

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 391

BY ENVIRONMENT, ENERGY, AND TECHNOLOGY COMMITTEE

AN ACT

1 RELATING TO THE WASTEWATER FACILITY LOAN ACCOUNT AND THE DRINKING WATER LOAN  
2 ACCOUNT; AMENDING SECTION 39-3626, IDAHO CODE, TO AUTHORIZE THE IDAHO  
3 BOARD OF ENVIRONMENTAL QUALITY THROUGH THE DEPARTMENT OF ENVIRONMENTAL  
4 QUALITY TO TRANSFER FUNDS BETWEEN THE WASTEWATER FACILITY LOAN ACCOUNT  
5 AND THE DRINKING WATER LOAN ACCOUNT, TO PROVIDE THAT ANY SUCH TRANS-  
6 FERS SHALL BE LISTED IN THE ANNUAL INTENDED USE PLAN AND APPROVED BY  
7 THE BOARD; AMENDING SECTION 39-3629, IDAHO CODE, TO PROVIDE THAT FUND  
8 TRANSFERS FROM THE DRINKING WATER LOAN ACCOUNT MAY BE PAID INTO THE  
9 WASTEWATER FACILITY LOAN ACCOUNT; AND AMENDING SECTION 39-7603, IDAHO  
10 CODE, TO PROVIDE THAT FUND TRANSFERS FROM THE WASTEWATER FACILITY LOAN  
11 ACCOUNT MAY BE PAID INTO THE DRINKING WATER LOAN ACCOUNT.  
12

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

14 SECTION 1. That Section 39-3626, Idaho Code, be, and the same is hereby  
15 amended to read as follows:

16 39-3626. AUTHORIZATION OF GRANTS AND LOANS -- DESIGNATION OF ADMINIS-  
17 TERING AGENCY -- RESERVATION OF FUNDS FOR OPERATIONS -- CRITERIA -- PRIORITY  
18 PROJECTS -- ELIGIBLE PROJECTS. (1) The state of Idaho is hereby authorized to  
19 make grants and loans at or below market interest rates, as funds are avail-  
20 able, to any municipality to assist said municipality in the construction of  
21 sewage treatment works, to community public water systems and nonprofit non-  
22 community public water systems. The state of Idaho is hereby also authorized  
23 to make loans at or below market interest rates for the implementation of a  
24 management program established under section 319 of the federal water pollu-  
25 tion control act, as amended.

26 (2) The department of environmental quality may use a portion of the in-  
27 terest revenues from wastewater and drinking water loans, in an amount not to  
28 exceed one percent (1%) of loans outstanding, subject to annual appropri-  
29 ation, for operation of the wastewater and drinking water loan programs.

30 (3) The Idaho board of environmental quality through the department of  
31 environmental quality shall be the agency for administration of funds autho-  
32 rized for grants or loans under this chapter, and may reserve up to four per-  
33 cent (4%) of the moneys accruing annually to the water pollution control and  
34 wastewater facility loan funds to be appropriated annually for the purpose  
35 of operating the water quality programs established pursuant to this chap-  
36 ter. The board may also reserve up to six percent (6%) of the moneys accruing  
37 annually to the water pollution control fund to be appropriated annually for  
38 the purpose of conducting water quality studies including monitoring.

39 (4) In allocating state construction grants and loans under this chap-  
40 ter, the Idaho board of environmental quality shall give consideration to  
41 water pollution control needs, protection of public health and provision of  
42 safe drinking water.

1 (5) Pursuant to subsection (4) of this section, the Idaho board of envi-  
 2 ronmental quality shall establish an integrated list of priority municipal  
 3 sewage facility and nonpoint source pollution control projects and a list of  
 4 priority community and nonprofit noncommunity public water systems.

5 (6) The Idaho board of environmental quality through the department of  
 6 environmental quality may transfer funds between the wastewater facility  
 7 loan account and the drinking water loan account. Such transfers shall be  
 8 listed in the annual intended use plan and approved by the Idaho board of  
 9 environmental quality.

10 SECTION 2. That Section 39-3629, Idaho Code, be, and the same is hereby  
 11 amended to read as follows:

12 39-3629. WASTEWATER FACILITY LOAN ACCOUNT ESTABLISHED. There is  
 13 hereby created and established in the agency asset fund in the state treasury  
 14 an account to be known as the wastewater facility loan account. Surplus  
 15 moneys in the wastewater facility loan account shall be invested by the state  
 16 treasurer in the manner provided for idle state moneys in the state treasury  
 17 under section 67-1210, Idaho Code. Interest received on all such invest-  
 18 ments shall be paid into the wastewater facility loan account. The account  
 19 shall have paid into it:

20 1. Federal funds which are received by the state to provide for wastewa-  
 21 ter facility loans together with required state matching funds coming from a  
 22 portion of the moneys in the water pollution control account as established  
 23 in section 39-3628, Idaho Code;

24 2. All donations and grants from any source which may be used for the  
 25 provisions of this section;

26 3. All principal and interest repayments of loans made pursuant to this  
 27 chapter; ~~and~~

28 4. Fund transfers from the drinking water loan account; and

29 5. Any other moneys which may hereafter be provided by law.

30 SECTION 3. That Section 39-7603, Idaho Code, be, and the same is hereby  
 31 amended to read as follows:

32 39-7603. INVESTMENT OF FUNDS IN DRINKING WATER LOAN ACCOUNT. Surplus  
 33 moneys in the drinking water loan account established by section 39-7602,  
 34 Idaho Code, shall be invested by the state treasurer in the manner for idle  
 35 state moneys in the state treasury as provided for in section 67-1210, Idaho  
 36 Code. Interest received on all such investments shall be paid into the ac-  
 37 count. The account shall have paid into it: federal funds which are received  
 38 by the state to provide for drinking water loans to public water systems to-  
 39 gether with the required state matching funds; all principal and interest  
 40 repayments of loans made pursuant to this chapter; all donations and grants  
 41 from any source which may be used for the provisions of this chapter; fund  
 42 transfers from the wastewater facility loan account; and any moneys which  
 43 may hereafter be provided by law.