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

IN THE SENATE

SENATE BILL NO. 1065

BY RESOURCES AND ENVIRONMENT COMMITTEE

AN ACT
RELATING TO LAND OWNERSHIP: AMENDING TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 84, TITLE 67, IDAHO CODE, TO PROVIDE A POLICY REGARDING LAND OWNERSHIP, TO SET FORTH REQUIREMENTS FOR STATE AGENCIES REGARDING THE ACQUISITION AND SALE OF CERTAIN PROPERTIES, TO PROVIDE THAT UNDER SPECIFIED CONDITIONS STATE AGENCIES SHALL BE REQUIRED TO RECEIVE PERMISSION FOR ACQUISITION OF LAND FROM COUNTY COMMISSIONERS AND TO PROVIDE THAT UNDER SPECIFIED CONDITIONS THE FISH AND GAME COMMISSION SHALL NOT BE REQUIRED TO SELL LAND DUE TO CERTAIN LAND DONATIONS.

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

SECTION 1. That Title 67, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW CHAPTER, to be known and designated as Chapter 84, Title 67, Idaho Code, and to read as follows:

CHAPTER 84
LAND OWNERSHIP -- NO NET LOSS -- PRIVATE PROPERTY

67-8401. POLICY REGARDING LAND OWNERSHIP -- NO NET LOSS PRIVATE PROPERTY -- EXCEPTION. (1) The federal government administers approximately sixty-three percent (63%) of the land in Idaho, while state, county, municipal and other governments own or administer approximately seven percent (7%) of Idaho land. Therefore, it is incumbent that Idaho preserves and protects the remaining thirty percent (30%) of land that is in private ownership. To this end, it is hereby declared the policy of the state of Idaho that there shall be no net loss of private property within the state.

(2) All state agencies shall consider and use all available, cost-effective means to accomplish their public purpose, including acquiring land from other governmental entities, prior to considering the acquisition of property from private ownership. State agencies shall make a good faith effort to sell an equal or greater amount of property into private ownership prior to acquiring any parcel that is necessary to their public purpose. State agencies shall make a prioritized list of all parcels of property that they have acquired and shall sell into private ownership any parcels that are not necessary to their public purpose.

(3) In the event the acreage of any new acquisition of land within any particular county, when added to the acreage already held by the state within that county, exceeds one percent (1%) of the total acreage of private land within that county, the state agency proposing to acquire property shall be required to receive permission for such acquisition from the county commissioners who, in determining whether to grant permission, among other things, shall consider the effect of such acquisition upon the tax base of the county.
(4) Provided however, that any land donations made after the effective
date of this act that are three hundred twenty (320) acres or less and that
are specifically required for mitigation of impacts from federally licensed
or operated hydroelectric facilities on fish or wildlife habitat shall not
require the fish and game commission to sell an equal or greater amount of
land.