

HOUSE BILL ANALYSIS

HB 2646

Title: An act relating to the Columbia River Natural Resources Management Compact.

Brief Description: Adopting the Columbia River Natural Resources Management Compact.

Sponsors: Representative Buck.

HOUSE COMMITTEE ON NATURAL RESOURCES

Meeting Date: January 28, 2000.

Bill Analysis Prepared by: Josh Weiss, Counsel (786-7129)

Background:

The Northwest Power Planning Council

The Northwest Power Planning Council was initiated by Congress in the Northwest Power Act of 1980. The council was subsequently ratified by a four-state compact between the states of Washington, Oregon, Montana, and Idaho. There are a total of eight representatives on the council representing the ratifying states. Representatives are appointed by the governors of each respective state.

The purpose of the act is to balance power production in the Columbia Basin with the needs of fish and wildlife.

The council is funded by the power revenues from the Bonneville Power Administration (BPA). The BPA is a sub-agency of the U.S. Department of Energy, which is responsible for transmitting and selling energy generated in the Northwest. The Northwest Power Act directs the council to prepare a program to protect, mitigate and enhance fish and wildlife of the Columbia River Basin. Nearly \$3 billion dollars have been spent for Columbia Basin salmon recovery since the creation of the council.

The Columbia River Basin Forum (Three Sovereigns)

The Columbia River Basin Forum was created in January 1999 by a memorandum of agreement between state, federal, and tribal government representatives. The agreement created a board and a committee. The 18-member board is composed of the governors of Washington, Oregon, Idaho, and Montana, a representative of

the federal administration, and the chairmen of 13 Columbia Basin tribes. The board provides policy guidance and oversight to the committee. The 12-member committee is composed of evenly distributed representatives from the states, federal agencies, and tribes.

The purpose of the forum is to create a uniform salmon recovery plan for the Columbia Basin through the consensus based involvement of the three governments. The forum is intended to link and coordinate salmon recovery efforts across the Northwest, and to make states and tribes equal partners with the federal government in overseeing river management. Much of the forum's attention in 1999 was devoted to the federal hydropower system in the Columbia Basin, and the possibility of privatizing the system.

A number of legislators in the four states felt that they had not been adequately involved in the forum. This led to the creation of the Legislative Council on River Governance.

The Legislative Council on River Governance

The Legislative Council on River Governance was created in early 1998 by state legislative leaders from Washington, Idaho, Montana, and Oregon out of a perceived need for legislative involvement in the Columbia River Basin Forum. There was also concern that the Columbia River Basin Forum did not adequately include interest groups. Members of the council are chosen by legislative leaders from each state, and participation is intended to be bipartisan.

The stated purpose of the council is to "assert state legislative duty and authority over natural resources and river governance, and to unite states for a pro-active agenda of legislative action and communications." The council serves as an ongoing forum for states to discuss the role of legislatures with regard to mutual natural resources issues. The council has discussed the potential purchase of the BPA by Northwest states, and possible water management alternatives for the Columbia Basin.

The council also developed the idea of creating a multi-state commission through an interstate compact for the coordination of natural resources issues in the Columbia Basin. This led to ratification of the Columbia River Governance Commission by the state of Oregon during the 1999 legislative session. Neither Idaho, nor Montana have considered legislation to ratify the compact. The Montana Legislature does not reconvene until January 2001. The Idaho Legislature is currently in session, but there are no measures that would ratify the Columbia River Governance Commission before the Idaho Legislature at this time.

Summary of Bill:

The Columbia River Governance Commission is ratified by the state of Washington. The commission becomes effective upon the ratification of the compact by the states of Idaho, Montana, Oregon, and Washington and the United States Congress. The state of Nevada, and any other state having rivers or streams tributary to the Columbia River may become a signatory state by enacting the compact.

The Columbia River Governance Commission is composed of six legislators from each signatory state, three from both the respective state Senates and Houses of Representatives. All members may not belong to the same political party. The term of membership is four years. Each state is vested with one vote. The natural resources agencies of the signatory states are required to act as an official research agency for the commission.

The purpose of the commission is to promote the better regional management and coordination of natural resources issues and other issues pertaining to the governance and use of the Columbia River. It is the duty of the commission to assess state and federal programs, and to participate in federal decision-making on issues affecting the use of and activities on the Columbia River. The commission may recommend the coordination of state action to promote the efficient use and management of the Columbia River and related resources. The commission must draft and recommend legislation to be provided to the governors and legislative branches of the signatory states. The commission may recommend to the federal and signatory state governments changes to federal or state statutes, regulations, or rules necessary to the efficient and sound governance of the Columbia River.

The commission must establish an advisory committee that is representative of the interests in each state. It is the purpose of the advisory committee to advise the commission regarding recommendations it may desire to make.

Signatory states that have a boundary as the Columbia River are responsible for 60 percent of the annual budget of the commission, with the other signatory states providing the remaining 40 percent.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Rulemaking Authority: None.