

# IDAHO WATER USERS ASSOCIATION, INC.

## 2003 LEGISLATIVE REPORT

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

57<sup>th</sup> Idaho Legislature - 1<sup>st</sup> Session  
May 20, 2003 - ***FINAL***  
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BILL NO./ POSITION	TITLE AND SHORT DESCRIPTION	SENATE ACTION	HOUSE ACTION	FINAL ACTION
SB-1035 NEUTRAL	<b>WATER &amp; SEWER</b> - Increasing water and sewer district board member compensation.	Passed 2/7 32-1-2	Passed 2/24 57-2-11	Law
SB-1058 SUPPORT	<b>PROTEST FEES</b> - Increasing water right protest fees from \$25 to \$100	Res & Env Comm		
SB-1090 MONITOR	<b>PORT DISTRICTS</b> - Port districts may be water-based or land-based.	Passed 3/27 26-7-2	Rev & Tax Comm	
SB-1099 SUPPORT	<b>ILLEGAL WATER USE</b> - Prohibiting illegal diversion and use of water.	Passed 3/3 35-0-0	Passed 3/17 69-0-1	Law
SB-1100 SUPPORT	<b>WATER CONSERVATION</b> - Support water conservation; conserved water not forfeited.	Passed 3/3 34-0-1	Passed 3/17 69-0-1	Law
SB-1101 SUPPORT	<b>DIGITAL BOUNDARIES</b> - Burden of proof not increased and no conflict with boundaries.	Passed 3/3 35-0-0	Passed 3/17 68-0-2	Law
SB-1105 OPPOSE	<b>POLLUTANT TRADING</b> - Allow DEQ incorporation of requirements in rule.	Res & Env Comm		
SB-1116 MONITOR	<b>PUC HEARINGS</b> - Requires PUC rate increase hearing before staff recommendation.	State Affairs		
SB-1119 MONITOR	<b>DRUG-FREE WORKPLACE</b> - Extends drug-free workplace laws to public employers.	Passed 3/6 35-0-0	Passed 3/27 63-3-4	Law
SB-1185 SUPPORT	<b>IDWR BUDGET</b> - Appropriating funds for FY 2004.	Passed 4/17 34-0-1	Passed 4/22 67-0-3	Law
SCR-102 OPPOSE	<b>TAX STUDY</b> - Appointing a committee to study taxation matters, including sales tax exemptions.	State Affairs		
SCR-103 SUPPORT	<b>NATURAL RESOURCES COMMITTEE</b> - Authorizing Natural Resources Committee.	Passed 2/12 35-0-0	Passed 3/28 67-0-3	Adopted
HB-2 SUPPORT	<b>ENERGY COMMITTEE FUNDING</b> - Appropriating funds for the energy study committee.	Included in Legis. Approps.		
HB-56 SUPPORT	<b>WATER RESOURCE BOARD LOANS</b> - Water Resource Board authority to loan bond revenues.	Passed 3/10 33-0-2	Passed 2/6 66-1-3	Law
HB-57 AMEND	<b>IDWR HEARINGS</b> - Clarifying process for hearings before IDWR.		Replaced by HB-211	
HB-82 MONITOR	<b>TAX CREDIT</b> - Reauthorizing Natural Resources Income Tax Credit.		Rev & Tax Comm	
H-92 NEUTRAL	<b>TORT REFORM</b> - Tort reform legislation, limiting non-economic and punitive damages	Passed 3/13 27-8-0	Passed 2/20 58-12-0	Law
HB-109 SUPPORT	<b>CONSERVATION DISTRICTS/COMMISSION</b> - Restating roles and responsibilities.	Passed 3/11 35-0-0	Passed 2/12 67-0-3	Law
HB-110 AMEND	<b>PEND OREILLE/PRIEST RIVER</b> - Creating Pend Oreille/Priest River Basin Commission.	Passed 3/24 19-12-4	Passed 2/12 68-0-2	Law
HB-120	<b>PER DIEM &amp; MILEAGE</b> - Requiring per diem and		Local Gov	

<b>OPPOSE</b>	mileage rates be set by political subdivisions.		Comm	
<b>HB-124 SUPPORT</b>	<b>IRRIGATION DISTRICT FUNDS</b> - Allow investment in local improvement districts.	Passed 3/10 33-0-2	Passed 2/21 70-0-0	Law
<b>HB-125 SUPPORT</b>	<b>RECREATION IN CANALS</b> - Authorize irrigation entities to prohibit recreation in their systems.	Failed 3/20 7-27-1	Passed 2/27 64-3-3	
<b>HB-147 NEUTRAL</b>	<b>PUC INTERVENORS</b> - Increasing intervenor funding before the Public Utilities Commission.	Passed 2/27 33-0-2	Passed 2/14 61-2-7	Law
<b>HB-150 SUPPORT</b>	<b>DEQ RULES</b> - Requires DEQ to use best available science in making rules.	Passed 3/26 32-0-3	Passed 2/17 51-18-1	Law
<b>HB-196 OPPOSE</b>	<b>POLITICAL SPENDING</b> - Prohibits use of public funds for candidates or ballot measures.		Ways & Means	
<b>HB-208 SUPPORT W/AMEND</b>	<b>GROUND WATER DISTRICTS</b> - Member representation and voting in Water Districts.	Passed 3/10 32-0-3 (Amended)	Passed 2/21 69-0-1 Passed 3/17 70-0-0	Law
<b>HB-211A SUPPORT</b>	<b>IDWR HEARINGS</b> - Process for hearings before IDWR.	Passed 3/20 34-0-1	Passed 3/3 64-0-6	Law
<b>HB-212 SUP W/AMEND</b>	<b>INVASIVE SPECIES</b> - Creates Invasive Species Council, including water delivery entities.		Res & Con Comm	
<b>HB-217 MONITOR</b>	<b>NUISANCE LAWS</b> - Acts authorized by statute are not public or private nuisance.		Judiciary Comm	
<b>HB-226 MONITOR</b>	<b>TRESPASS LAWS</b> - Ag odors and smoke do not constitute trespass.		Ag Affairs Comm	
<b>HB-227 MONITOR</b>	<b>FIELD BURNING</b> - Crop residue or field burning do not create legal cause of action.		Ag Affairs Comm	
<b>HB-228 MONITOR</b>	<b>DEQ OPACITY STANDARDS</b> - DEQ opacity standards not to apply to crop residue burning.	Passed 4/1 29-5-1	Passed 3/14 58-11-1	Law
<b>HB-230 OPPOSE</b>	<b>TRANSPORT OF ROCKS</b> - Gravel/rock loads must be covered on public highways.		Failed 2/24 23-45-2	
<b>HB-245 OPPOSE</b>	<b>CAMPAIGN FINANCE</b> - Requires political subdivisions to report political spending.		State Affairs Comm	
<b>HB-256 SUPPORT</b>	<b>REGULATORY TAKINGS</b> - Requires written taking analysis to protect private property.	Passed 3/14 26-7-2	Passed 3/3 55-14-1	Law
<b>HB-257 SUPPORT</b>	<b>REGULATORY TAKINGS</b> - Requires written taking analysis in Land Use Planning Act.	Passed 3/14 25-8-2	Passed 3/3 51-19-0	Law
<b>HB-273 MONITOR</b>	<b>RECREATIONAL TRESPASS</b> - No recreation trespass liability on conservation easements.	Passed 3/28 32-0-3	Passed 3/4 64-1-5	Law
<b>HB-284 SUPPORT</b>	<b>LOCAL PUBLIC INTEREST</b> - Defines local public interest criteria in water right proceedings.	Passed 4/7 28-7-0	Passed 3/7 53-15-2	Law
<b>HB-339 MONITOR</b>	<b>WATER &amp; SEWER</b> - Authorizing snow removal from roads and lands by districts.	Passed 3/31 33-0-2	Passed 3/17 62-3-5	Law
<b>HB-364 OPPOSE</b>	<b>AGRICULTURAL BURNING</b> - Provides penalties for improper burning of crop residue.		Ag Affairs Comm	
<b>HB-391 MONITOR</b>	<b>GRASS BURNING</b> - Regulates crop residue burning in North Idaho.	Passed 4/10 25-10-0	Passed 3/31 52-16-2	Law
<b>HB-408 MONITOR</b>	<b>AGRICULTURAL BURNING</b> - Reduces burning in North Idaho and provides tax credit.		Rev & Tax Comm	
<b>HB-458 SUPPORT</b>	<b>TOTAL MAXIMUM DAILY LOADS</b> - Clarifying that TMDLs are not rules.	Passed 4/30 68-0-2	Passed 5/2 34-0-1	Law
<b>HCR-9 SUPPORT</b>	<b>ENERGY STUDY COMMITTEE</b> - Appointing a committee to study energy issues.	Passed 2/12 34-0-1	Passed 1/27 63-7-0	Adopted
<b>HCR-11 OPPOSE</b>	<b>TAX STUDY</b> - Appointing a committee to study taxation matters, including sales tax exemptions.		Rev & Tax Comm	

<b>HCR-15 AMEND</b>	<b>OPEN BURNING RULES</b> - Rejecting certain DEQ air quality rules regarding open burning.		Replaced by HCR-25	
<b>HCR-16 SUPPORT</b>	<b>WATER QUALITY RULES</b> - Rejecting certain DEQ rules on water quality.	Passed 2/27 By voice	Passed 2/19 62-5-3	Adopted
<b>HCR-22 SUPPORT</b>	<b>WATER QUALITY RULES</b> - Rejecting certain DEQ rules on water quality.	Passed 4/16 By voice	Passed 2/27 61-4-5	Adopted
<b>HCR-25 SUPPORT</b>	<b>AIR QUALITY RULES</b> - Rejecting certain DEQ rules on air quality/burning.	Passed 3/17 By voice	Passed 2/27 60-3-7	Adopted
<b>HJM-2 SUPPORT</b>	<b>SALMON RECOVERY</b> - Asks Congress recognize salmon recovery as a national concern.	Passed 3/5 By voice	Passed 2/24 By voice	Adopted
<b>HJM-4 SUPPORT</b>	<b>U.S. COURT OF APPEALS</b> - Requests creation of a new U.S. Circuit Court to include Idaho.	Passed 3/17 By voice	Passed 3/5 55-13-2	Adopted