

HB 2142 STAFF MEASURE SUMMARY

House Committee On Water

Action Date: 04/13/21

Action: Without recommendation as to passage, refer to Ways and Means by prior reference.

Vote: 6-2-0-0

Yeas: 6 - Helm, Owens, Reardon, Reynolds, Wilde, Witt

Nays: 2 - Breese-Iverson, Leif

Fiscal: Fiscal impact issued

Revenue: Revenue impact issued

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Meeting Dates: 1/28, 4/13

WHAT THE MEASURE DOES:

Increases certain fees charged by Water Resources Department and creates fee for additional points of appropriation included in application for approval of change to existing water right or permit. Applies retroactively to July 1, 2021, if this Act becomes law after July 1, 2021. Declares emergency, effective July 1, 2021.

ISSUES DISCUSSED:

- Modifications to water right transactions and dam safety fee schedules
- History of litigation cases involving Water Resources Department
- Timeline for water right application process

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

In 2009, the legislature restructured many of the Water Resources Department's (WRD) water right fees. WRD has since brought forward legislation to modify the water right transactions fee schedule every four years. The current fee schedule, enacted in 2017, provides revenues of about \$2.4 million to fund 24 positions in the Water Right Services Division, the Groundwater Section of the Technical Services Division, and the Administrative Services Division. The current Dam Safety Annual Fee schedule provides about \$300,000 to fund two positions in the Dam Safety program. The Department of Administrative Services projects state employee personnel costs to increase by 17.39 percent for 2021-2025.

House Bill 2142 would increase fees charged by WRD by approximately 17.39 percent, averaged over a four-year period, and create a new fee for additional points of appropriation included in an application for approval of a change to an existing water right or permit.