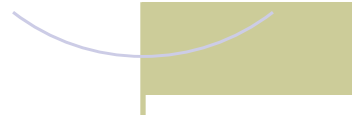




# Legislative Reports 2009



## UNCOMPROMISING

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**May 4, 2009**

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### Special points of interest:

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Well, the compromise that we reported on last Monday turned out not to be uncompromising. The House caucus overrode leadership with respect to any kind of compromise. Representatives worked through late Wednesday evening and then went home, at least until Monday, leaving the Senate to soldier on alone. House members did return to Boise today, hopeful that they would be able to wrap up the session quickly and head home for good.

In their absence, the Senate continued its work, adjourning just before noon today in anticipation of yet another meeting between legislative leaders and the governor. From the floor, the hope was expressed that the House would join them in their efforts to resolve this stalemate. Now, instead of a fight between the legislature and the governor, it has shifted and split the Republican majority. The Senate caucus is siding with the governor while the House remains adamant that the transportation has been adequately addressed for this year and in this economy.

Regardless of the outcome from today's meeting, the Senate will reconvene tomorrow to address the bills remaining on its calendar. If able to reach a compromise, they could be done in a matter of hours.

Last week the Governor signed HB 264 to formally adopt the CAMP process. Otter expressed the hope that CAMP signaled a new chapter in Idaho water management, one focused on cooperation, not litigation, in resolving water disputes.

Today marks the 113th day of the session. The longest session on record was 118 days in 2003. That session ended on May 3rd and also set the record for the latest calendar date for a final adjournment. This legislative session will break that record for latest calendar date, although it remains to be seen as to whether or not it will break the record for the longest session.

There are similarities between the two sessions. Then as now the state was facing budget deficits due to falling revenues. Let's hope that a compromise can be struck, even if it's just agreeing to disagree until next year.

**May 4—May 8, 2009**

**Monday: May 4**

2009 Mitigation Computation for SWC Order, Water Center/Director's Conference Rm, Boise, 1:30 p.m.

**Tuesday, May 5**

**Wednesday: May 6**

**Thursday: May 7**

PUC workshop regarding IPCO PCA filing, Boise, 7 p.m.

**Friday: May 8**

**Upcoming Events:**

**May 4:**

**May 6:** "Workshop on Identification of Water Rights to be Subordinated to Minimum Flow Water Rights for the Snake River Flows at Swan Falls." Idaho Water Center, Conference Rm. C&D, 2 to 5 p.m.

**May 11:** IPUC

**May 14:** Deadline for written comments to PUC on IPCO PCA filing

IDWR Workshop

**May 27:** Minimum Stream Flow Sub-Committee Meeting No. 1 (Salmon River, Big Wood River & SW Idaho Including the Snake River Below Milner Dam) Water Center, Conf. Rm. C&D, 1:30 p.m.

**May 29:** IWRB Meeting Water Center, Conf. Rm.C&D, 8:30 a.m.

## **WATER—HOUSE**

**H033 2/25 Returned to Ag Affairs**

**H0210 Replaced by H0264**

**H0264 COMPREHENSIVE AQUIFER MANAGEMENT PLAN**

**4/23 Governor signed Session Law Chapter 223 Effective: 4/23/2009**

## **WATER—SENATE**

**S1002 Held**

**S1096 PROCUREMENT Session Law Chapter 223 Effective: 07/01/2009**

**S1162 DOMESTIC WATER SYSTEMS - 4/10 Held at Desk**

**S1167 WATER RESOURCE BOARD—4/24 Session Law Chapter 240 Effective: 07/01/2009**

**S1168 Replaced by S1185**

**S1169 PUBLIC UTILITIES COMMISSION - SWAN FALLS AGREEMENT - WATER RIGHTS - 4/24 Session Law Chapter 241 Effective: 07/01/2009**

**S1185 GROUND WATER RECHARGE—4/24 Session Law Chapter 242 Effective: 07/01/2009**

## **ENERGY— HOUSE**

**H007 PUC priority designation for transmission 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**

**H0208 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 Session Law Chapter 169 Effective: 7/01/09**

**S1143 PUBLIC UTILITIES COMMISSION Withdrawn by sponsor**

## **APPROPRIATIONS**

**H0061** OMNIBUS RESCISSION AND SUPPLEMENTAL - **HOUSE: 3/9 Ret'd to Finance**

**H0250** OMNIBUS RESCISSION AND SUPPLEMENTAL - **Session Law Chapter 170 Effective: 4/14/09**

**H0255** OFFICE OF ENERGY RESOURCES - **Session Law Chapter 165 Effective: 4/14/09**

**H0272** APPROPRIATIONS - DEPARTMENT OF WATER RESOURCES - **4/21 VETOED**

**H0276** APPROPRIATIONS - DEPARTMENT OF ENVIRONMENTAL QUALITY -

**Session Law Chapter 234 Effective: 4/23/2009 Sections 8, 9 & 10; 7/1/2009 All other sections**

**H0341** APPROPRIATIONS—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: 4/28** Introduce/Print/to 2nd reading **4/29** Rules Suspended **PASSED 58-6-6**

**SENATE: 4/20** Introduce/1st reading/Finance reports out “Do Pass” to 2nd reading **5/1** to 3rd reading

**S1179** APPROPRIATIONS—ENERGY RESOURCES OFFICE—**4/20 VETOED**

**S1188** APPROPRIATIONS - PUBLIC UTILITIES COMMISSION - **4/20 VETOED**

**S1222** APPROPRIATIONS - FY 2009 YEAR-END TRANSFERS - FY 2010 FUND TRANSFERS - FEDERAL STIMULUS FUNDS **FAILED**

**S1229** 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: 4/22** Introduce/Rules suspended **34-0-1** **HOUSE: 4/23** Introduce/To 2nd reading **4/24** 2nd to 3rd reading **4/27 PASSED 60-5-5** **4/29** To Governor

**S1231** APPROPRIATIONS - ENERGY RESOURCES OFFICE - Appropriates \$18,850,800 to the Office of Energy Resources for fiscal year 2010; limits the number of full-time equivalent positions to 18; and directs a 5% salary reduction. **SENATE: 4/22** Introduce/Rules suspended **34-0-1** **HOUSE: 4/23** Introduce/to 2nd reading **4/24** 2nd to 3rd reading **4/27 PASSED 55-11-4** **4/29** To Governor

## **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>