

STATEMENT OF PURPOSE

RS26642

The current Idaho Statute 40-204(A) recognizes that the federal land rights-of-way were granted to the state for public use in perpetuity and that the 1976 Federal Land Policy Management Act allowed for the continuance of rights-of-ways in existence prior to its passage. This bill further recognizes that these rights-of-way are federally owned land to which an access easement has been granted, are co-managed by the federal and state government and its political subdivisions and cannot be terminated unilaterally by either party. By public law and federal statutes, federal agencies are not to recognize, manage or validate these rights-of-way within their regulations without a specific act of congress, and they are to coordinate their resource management planning with the resource plans of state's political subdivisions that seek to retain access rights for multiple use, wildfire suppression and search and rescue. Imminent domain is an inappropriate mechanism for abandonment of any federal rights-of-way and is corrected.

FISCAL NOTE

This proposed amendment will have no fiscal impact upon the General Fund, any other state fund or local governments. There is no fiscal impact because the amendment will not require the expenditure of any funds.

Contact:

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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).