

REVISED

STATEMENT OF PURPOSE

RS30399 / S1112

This legislation will add Bear Lake to existing Idaho Code that preserves the lakes and water of Idaho. It recognizes Bear Lake's unique qualities to the people of the State while acknowledging its current uses for irrigation storage, power generation, flood control, and recreation.

FISCAL NOTE

This legislation has no impact to the State's General Fund or to dedicated funds as it only acknowledges in Idaho code the positive qualities of Bear Lake to the citizens of Idaho.

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DISCLAIMER: This statement of purpose and fiscal note are a mere attachment to this bill and prepared by a proponent of the bill. It is neither intended as an expression of legislative intent nor intended for any use outside of the legislative process, including judicial review (Joint Rule 18).

IN THE SENATE

SENATE BILL NO. 1112

BY STATE AFFAIRS COMMITTEE

AN ACT

1
2 RELATING TO BEAR LAKE; AMENDING CHAPTER 43, TITLE 67, IDAHO CODE, BY THE AD-
3 DITION OF A NEW SECTION 67-4313, IDAHO CODE, TO RECOGNIZE BEAR LAKE AS
4 A HIGHLY VALUED RESOURCE AND TO RECOGNIZE ITS UNIQUE CHARACTERISTICS,
5 TO PROVIDE FOR BEAR LAKE'S PRESERVATION FOR FUTURE GENERATIONS, TO PRO-
6 VIDE THAT THE STATE DESIRES TO PREVENT DEGRADATION OF BEAR LAKE, TO PRO-
7 VIDE THAT THE STATE SUPPORTS ENHANCEMENT OF THE OPERATIONAL UTILITY OF
8 BEAR LAKE FOR IRRIGATION STORAGE PURPOSES, TO ENCOURAGE COLLABORATION
9 AMONG AGENCIES AND STAKEHOLDERS, AND TO PROVIDE THAT PROVISIONS SHALL
10 NOT CHANGE ANY WATER RIGHTS OR APPROPRIATE ANY WATER; AND DECLARING AN
11 EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

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

13 SECTION 1. That Chapter 43, Title 67, Idaho Code, be, and the same is
14 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
15 ignated as Section 67-4313, Idaho Code, and to read as follows:

16 67-4313. BEAR LAKE. The legislative intent of this section is to rec-
17 ognize the following:

18 (1) Bear Lake was a natural lake at the time Idaho gained its statehood
19 and remains a highly valued resource for its native fisheries, recreation,
20 and distinctive characteristics, including its water clarity and mineral
21 and chemical uniqueness, giving it the intense turquoise blue color for
22 which it is known all over the world.

23 (2) While serving as a reservoir, Bear Lake retains its basic native
24 form and character, preserving much of its valued scenic beauty, navigabil-
25 ity, and lake-related recreation opportunities. It is the desire and expect-
26 ation of the state of Idaho that Bear Lake and its inherent qualities and
27 characteristics be preserved for future generations.

28 (3) The state of Idaho desires to prevent the lake's degradation in
29 quality and functions and to preserve and enhance the lake's unique char-
30 acteristics, including but not limited to native fish and wildlife, unique
31 water quality, native lake bed, navigation, littoral rights, lake-related
32 recreation, and irrigation storage.

33 (4) Bear Lake has been operated as a reservoir since the early 1900s
34 to store water for irrigation, flood control, and incidental power gener-
35 ation, which has enhanced agricultural productivity and prosperity in the
36 Bear River basin and will remain an essential irrigation water supply into
37 the future. The state of Idaho supports enhancement of the operational util-
38 ity of Bear Lake for irrigation storage purposes.

39 (5) To achieve the goals of this section, the state of Idaho encourages
40 collaboration among agencies and stakeholders to help preserve and enhance
41 such interests.

1 (6) Nothing in this section is intended to impair or constrain the oper-
2 ation of Bear Lake, to interfere with or change any water rights, or to appro-
3 priate any water.

4 SECTION 2. An emergency existing therefor, which emergency is hereby
5 declared to exist, this act shall be in full force and effect on and after
6 July 1, 2023.