

# **IDAHO WATER USERS ASSOCIATION, INC.**

## **2006 LEGISLATIVE REPORT**

**TED DIEHL, CHAIRMAN**  
**LEGISLATIVE COMMITTEE**  
**(208) 324-2319**

**58<sup>th</sup> Idaho Legislature – 2<sup>nd</sup> Regular Session**  
**FINAL - April 17, 2006**  
**Norman M. Semanko, Editor**  
**208-344-6690**

<b>BILL NO./ POSITION</b>	<b>TITLE AND SHORT DESCRIPTION</b>	<b>SENATE ACTION</b>	<b>HOUSE ACTION</b>	<b>FINAL ACTION</b>
<b>S-1259 Support</b>	<b>WATER DISTRICT MEETING NOTICE</b> – Revises notification provisions relating to water district meetings.	Passed 35-0-0 2/14	Passed 62-0-8 3/15	Law
<b>S-1352 Support</b>	<b>IRRIGATION DISTRICT BAD CHECK HANDLING FEE</b> – Increases the maximum handling charges irrigation districts are authorized to charge for bad checks from \$10 to \$25.	Passed 35-0-0 2/24	Passed 68-0-2 3/22	Law
<b>S-1353 Support</b>	<b>IDWR JURISDICTION OVER APPROPRIATION</b> – Provides for the exclusive authority of IDWR relating to the appropriation of public surface and ground waters.	Passed 35-0-0 2/24	Passed 68-0-2 3/22	Law
<b>S-1383 Support</b>	<b>WATER &amp; SEWER DISTRICTS</b> – Amends existing law to delete certain provisions requiring filings with the district court by water and sewer districts.	Passed 34-0-1 2/23	Passed 61-0-9 3/15	Law
<b>S-1496 Support</b>	<b>APPROPRIATIONS</b> – Transfers \$300,000 to Water Management Fund for development and implementation of Eastern Snake Plain Aquifer Management Plan by IWRB.	Passed 31-0-4 4/5	Passed 62-1-7 4/6	Law
<b>SCR-136 Support</b>	<b>AQUIFER MANAGEMENT PLAN</b> – Requesting the Idaho Water Resource Board prepare a comprehensive Eastern Snake Plain Aquifer Management Plan for legislative review and approval.	Adopted 33-0-2 4/3	Adopted Voice Vote 4/5	Adopted
<b>SJM-118 Support</b>	<b>DRINKING WATER, ARSENIC LEVELS</b> – Urging that enforcement of the new level in drinking water be suspended until definitive scientific evidence is available.	Adopted Voice Vote 2/17	Adopted 57-7-6 3/16	Adopted
<b>SJR-106 Neutral</b>	<b>RIGHT TO HUNT AND FISH</b> – Proposing a constitutional amendment recognizing the right to fish, hunt and trap in Idaho.	Failed 18-16-1 3/2		
<b>H-434 Support</b>	<b>INVESTING IDLE MONEYS</b> – Amends existing law to revise provisions relating to the investment of idle moneys in the state treasury.	Passed 35-0-0 2/24	Passed 69-0-1 2/9	Law
<b>H-544 Support</b>	<b>IRRIGATION DISTRICT, METHOD OF VOTING</b> – Allows irrigation district elections votes to be based on acres of assessed land, if approved by a majority of electors.	Passed 19-14-2 3/20	Passed 61-4-5 2/23	Law
<b>H-545 Neutral</b>	<b>NORTH IDAHO ADJUDICATIONS</b> – Authorizing the adjudication of water rights in North Idaho.	Passed 30-5-0 3/22	Passed 64-1-5 3/2	Law
<b>H-546 Support</b>	<b>IDAHO WATER RESOURCE BOARD LOANS</b> – Revises conditions under which the Idaho Water Resource Board may approve a loan for certain water project costs.	Passed 35-0-0 3/16	Passed 67-0-3 3/11	Law
<b>H-568 Oppose</b>	<b>AGRICULTURAL FIELD BURNING</b> – Provides that the Department of Agriculture shall provide advance notice and shall post information regarding agricultural field burning.		Ag. Affairs Comm.	
<b>H-576 Support</b>	<b>IRRIGATION DISTRICT ELECTION LAWS</b> – Revises filing requirements for directors; publication requirements for elections; and provisions for elections involving contract.	Passed 35-0-0 3/16	Passed 64-1-5 2/23	Law

BILL NO./ POSITION	TITLE AND SHORT DESCRIPTION	SENATE ACTION	HOUSE ACTION	FINAL ACTION
H-593 Support	<b>CROP RESIDUE PROGRAM</b> – Amends existing law relating to smoke management and crop residue disposal to revise the definition of “crop residue”.	Passed 31-2-2 3/14	Passed 65-5-0 3/1	Law
H-594 Neutral	<b>NOXIOUS WEED LAW</b> – Amends existing law relating to noxious weeds to revise the duties of the Department of Agriculture and counties relating to noxious weeds.	Passed 34-1-0 3/22	Passed 65-5-0 3/1	Law
H-600 Oppose	<b>PESTICIDE SAFETY</b> – Requires the posting of pesticide safety information and pesticide application notices.		Ag. Affairs Comm.	
H-620 Oppose	<b>OPEN MEETING LAW, EXECUTIVE SESSION</b> – Provides that an executive session may be held only following the commencement of litigation.		State Affairs Comm.	
H-636 Support	<b>MINIMUM STREAMFLOW – NORTH FORK CLEARWATER</b> – Establishes a minimum stream flow water right for the North Fork of the Clearwater River.	Passed 35-0-0 3/16	Passed 65-1-4 2/27	Law
H-637 Support	<b>IDAHO WATER RESOURCE BOARD PROJECTS</b> – Specifies properties and improvements that constitute facilities needs for IDWR and the Water Resource Board.	Passed 34-0-1 3/20	Passed 64-0-6 3/1	Law
H-650a Support as amended	<b>AQUIFER PROTECTION DISTRICTS</b> – Provides for the formation of an aquifer protection district for the Rathdrum Aquifer upon a vote of the people.	Passed 34-0-1 3/23	Passed 66-0-4 3/13	Law
H-656 Neutral	<b>COEUR D’ALENE RIVER BASIN COMMISSION</b> – Adds to membership of the Commission.	Res. & Env. Comm.	Passed 62-1-7 3/6	
H-736a Support as amended	<b>GROUND WATER DISTRICTS</b> – Provides for credits and adjustments relating to ground water district mitigation obligations based on mitigation plans of certain nonirrigators.	Passed 33-0-2 3/30	Passed 61-2-7 3/17	Law
H-737a Support as amended	<b>GROUND WATER RIGHTS</b> – Provides for notice to ground water users to join ground water districts for mitigation purposes and authorizes action if any of the ground water users elect not to join or do not have mitigation plans.	Passed 33-0-2 3/30	Passed 70-0-0 3/21	Law
H-792 Neutral	<b>COAL FIRED POWER PLANTS</b> – Requires legislative approval for transfer of certain water rights to be used for coal fire generation of electricity.		Res. & Con. Comm.	
H-798 No Position	<b>IDWR</b> – Appropriates \$23,062,900 to IDWR for fiscal year 2007.	Passed 35-0-0 3/22	Passed 67-0-3 3/15	Law
H-800 Neutral	<b>RECHARGE</b> – Removing the condition that recharge water rights are subordinated to hydropower water rights that may otherwise be subordinated under the Swan Falls Agreement.	Failed 14-21-0 3/30	Passed 43-22-5 3/17	
H-841 Neutral	<b>RECHARGE</b> – Adds an emergency clause to H-800 to be effective upon enactment.	3 <sup>rd</sup> Reading Calendar	Passed 61-6-3 3/24	
HCR-36 Neutral	<b>MINIMUM STREAMFLOW – NIAGARA SPRINGS CREEK</b> – Approving an application to appropriate a minimum streamflow in Niagara Springs Creek.	Adopted Voice Vote 3/15	Adopted Voice Vote 2/27	Adopted
HCR-37 Support	<b>MINIMUM STREAMFLOW – NORTH FORK CLEARWATER</b> – Approving an application to appropriate a minimum streamflow in the North Fork Clearwater River.	Adopted Voice Vote 3/15	Adopted Voice Vote 2/27	Adopted
HCR-62 No Position	<b>INTEGRATED STATE ENERGY PLAN</b> – Requesting the Legislative Interim Committee to develop an integrated energy plan.	Adopted 35-0-0 3/28	Adopted 67-1-2 3/21	Adopted
HCR-64 No Position	<b>WATER QUALITY STANDARDS</b> - Encourages DEQ to fully consider natural conditions when setting water quality standards.	Adopted Voice Vote 3/31	Adopted Voice Vote 3/27	Adopted

BILL NO./ POSITION	TITLE AND SHORT DESCRIPTION	SENATE ACTION	HOUSE ACTION	FINAL ACTION
<b>HJR-3</b> <b>Oppose as written</b>	<b>EMINENT DOMAIN – CONSTITUTIONAL AMENDMENT</b> – Proposing an amendment to the Constitution of the State of Idaho relating to eminent domain.		Held at desk	
<b>HJR-5</b> <b>Oppose as written</b>	<b>EMINENT DOMAIN – CONSTITUTIONAL AMENDMENT</b> – Proposing an amendment to the Constitution of the State of Idaho relating to eminent.		Held at desk	
<b>HJM-16</b> <b>Support</b>	<b>AMENDMENT OF THE ENDANGERED SPECIES ACT –</b> Supporting the efforts of Senator Mike Crapo to reform and improve the Endangered Species Act.	Adopted Voice Vote 2/28/06	Adopted Voice Vote 2/22/06	Adopted