

IN THE SENATE

SENATE BILL NO. 1260

BY RESOURCES AND ENVIRONMENT COMMITTEE

AN ACT

1 RELATING TO THE LAKE PEND OREILLE, PEND OREILLE RIVER, PRIEST LAKE AND PRIEST
2 RIVER COMMISSION; AMENDING SECTION 39-8503, IDAHO CODE, TO REVISE THE
3 AUTHORITY PROVISIONS OF THE COMMISSION AND TO PROVIDE THAT THE COMMIS-
4 SION SHALL HAVE THE AUTHORITY TO DESIGNATE REPRESENTATIVES TO PARTIC-
5 IPATE IN PROCEEDINGS REGARDING THE COLUMBIA RIVER BASIN; AMENDING SEC-
6 TION 39-8504, IDAHO CODE, TO PROVIDE THAT MONEYS IN THE LAKE PEND OR-
7 EILLE, PEND OREILLE RIVER, PRIEST LAKE AND PRIEST RIVER COMMISSION FUND
8 MAY ALSO BE USED TO PROVIDE FOR PARTICIPATION IN PROCEEDINGS REGARDING
9 THE COLUMBIA RIVER BASIN; AND DECLARING AN EMERGENCY.
10

11 Be It Enacted by the Legislature of the State of Idaho:

12 SECTION 1. That Section 39-8503, Idaho Code, be, and the same is hereby
13 amended to read as follows:

14 39-8503. DUTIES OF THE COMMISSION. (1) The Lake Pend Oreille, Pend Or-
15 eille River, Priest Lake and Priest River commission shall have:

16 (a) ~~The duty to study, investigate and select ways and means of con-~~
17 ~~trolling the water quality and water quantity as they relate to waters~~
18 ~~of Lake Pend Oreille, Pend Oreille River, Priest Lake and Priest River~~
19 ~~for the communities' interests and interests of the state of Idaho and~~
20 ~~for the survival of the native species of fish contiguous to the Pend Or-~~
21 ~~eille Priest Basin. Those species are bull trout, westslope cutthroat,~~
22 ~~mountain white fish, pike minnow and the forage base for bull trout and~~
23 ~~kokanee salmon. The commission shall have;~~

24 (b) ~~The authority to study, investigate, develop and select strate-~~
25 ~~gies with the department of water resources, the department of envi-~~
26 ~~ronmental quality, the department of fish and game, the department of~~
27 ~~lands, the United States fish and wildlife service, and the U.S. army~~
28 ~~corps of engineers for the preservation of the said species of native~~
29 ~~fish, scenic beauty, health, recreation, transportation and commercial~~
30 ~~purposes necessary and desirable for all the inhabitants of the state.~~
31 ~~The commission shall also have;~~

32 (c) ~~The authority to receive and direct any mitigation moneys into the~~
33 ~~Lake Pend Oreille, Pend Oreille River, Priest Lake and Priest River com-~~
34 ~~mission fund created in section 39-8504, Idaho Code; and~~

35 (d) The authority to designate one (1) or more representatives to par-
36 ticipate in proceedings relating to the Columbia River Basin, includ-
37 ing but not limited to those of the Albeni Falls mitigation work group,
38 the technical management team and other proceedings regarding federal
39 Columbia River power system operations, the Columbia River treaty, and
40 the Idaho invasive species council.

1 (2) Nothing in this section shall be construed to authorize the commis-
2 sion to establish or require minimum stream flows or lake levels, which may
3 only be established under the provisions of chapter 15, title 42, Idaho Code.

4 SECTION 2. That Section 39-8504, Idaho Code, be, and the same is hereby
5 amended to read as follows:

6 39-8504. LAKE PEND OREILLE, PEND OREILLE RIVER, PRIEST LAKE AND PRIEST
7 RIVER COMMISSION FUND ESTABLISHED. There is hereby created in the state
8 treasury the Lake Pend Oreille, Pend Oreille River, Priest Lake and Priest
9 River commission fund. Moneys in the fund may consist of appropriations,
10 federal funds, mitigation moneys, donations or moneys of any source. Moneys
11 in the fund may be dispersed for necessary corrective actions to complete
12 the corrective measures as they pertain to duties of the commission created
13 under this chapter. The release of any mitigation funds from the fund shall
14 be authorized by the state board of examiners. Moneys in the fund may also
15 be used to pay the administrative costs of the commission and to provide for
16 participation in proceedings relating to the Columbia River Basin, as autho-
17 rized under the provisions of section 39-8503, Idaho Code.

18 SECTION 3. An emergency existing therefor, which emergency is hereby
19 declared to exist, this act shall be in full force and effect on and after its
20 passage and approval.