

**FORTY-SEVENTH LEGISLATURE  
FIRST SESSION, 2005**

February 14, 2005

Mr. Speaker:

Your **ENERGY AND NATURAL RESOURCES COMMITTEE**, to whom has been referred

**HOUSE BILL 462**

has had it under consideration and reports same with recommendation that it **DO PASS**, amended as follows:

1. On page 1, line 23, before the semicolon insert:

"or by other law by the state engineer for irrigation of up to one acre of non-commercial trees, lawn or garden or for household or other domestic use".

2. On page 4, line 5, after "diversion" insert "in addition to any other reporting specifically required by the state engineer".

3. On page 6, strike lines 15 through 22 in their entirety and insert in lieu thereof a new Subsection C to read:

"C. in consultation with the department of environment, the state engineer, the interstate stream commission and the water infrastructure evaluation technical team or other water infrastructure evaluation technical group that is administratively attached to the department of finance and administration, evaluate and prioritize qualifying water projects based on the following criteria:

- (1) urgency of need;
- (2) estimated water savings and depletions;
- (3) short- and long-term benefits and impacts, including environmental benefits and impacts;
- (4) capital costs, matching contributions from federal or local funding sources and financial capability of the qualifying entity to ensure sufficient revenues to operate and maintain the project for its useful life and to repay financial assistance if applying for a loan;
- (5) engineering reports;

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(6) compliance with the federal Safe Drinking Water Act of 1974, if applicable;

(7) demonstration of adequate technical and managerial capability to operate the project;

(8) consistency with an approved regional water plan and possibility of regional or clustered water systems;

(9) consideration of alternatives to the proposed qualifying water project for meeting water demand and the comparative benefits of the proposed project;

(10) equitable distribution of the water efficient technology project fund grants and loans across the state's river basins as measured by the amount of water efficiency fees collected from and expended within each river basin; and

(11) other relevant criteria as needed;".

4. On page 7, lines 7 and 8, strike "the actual cost of collection or".

5. On page 7, line 10, strike "whichever is less" and insert in lieu thereof:

"sixty percent of which shall be used for administrative costs of the department, and forty percent of which shall be distributed to the state engineer for administrative costs of the office of the state engineer".

6. On page 11, between lines 13 and 14, insert the following new section to read:

"Section 11. TEMPORARY PROVISION--APPLICABILITY.--The fees imposed by Paragraphs (1) and (2) of Subsection A of Section 3 of the Water Efficient Technology Act shall be imposed beginning on July 1, 2007. The fee imposed by Paragraph (3) of Subsection A of Section 3 of the Water Efficient Technology Act shall be imposed beginning July 1, 2011.".,

and thence referred to the **TAXATION AND REVENUE COMMITTEE.**

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Respectfully submitted,

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**James Roger Madalena, Chairman**

Adopted \_\_\_\_\_  
(Chief Clerk)

Not Adopted \_\_\_\_\_  
(Chief Clerk)

Date \_\_\_\_\_

The roll call vote was 6 For 5 Against

Yes: 6

No: Anderson, Ezzell, Heaton, Stell, Wilson

Excused: Cheney, Foley

Absent: None

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