

LEGISLATURE OF THE STATE OF IDAHO
Sixty-first Legislature Second Regular Session - 2012

IN THE SENATE

SENATE BILL NO. 1359

BY FINANCE COMMITTEE

AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY FOR FISCAL YEAR 2012; APPROPRIATING MONEYS TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY FOR FISCAL YEAR 2013; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; APPROPRIATING AND TRANSFERRING MONEYS TO THE ENVIRONMENTAL REMEDIATION BASIN FUND; EXPRESSING LEGISLATIVE INTENT REGARDING THE ENVIRONMENTAL REMEDIATION BASIN FUND AND REQUIRING AN ANNUAL REPORT; EXPRESSING LEGISLATIVE INTENT WITH REGARD TO USE OF THE WATER POLLUTION CONTROL FUND; PROVIDING GUIDANCE FOR EMPLOYEE COMPENSATION AND BENEFITS; AND DECLARING AN EMERGENCY.

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

SECTION 1. In addition to the appropriation made in Section 3, Chapter 191, Laws of 2011, and any other appropriation provided for by law, there is hereby appropriated to the Department of Environmental Quality, the following amounts to be expended according to the designated programs and expense classes, from the listed fund for the period July 1, 2011, through June 30, 2012:

	FOR PERSONNEL COSTS	FOR OPERATING EXPENDITURES	FOR TRUSTEE AND BENEFIT PAYMENTS	TOTAL
I. ADMINISTRATION AND SUPPORT SERVICES:				
FROM:				
Bunker Hill Trust				
Fund		\$11,200		\$11,200
II. WASTE MANAGEMENT AND REMEDIATION:				
FROM:				
Bunker Hill Trust				
Fund	\$10,000	\$600,000	\$50,000	\$660,000
GRAND TOTAL	\$10,000	\$611,200	\$50,000	\$671,200

SECTION 2. There is hereby appropriated to the Department of Environmental Quality, the following amounts to be expended according to the designated programs and expense classes, from the listed funds for the period July 1, 2012, through June 30, 2013:

	FOR	FOR	FOR	FOR	
	PERSONNEL	OPERATING	CAPITAL	TRUSTEE AND	
	COSTS	EXPENDITURES	OUTLAY	BENEFIT	TOTAL
				PAYMENTS	
1					
2					
3					
4					
5	I. ADMINISTRATION AND SUPPORT SERVICES:				
6	FROM:				
7	General				
8	Fund	\$1,424,800	\$1,381,400		\$2,806,200
9	Air Quality Permitting				
10	Fund	199,100	185,200	\$10,200	394,500
11	Public Water System Supervision				
12	Fund	328,500	48,900	2,800	380,200
13	Water Pollution Control				
14	Fund	66,700	20,100	1,100	87,900
15	Department of Environmental Quality (Receipts)				
16	Fund	233,100	95,500	5,300	333,900
17	Bunker Hill Trust				
18	Fund		11,200		11,200
19	Department of Environmental Quality (Federal)				
20	Fund	<u>1,717,200</u>	<u>1,634,200</u>	<u>90,300</u>	<u>3,441,700</u>
21	TOTAL	\$3,969,400	\$3,376,500	\$109,700	\$7,455,600
22	II. AIR QUALITY:				
23	FROM:				
24	General				
25	Fund	\$2,572,200	\$247,600		\$2,819,800
26	Air Quality Permitting				
27	Fund	1,078,600	142,700	\$40,000	1,261,300
28	Department of Environmental Quality (Receipts)				
29	Fund	264,400	243,000		507,400
30	Department of Environmental Quality (Federal)				
31	Fund	<u>1,209,200</u>	<u>674,200</u>	<u>\$32,000</u>	<u>1,915,400</u>
32	TOTAL	\$5,124,400	\$1,307,500	\$32,000	\$6,463,900
33	III. WATER QUALITY:				
34	FROM:				
35	General				
36	Fund	\$4,512,800	\$846,600	\$644,800	\$6,004,200
37	Public Water System Supervision				
38	Fund	942,500	163,200	336,500	1,442,200

	FOR	FOR	FOR	FOR	
	PERSONNEL	OPERATING	CAPITAL	TRUSTEE AND	
	COSTS	EXPENDITURES	OUTLAY	BENEFIT	TOTAL
				PAYMENTS	
Water Pollution Control					
Fund	561,500	334,300		158,200	1,054,000
Department of Environmental Quality (Receipts)					
Fund	436,500	158,000		51,600	646,100
Department of Environmental Quality (Federal)					
Fund	<u>4,316,800</u>	<u>1,599,500</u>		<u>2,683,200</u>	<u>8,599,500</u>
TOTAL	\$10,770,100	\$3,101,600		\$3,874,300	\$17,746,000
IV. COEUR D'ALENE BASIN COMMISSION:					
FROM:					
General					
Fund	\$99,600	\$10,200			\$109,800
Environmental Remediation (Basin)					
Fund	61,700	15,500			77,200
Department of Environmental Quality (Federal)					
Fund	<u>14,200</u>	<u>253,400</u>		<u>\$50,000</u>	<u>317,600</u>
TOTAL	\$175,500	\$279,100		\$50,000	\$504,600
V. WASTE MANAGEMENT AND REMEDIATION:					
FROM:					
General					
Fund	\$2,214,600	\$102,700		\$134,600	\$2,451,900
Environmental Remediation (Box)					
Fund	25,900	76,500		150,500	252,900
Environmental Remediation (Basin)					
Fund	81,600	841,600			923,200
Department of Environmental Quality (Receipts)					
Fund	547,600	1,092,100		51,800	1,691,500
American Reinvestment					
Fund		300,000			300,000
Bunker Hill Trust					
Fund	41,300	1,920,000		300,000	2,261,300
Department of Environmental Quality (Federal)					
Fund	<u>3,158,600</u>	<u>16,603,400</u>		<u>15,500</u>	<u>19,777,500</u>
TOTAL	\$6,069,600	\$20,936,300		\$652,400	\$27,658,300

				FOR	
	FOR	FOR	FOR	TRUSTEE AND	
	PERSONNEL	OPERATING	CAPITAL	BENEFIT	
	COSTS	EXPENDITURES	OUTLAY	PAYMENTS	TOTAL
5	VI. IDAHO NATIONAL LABORATORY OVERSIGHT:				
6	FROM:				
7	General				
8	Fund	\$75,600	\$8,700		\$84,300
9	Department of Environmental Quality (Federal)				
10	Fund	<u>854,600</u>	<u>468,800</u>	<u>\$40,000</u>	<u>\$596,900</u>
11	TOTAL	\$930,200	\$477,500	\$40,000	\$596,900
12	GRAND TOTAL	\$27,039,200	\$29,478,500	\$181,700	\$5,255,000
					\$61,954,400

13 SECTION 3. FTP AUTHORIZATION. In accordance with Section 67-3519,
 14 Idaho Code, the Department of Environmental Quality is authorized no more
 15 than three hundred seventy-six and five-hundredths (376.05) full-time
 16 equivalent positions at any point during the period July 1, 2012, through
 17 June 30, 2013, unless specifically authorized by the Governor. The Joint
 18 Finance-Appropriations Committee will be notified promptly of any increased
 19 positions so authorized.

20 SECTION 4. There is hereby appropriated to the Department of Environ-
 21 mental Quality and the State Controller shall transfer \$1,500,000 from the
 22 Water Pollution Control Fund to the Environmental Remediation Basin Fund,
 23 through monthly installments or as practicable for the period July 1, 2012,
 24 through June 30, 2013.

25 SECTION 5. LEGISLATIVE INTENT. It is the intent of the Legislature that
 26 moneys deposited into the Environmental Remediation Basin Fund are to be
 27 used for remediation of the Coeur d'Alene Basin in accordance with the su-
 28 perfund contract with the Environmental Protection Agency. The Department
 29 of Environmental Quality shall file an annual report with the Governor, the
 30 Legislature, and the Coeur d'Alene Basin Environmental Improvement Project
 31 Commission on the remediation progress and the expenditures involved.

32 SECTION 6. LEGISLATIVE INTENT. It is the intent of the Legislature that
 33 the appropriation of moneys from the Water Pollution Control Fund in this act
 34 specifically supersedes the provisions of Section 39-3630, Idaho Code.

35 SECTION 7. EMPLOYEE COMPENSATION AND BENEFITS. The Legislature rec-
 36 ognizes and thanks all state workers for their dedication, professionalism
 37 and for the personal sacrifices they make every day in the performance of
 38 their duties to serve our citizens. In accordance with the provisions of
 39 Section 67-5309C, Idaho Code, the Legislature supports the Governor's rec-
 40 ommendation in not making changes in annual salaries and benefits for state
 41 employees based upon labor markets or specific occupational inequities;

1 directs agencies and institutions that have excess personnel cost appro-
2 priations or salary savings due to turnover to use such funding for a merit
3 increase component, notwithstanding the provisions of Section 67-5309B(4),
4 Idaho Code, to recognize and reward permanent and temporary state employ-
5 ees; and does provide funding to agencies and institutions to provide a two
6 percent (2%) pay increase for all classified and nonclassified permanent
7 performing employees. Performing employees shall be all permanent employ-
8 ees, including adjunct faculty at colleges and universities, who have been
9 rated as "achieves" or better on a performance plan if required by Division
10 of Human Resources rule, including probationary permanent employees making
11 satisfactory progress. The Legislature supports the Governor's recommenda-
12 tion to fund increases in the cost of health insurance benefits and directs
13 the director of the Department of Administration, as the administrator of
14 the state insurance plan, to maintain the current benefit package to the ex-
15 tent possible, which may require a cost sharing on the part of employees for
16 the increased cost of the health insurance plan.

17 SECTION 8. An emergency existing therefor, which emergency is hereby
18 declared to exist, Section 1 of this act shall be in full force and effect on
19 and after passage and approval.