

MINUTES

HOUSE ENVIRONMENT, ENERGY, & TECHNOLOGY COMMITTEE

DATE: Monday, February 06, 2012

TIME: 1:30 P.M.

PLACE: Room EW41

MEMBERS: Chairman Raybould, Vice Chairman Harwood, Representative(s) Anderson, Eskridge, Hartgen, Simpson, Schaefer, Vander Woude, Block, DeMordaunt, Gibbs, Nielsen, Thompson, Smith(30), Jaquet, Cronin

**ABSENT/
EXCUSED:** None

GUESTS: Reed Peterson, Mitch Poulsen, and Vaughn Rasmussen, Bear Lake Regional Commission (BLRC); Annie Roberts, BLRC Intern; Will Hart, Executive Director, Idaho Consumer-Owned Utilities Association; John Chatburn, Interim Director, Idaho Office of Energy Resources; Jesse Taylor, Westerberg & Associates; Dave Goins, Idaho News Service

Chairman Raybould called the meeting to order at 1:31 p.m.

Mitch Poulsen, Bear Lake Regional Commission Executive Director, presented an overview of the Joint Management of Bear Lake by Utah and Idaho. He explained that the Commission was formed in 1973 by the Governors of both states for protection of the lake. The objective was to coordinate federal, state, and local agencies across jurisdictional boundaries. Mr. Poulsen stated that the 10-member Commission was composed of elected officials, recreation and irrigation representatives, two hired staff and other ex officio members from both states. He explained that the Commission monitored Bear Lake, planned for the environmental stability, rehabilitated the watershed and had completed over 25 miles of streambank stabilization upstream from the lake. In addition, the Commission provided technical assistance to local communities. Long range plans for the lake include improvement of receiving waters, protection of the Bear Lake region, guarding water quality and effectively serving the adjacent organizations and agencies.

In response to questions from the committee, **Mr. Poulsen** clarified that the run-off from the Soda Springs did not reach Bear Lake and that the east side of the lake was less developed than the west side. He said that both states were responsible for the care of the sewer lagoons and that calcium carbonate was responsible for the vibrant blue color of Bear Lake. He also stated that Mudd Lake acts as a filter to the in-coming sediment flow and that persons from Utah's Wasatch Front made up the majority of second-home owners. In response to further questions, he said that development was being encouraged and that government regulations were in place to manage commercial and private development.

Rep. Anderson stated concern about infestation of the Quagga mussel in Idaho's lakes. He explained to the committee that mandatory inspections of boating equipment is required in Idaho but Utah monitors the Quagga mussel only through self certification. He encouraged **Mr. Poulsen** to negotiate for mandatory inspection in Utah and to be more aggressive in fighting the spread of the species. He referenced the invasive nature of the Quagga mussel and the infestation of Lake Mead, Nevada's and Arizona's shared lake.

Rep. Gibbs explained that although the Bear Lake Regional Commission had been a line item for the Joint Finance Appropriations Committee (JFAC) in the past, it had received no general funding for five years. **Chairman Raybould** suggested the commissioners request a hearing with JFAC.

RS 21135: **Rep. Vander Woude** presented **RS 21135** which amends Section 63-3022B, Idaho Code, to revise the eligibility criteria for taking a state income tax deduction for installing energy efficiency upgrade measures within existing residences and declaring an emergency plus providing retroactive application.

Questions arose regarding the committee's authority to introduce a resolution that was clearly a subject of taxation. **Chairman Raybould** accepted comment and ruled that the committee would introduce the resolution with a notation to the Speaker of the House that the bill hearing should be before the Revenue and Taxation Committee.

MOTION: **Rep. Eskridge** made a motion to introduce **RS 21135**. **Motion carried by voice vote**. He noted that a recommendation should accompany the Committee Report indicating that the bill be referred to the House Revenue and Taxation Committee.

RS 21039: **Rep. McMillan** presented **RS 21039** and explained that the purpose of the memorial was to remove the Environmental Protection Agency's (EPA) declaration of "Superfund Site" from the Silver Valley of the Coeur d'Alene Mining District in Shoshone County. She stated that testing of local residents for levels of lead in their blood had proven the hazard was gone and that, with existing technology, the cleanup should be accomplished within the allotted time. She noted the EPA's negative listing of the area should be withdrawn and that the restoration of roads and infrastructure was currently the responsibility of the EPA.

Rep. Simpson invoked Rule 38 stating a possible conflict of interest and that he would not be voting on the legislation since he is a Community Relations Plans Coordinator for the Superfund Cleanup Program for the Idaho National Laboratory.

In response to a question regarding the authority of the State of Idaho to reject the EPA, **Chairman Raybould** said the only way to over-ride an EPA ruling was to have an Idaho rule and/or law in place that was as stringent and/or as equal to the recommendation of the EPA.

Rep. Nielson argued that the memorial was a way to make Idaho's voice heard in the nation's capitol.

MOTION: **Rep. Nielsen** made a motion to introduce **RS 21039**. **Motion carried by voice vote**. **Rep. Simpson abstained**. **Reps. Cronin** and **Rep. Smith (30)** asked to be recorded as voting **NAY**.

ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 2:37 p.m.

Representative Raybould
Chair

Jean Vance
Secretary