

IN THE SENATE

SENATE BILL NO. 1123

BY RESOURCES AND ENVIRONMENT COMMITTEE

AN ACT

RELATING TO LAVA HOT SPRINGS; AMENDING SECTION 67-4405, IDAHO CODE, TO PROVIDE THAT MONEYS IN THE LAVA HOT SPRINGS FOUNDATION FUND SHALL BE CONTINUOUSLY APPROPRIATED AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 67-4408, IDAHO CODE, TO PROVIDE FOR CONTINUOUS APPROPRIATION FOR OPERATION WHEN NOT LEASED, TO REVISE A CODE REFERENCE, AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 67-4409, IDAHO CODE, TO PROVIDE THAT THE LAVA HOT SPRINGS CAPITAL IMPROVEMENT ACCOUNT SHALL BE CONTINUOUSLY APPROPRIATED AND TO MAKE TECHNICAL CORRECTIONS.

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

SECTION 1. That Section 67-4405, Idaho Code, be, and the same is hereby amended to read as follows:

67-4405. RECEIPTS AND APPROPRIATION INURING TO USE OF FOUNDATION. The entire receipts of and from any source whatsoever that may inure to the benefit of the said foundation through its operation of the said property, bathing facilities, pleasure resort, hospital or sanitarium and the rents and royalties accruing from any mineral lease that shall be made of foundation lands shall be deposited in the Lava Hot Springs ~~F~~foundation ~~F~~fund, and all moneys now in or hereafter deposited in such fund are hereby continuously appropriated for the use and benefit of the said ~~F~~foundation.

SECTION 2. That Section 67-4408, Idaho Code, be, and the same is hereby amended to read as follows:

67-4408. APPROPRIATION FOR OPERATION WHEN NOT LEASED. There is hereby continuously appropriated out of the Lava Hot Springs account the entire receipts of and from any sources whatsoever that may hereafter inure to the benefit of the Lava Hot Springs ~~F~~foundation through its operation of the property of the said foundation, bathing facilities, pleasure resort, hospital or sanitarium. The foundation may also expend any other moneys that may be appropriated, donated, bequeathed or granted for the use of the foundation. ~~Provided,~~ provided that the appropriation herein made shall not be effective or the funds appropriated available during any period when the provisions of the Lava Hot Springs ~~F~~foundation Act, ~~Chapter 5 of the 1935 Session Laws, amendatory of Chapter 41, Title 65, Idaho Code Annotated, sections 67-4401 through 67-4405, Idaho Code,~~ shall be suspended as herein provided.

SECTION 3. That Section 67-4409, Idaho Code, be, and the same is hereby amended to read as follows:

67-4409. LAVA HOT SPRINGS CAPITAL IMPROVEMENT ACCOUNT. There is hereby created and established in the agency asset fund in the state treasury

1 a n continuously appropriated account to be known as the Lava Hot Springs cap-
2 ital improvement account to which shall be credited or deposited such moneys
3 and interest accruing over and above the operation and maintenance cost from
4 the Lava Hot Springs Foundation account, as the members of the Foundation
5 may from time to time determine. The purposes for which moneys in the account
6 may be used shall be to acquire, purchase, improve, repair, furnish, and
7 equip Lava Hot Springs facilities and sites. All claims against the account
8 shall be examined, audited and allowed in the same manner now or hereafter
9 provided by law for claims against the state. This account shall be invested
10 by the state treasurer in investments permitted by section 67-1210, Idaho
11 Code, and the interest shall be returned to the account.