

IN THE SENATE

SENATE CONCURRENT RESOLUTION NO. 116

BY STATE AFFAIRS COMMITTEE

A CONCURRENT RESOLUTION

1
2 STATING FINDINGS OF THE LEGISLATURE AND AUTHORIZING THE LEGISLATIVE COUNCIL
3 TO APPOINT A COMMITTEE TO UNDERTAKE AND COMPLETE A STUDY OF THE FEASI-
4 BILITY AND MEANS NECESSARY OF WHAT WOULD BE NEEDED FOR THE STATE OF IDAHO
5 TO OBTAIN PRIMACY OVER REGULATION OF WASTEWATER DISCHARGES TO SURFACE
6 WATER.

7 Be It Resolved by the Legislature of the State of Idaho:

8 WHEREAS, government that is the closest to the people is the best and
9 most responsive government; and

10 WHEREAS, it would be beneficial for the Department of Environmental
11 Quality to have primacy over regulation of wastewater discharges to surface
12 water under the National Pollutant Discharge Elimination System (NPDES)
13 program; and

14 WHEREAS, entities seeking or complying with a NPDES permit are subject
15 to distant interaction and must get decision making by the U.S. Environmen-
16 tal Protection Agency regarding issues with wastewater treatment and dis-
17 posal; and

18 WHEREAS, it would be a great benefit to municipalities, industry and so-
19 ciety to determine the costs and feasibility of the NPDES program as well as
20 the authority that would be given to the state of Idaho by the U.S. Environ-
21 mental Protection Agency to operate the program.

22 NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Ses-
23 sion of the Sixty-first Idaho Legislature, the Senate and the House of Rep-
24 resentatives concurring therein, that the Legislative Council is authorized
25 to appoint a committee to undertake and complete a study of the resources
26 necessary and any change in statutes or rules to obtain primacy over the reg-
27 ulation of wastewater NPDES program. The Legislative Council shall deter-
28 mine the number of legislators and membership from each house appointed to
29 the committee and shall authorize the committee to receive input, advice and
30 assistance from interested and affected parties who are not members of the
31 Legislature. The Director of the Department of Environmental Quality is re-
32 quested to assist the interim committee in providing information regarding
33 the cost of such an endeavor, necessary funding sources and necessary statu-
34 tory or rule changes that need to occur.

35 BE IT FURTHER RESOLVED that nonlegislative members of the committee may
36 be appointed by the cochairs of the committee who are appointed by the Leg-
37 islative Council. Nonlegislative members of the advisory committee shall
38 not be reimbursed from legislative funds for per diem, mileage or other ex-
39 penses and shall not have voting privileges regarding the committee's recom-
40 mendations or proposed legislation.

41 BE IT FURTHER RESOLVED that the committee shall report its findings,
42 recommendations and proposed legislation, if any, to the First Regular Ses-
43 sion of the Sixty-second Idaho Legislature.