

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

IN THE SENATE

SENATE BILL NO. 1389

BY FINANCE COMMITTEE

AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF WATER RESOURCES FOR FISCAL YEAR 2012; APPROPRIATING MONEYS TO THE DEPARTMENT OF WATER RESOURCES FOR FISCAL YEAR 2013; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING GUIDANCE FOR EMPLOYEE COMPENSATION AND BENEFITS; APPROPRIATING AND TRANSFERRING MONEYS; PROVIDING LEGISLATIVE INTENT WITH REGARD TO CERTAIN WATER RIGHT FILING FEES; 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 238, Laws of 2011, and any other appropriation provided for by law, there is hereby appropriated \$25,000 from the General Fund to the Department of Water Resources for the Management and Support Services Program, to be expended for personnel costs, for the period July 1, 2011, through June 30, 2012.

SECTION 2. There is hereby appropriated to the Department of Water Resources, 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 PERSONNEL COSTS	FOR OPERATING EXPENDITURES	FOR CAPITAL OUTLAY	FOR TRUSTEE AND BENEFIT PAYMENTS	TOTAL
I. MANAGEMENT AND SUPPORT SERVICES:					
FROM:					
General					
Fund	\$818,500	\$668,800	\$50,000		\$1,537,300
Indirect Cost Recovery					
Fund	308,900	142,000			450,900
Water Administration					
Fund	43,500	21,900			65,400
Miscellaneous Revenue					
Fund	<u>0</u>	<u>138,100</u>	<u>0</u>		<u>138,100</u>
TOTAL	\$1,170,900	\$970,800	\$50,000		\$2,191,700

	FOR	FOR	FOR	FOR	
	PERSONNEL	OPERATING	CAPITAL	TRUSTEE AND	
	COSTS	EXPENDITURES	OUTLAY	BENEFIT	TOTAL
				PAYMENTS	
II. PLANNING AND TECHNICAL SERVICES:					
FROM:					
General					
Fund	\$2,120,600	\$582,400		\$554,000	\$3,257,000
Indirect Cost Recovery					
Fund	66,700	12,700			79,400
Aquifer Planning and Management					
Fund	372,900	2,384,500			2,757,400
Miscellaneous Revenue					
Fund		165,000			165,000
Federal Grant					
Fund	<u>487,800</u>	<u>2,288,400</u>		<u>0</u>	<u>2,776,200</u>
TOTAL	\$3,048,000	\$5,433,000		\$554,000	\$9,035,000
III. WATER MANAGEMENT:					
FROM:					
General					
Fund	\$3,896,100	\$1,950,200	\$80,800		\$5,927,100
Indirect Cost Recovery					
Fund	52,800	4,800			57,600
Water Administration					
Fund	1,058,100	218,900			1,277,000
Miscellaneous Revenue					
Fund	672,300	246,800			919,100
Federal Grant					
Fund	<u>492,800</u>	<u>312,100</u>	<u>0</u>		<u>804,900</u>
TOTAL	\$6,172,100	\$2,732,800	\$80,800		\$8,985,700
IV. NORTHERN IDAHO ADJUDICATION:					
FROM:					
General					
Fund	\$222,000	\$158,100			\$380,100

				FOR	
	FOR	FOR	FOR	TRUSTEE AND	
	PERSONNEL	OPERATING	CAPITAL	BENEFIT	
	COSTS	EXPENDITURES	OUTLAY	PAYMENTS	TOTAL
5	Northern Idaho Adjudication				
6	Fund	<u>70,900</u>	<u>35,000</u>		<u>105,900</u>
7	TOTAL	\$292,900	\$193,100		\$486,000
8	GRAND TOTAL	\$10,683,900	\$9,329,700	\$130,800	\$554,000
					\$20,698,400

9 SECTION 3. FTP AUTHORIZATION. In accordance with Section 67-3519,
10 Idaho Code, the Department of Water Resources is authorized no more than one
11 hundred fifty-nine (159) full-time equivalent positions at any point during
12 the period July 1, 2012, through June 30, 2013, unless specifically autho-
13 rized by the Governor. The Joint Finance-Appropriations Committee will be
14 notified promptly of any increased positions so authorized.

15 SECTION 4. EMPLOYEE COMPENSATION AND BENEFITS. The Legislature rec-
16 ognizes and thanks all state workers for their dedication, professionalism
17 and for the personal sacrifices they make every day in the performance of
18 their duties to serve our citizens. In accordance with the provisions of
19 Section 67-5309C, Idaho Code, the Legislature supports the Governor's rec-
20 ommendation in not making changes in annual salaries and benefits for state
21 employees based upon labor markets or specific occupational inequities;
22 directs agencies and institutions that have excess personnel cost appro-
23 priations or salary savings due to turnover to use such funding for a merit
24 increase component, notwithstanding the provisions of Section 67-5309B(4),
25 Idaho Code, to recognize and reward permanent and temporary state employ-
26 ees; and does provide funding to agencies and institutions to provide a two
27 percent (2%) pay increase for all classified and nonclassified permanent
28 performing employees. Performing employees shall be all permanent employ-
29 ees, including adjunct faculty at colleges and universities, who have been
30 rated as "achieves" or better on a performance plan if required by Division
31 of Human Resources rule, including probationary permanent employees making
32 satisfactory progress. The Legislature supports the Governor's recommenda-
33 tion to fund increases in the cost of health insurance benefits and directs
34 the director of the Department of Administration, as the administrator of
35 the state insurance plan, to maintain the current benefit package to the ex-
36 tent possible, which may require a cost sharing on the part of employees for
37 the increased cost of the health insurance plan.

38 SECTION 5. There is hereby appropriated to the Department of Water Re-
39 sources and the State Controller shall transfer \$1,232,000 from the Revolv-
40 ing Development Fund to the Secondary Aquifer Planning, Management, and Im-
41 plementation Fund, on July 1, 2012, or as soon thereafter as practicable, for
42 the period July 1, 2012, through June 30, 2013.

1 SECTION 6. LEGISLATIVE INTENT. Notwithstanding Section 42-1414(1) (c),
2 Idaho Code, it is the intent of the Legislature that moneys appropriated
3 in Section 2 of this act, for the Northern Idaho Adjudication Program from
4 the General Fund, count toward the filing fees required under Section
5 42-1414(1) (a) and Section 42-1414(1) (b), Idaho Code, for water right claims
6 filed in the Northern Idaho Adjudication by the Idaho Water Resource Board
7 and the Governor of the State of Idaho based on instream flow, public lake
8 level maintenance or recreation. If the General Fund appropriation exceeds
9 the amount required for the Idaho Water Resource Board's and the Governor's
10 filing fees in the current fiscal year, the excess shall be counted toward
11 future filing fees required for those same purposes. If the General Fund
12 appropriation does not meet or exceed the fee required for claims of the
13 Idaho Water Resource Board or the Governor of the State of Idaho, the Direc-
14 tor of the Department of Water Resources shall grant an extension of time to
15 the Idaho Water Resource Board or the Governor of the State of Idaho to file
16 the claim, and the General Fund appropriation for the following fiscal year
17 shall be counted toward the balance of the filing fee.

18 SECTION 7. An emergency existing therefor, which emergency is hereby
19 declared to exist, Section 1 of this act shall be in full force and effect on
20 and after passage and approval.