

HOUSE CONCURRENT RESOLUTION 16

Full Bill Information

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HCR016..... by ENVIRONMENT, ENERGY, AND TECHNOLOGY COMMITTEE

ENVIRONMENTAL QUALITY DEPARTMENT - RULES - Stating findings of the Legislature and rejecting certain rules of the Department of Environmental Quality relating to Water Quality Standards.

02/23 House intro - 1st rdg - to printing

02/24 Rpt prt - to 2nd rdg

02/25 2nd rdg - to 3rd rdg

03/02 3rd rdg - **ADOPTED - 57-12-1**

AYES -- Anderson, Andrus, Barbieri, Barrett, Bateman, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Boyle, Chadderdon(Chadderdon), Collins, Crane, DeMordaunt, Ellsworth, Eskridge, Gibbs(Wheeler), Guthrie, Hagedorn, Hart, Hartgen, Harwood, Henderson, Lake, Loertscher, Luker, Marriott, McGeachin, McMillan, Moyle, Nettet, Nielsen, Nonini, Palmer, Patrick, Pence, Perry, Raybould, Roberts, Schaefer, Shepherd, Shirley, Simpson, Sims, Smith(24), Stevenson, Takasugi(Batt), Thayn, Thompson, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker

NAYS -- Buckner-Webb, Burgoyne, Cronin, Higgins, Jaquet, Killen, King, Lacey, Ringo, Rusche, Smith(30), Trail

Absent and excused -- Chew

Floor Sponsor - Hartgen

Title apvd - to Senate

03/03 Senate intro - 1st rdg - to Res/Env

03/17 Rpt out - rec d/p - to 10th Ord

03/18 10th Ord - **ADOPTED - 26-6-3**

AYES -- Andreason, Bair, Brackett, Broadsword, Cameron, Corder, Darrington, Davis, Fulcher, Hammond, Heider, Hill, Keough, Lodge, McGee, McKague, McKenzie, Mortimer, Nuxoll, Pearce, Siddoway, Smyser, Stegner, Tippetts, Toryanski, Winder

NAYS -- Bilyeu, Bock, LeFavour, Schmidt, Stennett, Werk

Absent and excused -- Goedde, Malepeai, Vick

Floor Sponsor - Bair

Title apvd - to House

03/21 To enrol

03/22 Rpt enrol - Sp signed

IN THE HOUSE OF REPRESENTATIVES

HOUSE CONCURRENT RESOLUTION NO. 16

BY ENVIRONMENT, ENERGY, AND TECHNOLOGY COMMITTEE

A CONCURRENT RESOLUTION

1 STATING FINDINGS OF THE LEGISLATURE AND REJECTING CERTAIN RULES OF THE DE-
2 PARTMENT OF ENVIRONMENTAL QUALITY RELATING TO WATER QUALITY STANDARDS.
3

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

5 WHEREAS, the Legislature is vested with authority to reject executive
6 agency rules under the provisions of Section 67-5291, Idaho Code, in the
7 event that the Legislature finds that the rules are not consistent with leg-
8 islative intent; and

9 WHEREAS, it is the finding of the Legislature that certain rules of the
10 Department of Environmental Quality relating to Water Quality Standards are
11 not consistent with legislative intent and should be rejected.

12 NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Ses-
13 sion of the Sixty-first Idaho Legislature, the House of Representatives and
14 the Senate concurring therein, that IDAPA 58.01.02, Department of Environ-
15 mental Quality Rules Governing Water Quality Standards, Section 010, Defi-
16 nitions, Subsection 19, "Degradation or Lower Water Quality," and Section
17 052, Implementation, Subsection 03, General Permits, Subsection 05, Iden-
18 tification of Tier II Waters, and Subsection 08.a, relating to Tier II Anal-
19 ysis, only, adopted as pending rules under Docket Number 58-0102-1001, be,
20 and the same are hereby rejected and declared null, void and of no force and
21 effect.

STATEMENT OF PURPOSE

RS20459

This concurrent resolution would reject three subsections and one paragraph in a pending rule of the Department of Environmental Quality relating to Water Quality Standards as being not consistent with Legislative intent. The effect of this resolution, if adopted by both houses, would be to prevent the three subsections and the paragraph from going into effect.

FISCAL NOTE

This concurrent resolution has no fiscal impact.

Contact:

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