

IN THE HOUSE OF REPRESENTATIVES

HOUSE JOINT MEMORIAL NO. 13

BY RESOURCES AND CONSERVATION COMMITTEE

A JOINT MEMORIAL

1  
2 TO THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE UNITED STATES IN CON-  
3 GRESS ASSEMBLED, AND TO THE CONGRESSIONAL DELEGATION REPRESENTING THE  
4 STATE OF IDAHO IN THE CONGRESS OF THE UNITED STATES.

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

8 WHEREAS, sixty-three percent of all land in Idaho is publicly managed by  
9 the federal government and exempt from property taxation; and

10 WHEREAS, there are eight Idaho counties having seventy-five percent or  
11 more of all lands within their political boundaries managed by the federal  
12 government; and

13 WHEREAS, private land continues to be purchased in these counties by en-  
14 tities with the intent to sell or donate the land to the federal government  
15 for conservation purposes; and

16 WHEREAS, the amount of public lands managed by the Bureau of Land  
17 Management, United States Forest Service, United States Army Corps of En-  
18 gineers, Bureau of Reclamation, and other federal land management agencies  
19 in Idaho has increased from 32,462,088 acres in 1999 to 32,622,422 acres in  
20 2017, an overall increase of 160,334 acres; and

21 WHEREAS, the act of transferring private lands to the federal govern-  
22 ment has the effect of reducing the overall taxable market value of a county,  
23 thereby shifting the tax burden within the county to other private property  
24 owners, including homeowners; and

25 WHEREAS, the federal government has established programs to provide  
26 payments in lieu of taxes to counties for federally managed lands; and

27 WHEREAS, total payments to counties through these payment programs, in-  
28 cluding the loss of payments from the Secure Rural Schools Act, continues to  
29 decline, further straining the ability of counties in rural Idaho to provide  
30 critical public services; and

31 WHEREAS, these payment programs have failed to fully cover the actual  
32 loss of property taxes that would otherwise be collected on lands trans-  
33 ferred to the federal government; and

34 WHEREAS, these payment programs are insufficient to offset the loss of  
35 market value and resulting tax shift for lands that are transferred from pri-  
36 vate ownership to the federal government for conservation purposes.

37 NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Ses-  
38 sion of the Sixty-fourth Idaho Legislature, the House of Representatives and  
39 the Senate concurring therein, that in order to provide fair and equitable  
40 funding to Idaho's forty-four counties for the loss of revenue due to private  
41 land being transferred to the federal government for conservation purposes,  
42 we urge Congress to enact federal legislation to require entities that sell  
43 or donate land to the federal government for conservation purposes to pay an

1 annual fee in lieu of taxes to such counties for lands held by the federal  
2 government for conservation purposes.

3 BE IT FURTHER RESOLVED that the Idaho Legislature encourages federal  
4 land management agencies to take into account the effect of transferring  
5 private land to federal ownership on counties and their taxpayers, including  
6 the ability of local governments to provide necessary public services and  
7 the extent of any tax shift that will occur as a result of the land transfer.

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