

HOUSE RESEARCH

Bill Summary

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Subject: Water Commission and Water Related Rulemaking

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Overview

This bill would prohibit water related rules from being adopted during fiscal years 2010 and 2011, require a study on water related rules, and establish a Water Commission to coordinate water programs, rules and responsibilities.

Section

- 1** **Water rulemaking moratorium.** Prohibits the Pollution Control Agency, Department of Natural Resources, Board of Water and Soil Resources, Environmental Quality Board, Department of Agriculture and the Department of Health from adopting rules related to water quality or water resource protection during fiscal years 2010 and 2011, and extends the expedited rulemaking authority established in 2007 for the Wetland Conservation Act to June 30, 2011.
- 2** **Study required.** Requires the Clean Water Council to appoint a study group, for purposes of a study, and specifies the members for the group. Requires the study to: (1) consider scientific data; (2) identify current water related rules and their outcomes and costs; (3) assess the pros and cons of a watershed approach; (4) assess the reasons why some regulations are administered at the local level and some are not; (5) identify current efforts to eliminate redundancy between state and federal regulations; (6) identify current strategic decision making of the agencies, individually and collectively, in rulemaking and rule implementation to achieve more effective, efficient, and justifiable rules and desired outcomes; and (7) identify the rule assessment and evaluation process that supports the continuation of the various rules.
- 3** **Water Commission.** Establishes a legislative Water Commission to include five appointed house members and five appointed senate members to coordinate water programs, rules, and responsibilities. Requires agencies to comply with requests from the commission and requires notices of the intent to adopt rules to be sent to the commission and legislature. Provides an unspecified expiration date for the commission.

- 4 **Appropriation.** Appropriates an unspecified amount from the clean water legacy account to provide administrative support for the study group.