

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 96

BY RESOURCES AND CONSERVATION COMMITTEE

AN ACT

1
2 RELATING TO THE BEAR RIVER COMMISSION; AMENDING SECTION 42-3301, IDAHO CODE,
3 TO PROVIDE FOR ALTERNATE COMMISSIONERS, TO REVISE VERBIAGE, TO MAKE A
4 CODIFIER'S CORRECTION AND TO MAKE A TECHNICAL CORRECTION; AND AMENDING
5 SECTION 42-3303, IDAHO CODE, TO PROVIDE FOR THE AUTHORITY OF ALTERNATE
6 COMMISSIONERS IN THE ABSENCE OF APPOINTED COMMISSIONERS.

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

8 SECTION 1. That Section 42-3301, Idaho Code, be, and the same is hereby
9 amended to read as follows:

10 42-3301. APPOINTMENT OF MEMBERS OF COMMISSION TO SERVE ON JOINT COM-
11 MISSION RELATING TO WATERS OF BEAR RIVER. The governor of the state of Idaho
12 is hereby authorized to appoint a commission consisting of three (3) ~~members~~
13 commissioners, of which the director of the department of water resources
14 may be one (1), and up to two (2) alternate commissioners, to represent the
15 state of Idaho on a joint commission to be composed of commissioners repre-
16 senting the states of Wyoming, Utah, and Idaho, and a commissioner that may
17 be appointed to represent the United States of America, to be constituted
18 by said states for the purpose of negotiating and entering into a compact or
19 compacts, agreement or agreements, between the said states, with consent of
20 congress, respecting the lawful diversion, distribution, and the further
21 utilization and disposition of the waters of Bear River, and all streams
22 tributary thereto, with due regard to the priority rule controlling the use
23 of water, and fixing and determining a method of regulation, administration
24 and control of the waters of said river; provided, however, that any compact
25 or agreement so entered into on behalf of said states shall not be binding or
26 obligatory upon either of said states or citizens thereof until and unless
27 the same shall have been ratified and approved by the legislatures of the
28 said three (3) states and by the congress of the United States.

29 SECTION 2. That Section 42-3303, Idaho Code, be, and the same is hereby
30 amended to read as follows:

31 42-3303. AUTHORITY AND DUTIES OF COMMISSIONERS. Said commissioners,
32 or alternate commissioners in the absence of appointed commissioners, for
33 the state of Idaho shall have authority to make full investigations of Bear
34 River and its tributaries and the drainage area thereof, as may be neces-
35 sary in order to determine the facts as to physical conditions obtaining upon
36 said river, and of the present and future needs of the state of Idaho and its
37 citizens, to the proper use and benefits of the waters of said stream and to
38 perform such other duties as may be necessary to sufficiently determine such
39 facts and to secure the necessary information in order that they may properly

1 perform their duties as commissioners of the state of Idaho upon said joint
2 commission.