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LEGISLATURE OF THE STATE OF IDAHO
Sixty-fourth Legislature First Regular Session - 2017

IN THE HOUSE OF REPRESENTATIVES
HOUSE JOINT MEMORIAL NO. _____
BY _____

1 A JOINT MEMORIAL
2 TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES IN CONGRESS
3 ASSEMBLED, AND TO THE CONGRESSIONAL DELEGATION REPRESENTING THE STATE
4 OF IDAHO IN THE CONGRESS OF THE UNITED STATES.

5 We, your Memorialists, the House of Representatives and the Senate of
6 the State of Idaho assembled in the First Regular Session of the Sixty-fourth
7 Idaho Legislature, do hereby respectfully represent that:

8 WHEREAS, access to public lands means a great deal to the people of the
9 State of Idaho, including those representing a vast range of interests such
10 as sportsmen and others concerned about Idaho wildlife, timber interests,
11 motorized and nonmotorized recreationists, grazing interests, environmen-
12 tal interests, and tribal interests; and

13 WHEREAS, in the future, should the State of Idaho be granted any addi-
14 tional public lands from the federal government, the state shall be commit-
15 ted to holding, protecting and preserving such public lands for the benefit
16 of all people and further committed to ensuring public access to such lands;
17 and

18 WHEREAS, Idahoans do not want to lose access to public lands regardless
19 of whether they are managed by federal agencies or by the state, and for this
20 reason, any transfer of federal lands to the state should be structured to
21 prevent sale of those lands, except where limited sales or exchanges would
22 actually enhance public access and management, such as where a sale or land
23 exchange might help block up state lands resulting in greater access; and

24 WHEREAS, Article IX, Section 8, of the Constitution of the State of
25 Idaho requires that all lands received by grant or acquisition from the
26 federal government must be used to secure the maximum long-term financial
27 return to the institution to which the land is granted or to the state if not
28 specifically granted; and

29 WHEREAS, Article IX, Section 8 is of concern to opponents of a transfer
30 of federal lands to the state because of the possibility that the state would
31 face significant pressure to sell the lands to the highest bidder followed by
32 a loss of access. However, this concern may be alleviated given the fact that
33 any federal legislation transferring lands to Idaho can direct that lands be
34 managed for purposes other than maximization of financial returns, in which
35 case the terms of the conveyance would control.

36 NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Ses-
37 sion of the Sixty-fourth Idaho Legislature, the House of Representatives and
38 the Senate concurring therein, that all lands granted to the State of Idaho
39 by Congress after July 1, 2017 are declared to be the public lands of the
40 state and shall be held in trust in perpetuity for the people.

41 BE IT FURTHER RESOLVED that these lands shall be managed for public ac-
42 cess, multiple use and sustained yield.

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1 BE IT FURTHER RESOLVED that the legislature may provide for the exchange
2 of limited amounts of these state lands for similar types of lands to consol-
3 idate isolated or scattered parcels, improve access or improve management.

4 BE IT FURTHER RESOLVED that any exchanges of lands acquired or disposed
5 of collectively shall cause no more than a deminimis loss or gain in value of
6 the state lands within any county.

7 BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representa-
8 tives be, and she is hereby authorized and directed to forward a copy of this
9 Memorial to the President of the Senate and the Speaker of the House of Rep-
10 resentatives of Congress, and to the congressional delegation representing
11 the State of Idaho in the Congress of the United States.