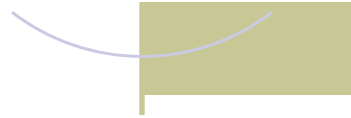
**CAMP LEGISLATION TO BE  
INTRODUCED IN HOUSE RE-  
SOURCE & CONSERVATION-  
COMMITTEE on TUESDAY,  
MARCH 3RD**

Inside this issue:

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# Legislative Reports 2009



## CAMP LEGISLATION UP FOR PRINT HEARING

The House Resource & Conservation Committee will hold a print hearing this week to introduce legislation aimed at implementing the Comprehensive Aquifer Management Plan (CAMP) for the Eastern Snake Plain. Limited funding to implement Phase One is available through the Idaho Water Resource Board. Once adopted by the legislature, the next step for CAMP will be forming an Implementation Committee that will work closely with IWRB, Idaho Water Resources Department and the Natural Resource Interim Committee to identify a funding formula.

Last week JFAC suspended its state budget setting activities to delve more deeply into the federal economic stimulus package and its potential value to Idaho. It appears that the \$1 billion dollars available to the states, local government and other entities will be distributed through federal agencies and their funding formulas. On top of the \$1 billion in the Act itself, hundreds of millions of dollars may be available in competitive grants.

It appears allocations will be tied to specific projects and their potential impacts. For example, the Idaho Energy Resource Office may be able to fund energy conservation projects to replace windows or insulation in public schools. The size of the allocation would be tied to the amount of energy that could be saved. Likewise Health & Welfare low-income weatherization projects could be linked to poverty level and the anticipated impact of the program. When IDWR's Director Dave Tuthill was asked potential funds for his agency, he said the Department must wait to see what programs the federal agencies will promote and how they propose to distribute those funds. Tuthill did not discuss Bureau of Reclamation funding, but others are speculating that extra money may be available for Minidoka Dam.

The budget setting process has slowed as budgets are redone to account for stimulus funds. The question has arisen as to whether Governor Otter or JFAC can decide how to spend these dollars. Only the Legislature can appropriate. There is plenty of time to speculate. Little else is occurring legislatively although a spate of energy-related bills were introduced last week.

**March 2—6, 2008**

**Monday: March 2**

**Senate State Affairs**, HCR 13 & 16, Rm. 204, 8 a.m.

**JFAC**, Economic Stimulus: Tax Provisions Affecting Idaho, Hill & TARRA Opportunities for IDEQ, Hardesty, Rm. 316, 8:30 a.m.

**Tuesday, March 3**

**WD 01 Meeting**, Idaho Falls, Red Lion on the Falls, 9 a.m.

**Ag Lobbyists**, Yen Ching Noon

**House Environment, Energy & Technology**, Green Building Council, Rm. 145, 1:30 p.m.

**House Resource & Conservation**, RS 18773 Approval for ESPA to Submit Funding Mechanism To Implement Phase 1 of CAMP, Stevenson, Rm. 148, 1:30 p.m.

**Senate Local Government & Taxation Committee**

“American Recovery & Reinvestment Act of 2009, Tax Provisions Affecting Idaho, Rm. 211, 3 p.m.

**2009 Stormwater Technical Conference**, Boise

**Wednesday: March 4**

**Food Producers Legislative Luncheon**, Yen Ching, noon

**Senate Resource & Environment**, CAMP discussion w/Hal Anderson, IDWR, Rm 204, 1:30 p.m.

**Senate Local Government & Taxation Committee**, Renewable Energy & America’s Energy Need, Read Smith, National Co-Chair 25 x 25 Renewable Energy Project. Rm. 211, 3 p.m.

**Thursday: March 5**

**Friday: March 6**

**Saturday: March 7** Transmittal of Joint Resolutions

**WATER—HOUSE**

**H033** Repeals existing law relating to the Department of Agriculture and the artificial production of rainfall. **HOUSE: 1/29** Introduce/Print **2/2** 2nd to 3rd reading **2/3 PASSED 69-0-1**

**SENATE: 2/4** Introduced; Agriculture Affairs **2/24** “Do Pass” to 2nd reading **2/25** Returned to Ag Affairs

**Sponsor:** Agricultural Affairs Committee **Fiscal Note:** None

<http://www.legislature.idaho.gov/legislation/2009/H0033Bookmark.htm>

**WATER—SENATE**

**S1002** Amends existing law relating to appropriation of water to revise the definition of “service area” for a municipality and to revise the criteria for domestic water systems. **SENATE: 1/16** Introduce/Print **1/19** Resource & Environment **2/5** “Do Pass” **2/6** 2nd to 3rd reading **2/11 PASSED 35-0-0**

**HOUSE: 2/12** Introduce/Resource & Conservation

**Sponsor:** Schroeder **Fiscal Note:** No impact to general fund; possible revenue increase to local governments providing services

<http://www.legislature.idaho.gov/legislation/2009/S1002Bookmark.htm>

**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: 2/13** Introduce/Print **2/16** Commerce & Human Resources **2/25** “Do Pass” **2/26** 2nd to 3rd reading

**Sponsor:** IWUA/Semanko **Fiscal Note:** None

<http://www.legislature.idaho.gov/legislation/2009/S1096Bookmark.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. **HOUSE: 1/29 PASSED 69-0-1 SENATE: 2/12 PASSED 31-0-4 2/19 Governor signed Session Law Chapter 9 Effective 7/1/09 Sponsor:** Office Energy Resources/Kjellander **Fiscal Note:** None  
<http://www.legislature.idaho.gov/legislation/2009/H0007Bookmark.htm>

**H052** Amends existing law to provide that with the approval of the Public Utilities Commission, a public utility may establish reasonable nonrecurring charges for new customers to partially recover the costs of public utility capital investment in new facilities to serve new customer growth. **HOUSE: 2/3 Introduce/State Affairs 2/26 Sponsor requested bill be referred to Interim Environment, Energy & Technology Sponsor:** State Affairs Committee/Stevenson **Fiscal Note:** None to General Fund or other state fund  
<http://www.legislature.idaho.gov/legislation/2009/H0052Bookmark.htm>

**H0122 ENERGY ENTERPRISE ZONES -** Adds and amends existing law to provide for renewable energy enterprise zone designation and to provide state tax incentives for projects located in those zones. **HOUSE: 2/13 Introduce/Print 2/16 Revenue & Taxation Sponsor:** Office of Energy Resources, Kjellander **Fiscal Note:** The incentives within this legislation are designed to minimize negative impact on existing general fund revenue streams.  
<http://www.legislature.idaho.gov/legislation/2009/H0122Bookmark.htm>

**H0200 ENERGY RESOURCE AUTHORITY** Amends existing law to provide additional powers of the state treasurer to invest state funds or other funds in fixed or variable rate bonds of the Idaho Energy Resources Authority upon certain conditions. **HOUSE: 2/25 Introduce/Print 2/26 Energy, Environment & Technology Sponsor:** Reps. Anderson & Eskeridge **Fiscal Note:** No negative net fiscal impact to state as whole  
<http://www.legislature.idaho.gov/legislation/2009/H0200Bookmark.htm>

**H0203 TAXATION—RENEWABLE ENERGY PROJECTS** Amends existing law to provide a property tax exemption for renewable energy projects and to provide an energy tax on renewable energy projects to be paid to local units of government in lieu of the property tax. **HOUSE: 2/27 Introduce/Print Sponsor:** Rep. Cronin **Fiscal Note:** None to state general fund  
<http://www.legislature.idaho.gov/legislation/2009/H0203Bookmark.htm>

**H0208 PROPERTY EXEMPT FROM TAXATION** Amends existing law to provide that a renewable energy device attached to residential property shall be exempt from taxation. **HOUSE: 2/27 Introduce/Print Sponsor:** Sen. McKenzie/Rep. Eskeridge **Fiscal Note:** None to general fund  
<http://www.legislature.idaho.gov/legislation/2009/H0208Bookmark.htm>

**H0209 PROPERTY - TAX EXEMPTION** Adds to existing law to provide that certain energy property shall be exempt from taxation. **HOUSE: 2/27 Introduce/Print Sponsor:** Sen. McKenzie/Rep. Eskeridge **Fiscal Note:** None to state general fund  
<http://www.legislature.idaho.gov/legislation/2009/H0209Bookmark.htm>

**S1027 ENERGY FACILITY SITING** Adds to existing law relating to energy facility siting to require a siting certificate in certain circumstances, to create a siting panel, to provide authority and responsibilities of the panel, to provide for an application for a siting certificate, to provide duties of an applicant upon submittal of an application, and to provide duties of the Public Utilities Commission upon receipt of an application.

**SENATE:** 1/23 Introduce/print 1/26 State Affairs

**Sponsor:** Werk, Kelly, Bock, LeFavour, Bilyea, Sagness, Thorson **Fiscal Note:** None

<http://www.legislature.idaho.gov/legislation/2009/S1027Bookmark.htm>

**S1097 PUBLIC HIGHWAYS—UTILITIES** Adds to existing law relating to public highways and utilities to provide that certain public highway agencies or any private party working with such agency on a project which may require relocation of utility facilities shall permit the affected utility to participate in project development meetings, to provide for a meeting, to provide that certain public highway agencies and affected utilities shall use best efforts to eliminate or minimize certain costs, and to provide that failure by the affected utility to respond to written notice shall not affect the public highway agency's ability to proceed with the project and to provide limits to application. **SENATE:** 2/13 Introduce/Print 2/16 Transportation 2/18 "Do Pass" 2/20 PASSED 30-0-5 **HOUSE:** 2/23 Introduce/Transportation

**Contact:** Ed Lodge/Qwest

**Fiscal Note:** No impact to state general fund

<http://www.legislature.idaho.gov/legislation/2009/S1097Bookmark.htm>

**S1119** Amends existing law to provide for low-income bill payment assistance and other programs to public utility customers under certain conditions.

**SENATE:** 2/18 Introduce/Print 2/19 State Affairs 2/25 "Do Pass" 2/26 2nd to 3rd reading

**Contact:** Neil Colwell, Avista **Fiscal:** None

<http://www.legislature.idaho.gov/legislation/2009/S1119Bookmark.htm>

**S1120 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:** 2/18 Introduce/Print 2/19 State Affairs

**Sponsor:** Werk, Anderson, Chew, Eskeridge

**Fiscal Note:** None. Voluntary incentive is associated with funds already provided by the state general fund to the school district.

<http://www.legislature.idaho.gov/legislation/2009/S1120Bookmark.htm>

**S1123 PUBLIC UTILITY RATES** Adds to existing law to provide that public utility commission binding ratemaking treatments are applicable when costs of a new electric generation facility are included in rates, to provide procedures and to provide for rules. **SENATE:** 2/23 Introduce/Print 2/24 State Affairs

**Contact:** Sen. Curt McKenzie

**Fiscal Note:** None to General Fund

<http://www.legislature.idaho.gov/legislation/2009/S1123Bookmark.htm>

## APPROPRIATIONS

**HO061** OMNIBUS RESCISSION AND SUPPLEMENTAL - Declares legislative intent regarding General Fund revenues and expenditures; transfers dedicated funds into the General Fund; reduces General Fund appropriations for all agencies and institutions for fiscal year 2009; and increases appropriations from dedicated and federal funds to partially offset General Fund reductions for some agencies.

**HOUSE: 2/4** Introduce/Print **2/9 PASSED 68-1-1**

**SENATE: 2/10** Introduce/Finance **2/11** "Do Pass" to 2nd reading **2/12** 3rd reading

**Fiscal Note:** Reduces General Fund appropriations by \$71,135,300; dedicated funds by \$2,369,600;

and federal funds by \$31,527,500; bill transfers \$56,731,700 from the Public Education Stabilization Fund;

\$5,000,000 from the Capitol Endowment Income Fund; \$12,000,000 from the Aquifer Planning

and Management Fund; \$11,950,200 from the Permanent Building Fund; and \$2,200,000 from

the Consumer Protection Fund into the General Fund. Increases General Fund appropriations by \$38,400, dedicated fund appropriations by \$625,800, and federal funds by \$410,200 for a total of \$1,070,800.

<http://www.legislature.idaho.gov/legislation/2009/H0061Bookmark.htm>

## CONCURRENT RESOLUTIONS, JOINT MEMORIALS, PROCLAMATIONS & RESOLUTIONS

**HCR013** NATURAL RESOURCE ISSUES - STUDY - Stating findings of the Legislature and authorizing the Legislative Council to appoint a committee to undertake and complete a study of natural resource issues.

**HOUSE: 2/9** Introduce/Print **2/10** Environment, Energy & Technology **2/12** Re-referred **2/12** 2nd reading **2/13** 2nd to 3rd reading **2/17 ADOPTED 68-0-2**

**SENATE: 2/18** Introduce/State Affairs

**HCR016** ENERGY, ENVIRONMENT AND TECHNOLOGY ISSUES - STUDY - Stating the findings of the Legislature and authorizing an interim legislative study committee on energy, environment and technology issues.

**HOUSE: 2/11** Introduce/Print **2/12** Environment, Energy & Technology **2/19** "Do Pass" to 2nd reading **2/20** 3rd reading **2/24 ADOPTED 69-0-1**

**SENATE: 2/25** Introduce/State Affairs

**HCR018** NATURAL RESOURCE INTERIM COMMITTEE - requests the Natural Resources Interim Committee to study the impacts of conversion of working ranches, farms and forests to other uses. The resolution also asks for an examination of the need for new state policy initiatives to protect the values that such lands contribute to local economies, agricultural heritage, wildlife habitat, and recreational opportunities.

**HOUSE: 2/12** Introduce/Print **2/13** Resource & Conservation **2/26** "Do Pass" **2/27** 2nd to 3rd reading

**SCR103** DEPARTMENT OF ENVIRONMENTAL QUALITY - RULE - Stating findings of the legislature rejecting a certain rulemaking docket of the Department of Environmental Quality relating to individual/subsurface sewage disposal rules. **SENATE: 2/12** Introduce/Print **2/13** 10th Order

**2/17 ADOPTED 27-7-1**

**HOUSE: 2/18** Introduce/Health & Welfare

## Upcoming Events

### April: Tentative Legislative Adjournment

#### STANDING COMMITTEE INFORMATION

##### SENATE

**Agricultural Affairs:** T, TH, 8:00 am,  
Room 211  
Chairman: Corder  
Secretary: Arlene Mahaffey  
332-1330

##### Resources and Environment

M, W, F, 1:30 pm, Room 204  
Chairman: Schroeder  
Secretary: Juanita Budell  
332-1323

##### State Affairs

M, W, F, 8:00 am, Room 204  
Chairman: McKenzie  
Secretary: Deborah Riddle  
332-1326

##### HOUSE

**Agricultural Affairs**  
Even Days, pm, Room 228  
Chairman: Trail  
Secretary: Lisa Daniels  
332-1137

##### Environment, Energy, and Technology

Even Days, pm, Room 145  
Chairman: Raybould  
Secretary: Peggy Heady  
332-1128

##### Resources and Conservation

Odd Days, pm, Room 148  
Chairman: Stevenson  
Secretary: Molly Smith  
332-1136

##### State Affairs

Daily, am, Room 145  
Chairman: Loertscher  
Secretary: Marsha Walker  
332-1145

## 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>