

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 276

BY APPROPRIATIONS COMMITTEE

AN ACT

1 APPROPRIATING MONEYS TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY
 2 FOR FISCAL YEAR 2010; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT
 3 POSITIONS; PROVIDING THAT THE STATE CONTROLLER SHALL MAKE
 4 TRANSFERS TO THE ENVIRONMENTAL REMEDIATION FUND; EXPRESSING
 5 LEGISLATIVE INTENT REGARDING THE ENVIRONMENTAL REMEDIATION
 6 FUND AND REQUIRING AN ANNUAL REPORT; EXPRESSING LEGISLATIVE
 7 INTENT WITH REGARD TO USE OF THE WATER POLLUTION CONTROL FUND;
 8 EXPRESSING LEGISLATIVE INTENT REGARDING THE COEUR D'ALENE LAKE
 9 MANAGEMENT PLAN; PROVIDING LEGISLATIVE INTENT ON PERSONNEL
 10 COSTS; DIRECTING SALARY REDUCTIONS; APPROPRIATING ADDITIONAL
 11 MONEYS TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY FOR FISCAL
 12 YEAR 2009; DIRECTING THE DEPOSIT OF CERTAIN MONEYS; AND DECLAR-
 13 ING AN EMERGENCY.
 14

15 Be It Enacted by the Legislature of the State of Idaho:

16 SECTION 1. There is hereby appropriated to the Department of Environmental Quality
 17 the following amounts to be expended for the designated programs according to the designated
 18 expense classes from the listed funds for the period July 1, 2009, through June 30, 2010:

	FOR PERSONNEL COSTS	FOR OPERATING EXPENDITURES	FOR CAPITAL OUTLAY	FOR TRUSTEE AND BENEFIT PAYMENTS	TOTAL
19 I. ADMINISTRATION AND SUPPORT SERVICES:					
20 FROM:					
21 General Fund	\$1,582,200	\$1,437,900			\$3,020,100
22 Air Quality Permitting 23 Fund	194,600	190,300	\$5,200		390,100
24 Public Water System 25 Supervision Fund	321,000	50,900	4,400		376,300
26 Water Pollution Control 27 Fund	65,300	18,300	600		84,200
28 Department of 29 Environmental Quality 30 (Receipts) Fund	226,400	67,700	3,200		297,300
31 American Reinvestment 32 Fund	24,500	142,000			166,500
33 Department of 34 Environmental Quality 35 (Federal) Fund	<u>1,899,600</u>	<u>1,684,500</u>	<u>39,000</u>		<u>3,623,100</u>
36 TOTAL	\$4,313,600	\$3,591,600	\$52,400		\$7,957,600

	FOR PERSONNEL COSTS	FOR OPERATING EXPENDITURES	FOR CAPITAL OUTLAY	FOR TRUSTEE AND BENEFIT PAYMENTS	TOTAL
1					
2					
3					
4					
5	II. AIR QUALITY:				
6	FROM:				
7	General Fund	\$2,607,300	\$259,600		\$2,866,900
8	Air Quality Permitting				
9	Fund	1,065,700	142,700	\$40,000	1,248,400
10	Department of				
11	Environmental Quality				
12	(Receipts) Fund	179,600	173,600		353,200
13	American Reinvestment				
14	Fund	65,000	604,000		669,000
15	Department of				
16	Environmental Quality				
17	(Federal) Fund	<u>1,184,400</u>	<u>324,200</u>	<u>\$25,000</u>	<u>1,575,000</u>
18	TOTAL	\$5,102,000	\$1,504,100	\$25,000	\$6,712,500
19	III. WATER QUALITY:				
20	FROM:				
21	General Fund	\$4,866,700	\$1,026,700	\$1,094,800	\$6,988,200
22	Public Water System				
23	Supervision Fund	924,000	163,200	336,500	1,423,700
24	Water Pollution Control				
25	Fund	372,400	115,500	\$11,400	657,500
26	Department of				
27	Environmental Quality				
28	(Receipts) Fund	244,700	88,000	51,600	384,300
29	American Reinvestment				
30	Fund	30,000	71,100	69,200	170,300
31	Department of				
32	Environmental Quality				
33	(Federal) Fund	<u>3,905,900</u>	<u>1,619,500</u>	<u>2,683,200</u>	<u>8,208,600</u>
34	TOTAL	\$10,343,700	\$3,084,000	\$11,400	\$17,832,600
35	IV. COEUR D'ALENE BASIN COMMISSION:				
36	FROM:				
37	General Fund	\$95,600	\$10,200		\$105,800
38	Environmental				
39	Remediation (Basin)				
40	Fund	61,700	15,500		77,200
41	Department of				
42	Environmental Quality				
43	(Federal) Fund	<u>14,200</u>	<u>403,400</u>	<u>\$250,000</u>	<u>667,600</u>
44	TOTAL	\$171,500	\$429,100	\$250,000	\$850,600

	FOR PERSONNEL COSTS	FOR OPERATING EXPENDITURES	FOR CAPITAL OUTLAY	FOR TRUSTEE AND BENEFIT PAYMENTS	TOTAL
5	V. WASTE MANAGEMENT AND REMEDIATION:				
6	FROM:				
7	General Fund	\$2,327,200	\$112,700	\$134,600	\$2,574,500
8	Environmental				
9	Remediation (Box) Fund	25,600	76,500	25,500	127,600
10	Environmental				
11	Remediation (Basin)				
12	Fund	110,700	841,600		952,300
13	Department of				
14	Environmental Quality				
15	(Receipts) Fund	336,800	439,600	51,800	828,200
16	American Reinvestment				
17	Fund	380,000	11,192,000		11,572,000
18	Bunker Hill Trust Fund		50,000	250,000	300,000
19	Department of				
20	Environmental Quality				
21	(Federal) Fund	<u>3,094,900</u>	<u>16,753,400</u>	<u>15,500</u>	<u>19,863,800</u>
22	TOTAL	\$6,275,200	\$29,465,800	\$477,400	\$36,218,400
23	VI. IDAHO NATIONAL LABORATORY OVERSIGHT:				
24	FROM:				
25	General Fund	\$96,200	\$8,700		\$104,900
26	Department of				
27	Environmental Quality				
28	(Federal) Fund	<u>837,200</u>	<u>318,800</u>	<u>\$596,900</u>	<u>1,752,900</u>
29	TOTAL	\$933,400	\$327,500	\$596,900	\$1,857,800
30	GRAND TOTAL	\$27,139,400	\$38,402,100	\$88,800	\$71,429,500

31 SECTION 2. In accordance with Section 67-3519, Idaho Code, the Department
32 of Environmental Quality is authorized no more than three hundred eighty-two and five
33 hundredths (382.05) full-time equivalent positions at any point during the period July 1, 2009,
34 through June 30, 2010, for the programs specified in Section 1 of this act, unless specifically
35 authorized by the Governor. The Joint Finance-Appropriations Committee will be notified
36 promptly of any increased positions so authorized.

37 SECTION 3. Notwithstanding the provisions of Section 39-3630, Idaho Code, the State
38 Controller is hereby directed to transfer \$1,500,000 from the Water Pollution Control Fund to
39 the Environmental Remediation (Basin) Fund for the period July 1, 2009, through June 30,
40 2010.

1 SECTION 4. It is legislative intent that moneys deposited into the Environmental Reme-
2 diation (Basin) Fund are to be used for remediation of the Coeur d'Alene Basin in accordance
3 with the Superfund contract with the Environmental Protection Agency. The Department of
4 Environmental Quality shall file an annual report each year with the Governor, the Legislature,
5 and the Coeur d'Alene Basin Environmental Improvement Project Commission on the remedia-
6 tion progress and the expenditures involved.

7 SECTION 5. It is legislative intent that the appropriation of moneys from the Water
8 Pollution Control Fund in this act specifically supersedes the provisions of Section 39-3630,
9 Idaho Code.

10 SECTION 6. LAKE MANAGEMENT PLAN. The water quality of Lake Coeur d'Alene
11 is crucial to the economy of the state of Idaho. It is legislative intent that the Department of
12 Environmental Quality work with Panhandle Area Council, Inc. to pursue grants with the U.S.
13 Economic Development Administration to support Idaho's participation in the Coeur d'Alene
14 Lake Management Plan.

15 SECTION 7. LEGISLATIVE INTENT. It is the intent of the Legislature to retain to the
16 extent possible, our capable, quality employees who support the essential services and statuto-
17 rily authorized programs that the citizens of Idaho expect. The Legislature finds these critical
18 essential services to be those that maintain the health and safety of our citizens and the ed-
19 ucation of our children. While extending flexibility to the Governor and agency directors to
20 manage the state workforce to the best of their ability during these difficult times, it remains the
21 responsibility of the Legislature to identify priorities for the state workforce. The Legislature
22 finds that reductions in personnel funding shall first be managed through salary reductions that
23 impact all personnel fairly; secondly, be mitigated by the use of existing salary savings; thirdly,
24 by using savings created by keeping newly vacated positions unfilled; fourth, by the use of fur-
25 loughs; and lastly, as a last resort, by reducing the workforce. It is the intent of the Legislature
26 that these policies shall be adhered to by the executive, legislative, and judicial branches to the
27 extent allowed by law.

28 SECTION 8. SALARY REDUCTION. In as much as salary reductions will save jobs;
29 and in as much as a five percent (5%) reduction in personnel funding may create a reduction
30 in force; and in as much as the state as a single employer of multiple departments and agen-
31 cies is required by law to direct across the board salary adjustments; agencies and institutions
32 shall reduce all salaries of classified and nonclassified employees, regardless of fund source, by
33 three percent (3%) for fiscal year 2010, beginning on June 14, 2009, through June 12, 2010.
34 Agencies shall use personnel cost savings, furloughs, and a reduction in force to manage the
35 remaining two percent (2%) in funding reductions. The Division of Human Resources shall
36 adjust all pay schedules for the classified personnel system downward to the extent that all
37 beginning minimum salaries are three percent (3%) less than those in effect upon the date of
38 passage of this law.

39 SECTION 9. In addition to the appropriation made in Section 1, Chapter 284, Laws of
40 2008, there is hereby appropriated to the Department of Environmental Quality the following
41 amount to be expended for the designated programs according to the designated expense classes
42 from the listed funds for the period July 1, 2008, through June 30, 2009:

	FOR	FOR	FOR	
	PERSONNEL	OPERATING	TRUSTEE AND	
	COSTS	EXPENDITURES	PAYMENTS	TOTAL
			BENEFIT	
1				
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3				
4				
5	I. ADMINISTRATION AND SUPPORT SERVICES:			
6	FROM:			
7	American Reinvestment			
8	Fund	\$5,400		\$5,400
9	II. WATER QUALITY:			
10	FROM:			
11	American Reinvestment			
12	Fund	3,400	500	8,600
13	III. WASTE MANAGEMENT AND REMEDIATION:			
14	FROM:			
15	American Reinvestment			
16	Fund	<u>15,000</u>	<u>1,000,000</u>	<u>\$1,015,000</u>
17	TOTAL	\$23,800	\$1,000,500	\$8,600
			\$8,600	\$1,032,900

18 SECTION 10. Moneys received by the State of Idaho under Title VII of the federal
19 American Recovery and Reinvestment Act of 2009 for capitalization grants for Clean Water
20 State Revolving Funds, shall be deposited into the Wastewater Facility Loan Fund. Such mon-
21 eys are perpetually appropriated pursuant to Section, 39-3631, Idaho Code.

22 Moneys received by the state of Idaho, under Title VII of the federal American Recovery
23 and Reinvestment Act of 2009 for capitalization grants for Drinking Water State Revolving
24 Funds, shall be deposited into the Drinking Water Loan Fund. Such moneys are perpetually
25 appropriated pursuant to Section, 39-7604, Idaho Code.

26 SECTION 11. An emergency existing therefor, which emergency is hereby declared to
27 exist, Sections 8, 9 and 10 of this act shall be in full force and effect on and after passage and
28 approval.