

IN THE HOUSE OF REPRESENTATIVES

HOUSE JOINT RESOLUTION NO. 8

BY STATE AFFAIRS COMMITTEE

A JOINT RESOLUTION

1 PROPOSING AN AMENDMENT TO SECTION 8, ARTICLE IX OF THE CONSTITUTION OF THE
2 STATE OF IDAHO, RELATING TO STATE-OWNED LAND; STATING THE QUESTION TO
3 BE SUBMITTED TO THE ELECTORATE; DIRECTING THE LEGISLATIVE COUNCIL TO
4 PREPARE THE STATEMENTS REQUIRED BY LAW; AND DIRECTING THE SECRETARY OF
5 STATE TO PUBLISH THE AMENDMENT AND ARGUMENTS AS REQUIRED BY LAW.
6

7 Be It Resolved by the Legislature of the State of Idaho:

8 SECTION 1. That Section 8, Article IX of the Constitution of the State
9 of Idaho be amended to read as follows:

10 Section 8. LOCATION AND DISPOSITION OF STATE-OWNED ENDOWMENT
11 LANDS AND PUBLIC LANDS. (1) It shall be the duty of the state board
12 of land commissioners to provide for the location, protection,
13 sale, or rental of all the lands heretofore, ~~or which may hereafter~~
14 ~~be granted to or acquired by the state by or from the general gov-~~
15 ~~ernment upon statehood,~~ under such regulations as may be prescribed
16 by law, ~~and in such manner as will secure the maximum long term fi-~~
17 ~~nanacial return to the institution to which granted or to the state~~
18 ~~if not specifically granted; provided, that no state lands shall.~~
19 Priority of use shall be given first to revenue-generating activ-
20 ities on or from such lands, followed by preserving and promoting
21 the public's access to recreate, hunt, fish, and trap on such lands.
22 Public access shall not be denied as long as such recreation, hunt-
23 ing, fishing, and trapping activities do not impede contracted
24 revenue-generating activities. Revenue-generating activities and
25 public access on such lands shall be subject to such limitations as
26 may be prescribed by law and shall be prioritized over the sale or
27 exchange of such lands. Such lands shall not be sold for less than
28 the appraised price. No law shall ever be passed by the legislature
29 granting any privileges to persons who may have settled upon any
30 such public lands, subsequent to the survey thereof by the general
31 government, by which the amount to be derived by the sale, or other
32 disposition of such lands, shall be diminished, directly or indi-
33 rectly. The legislature shall, at the earliest practicable period,
34 provide by law that the general grants of land made by congress to
35 the state shall be judiciously located and carefully preserved and
36 held in trust, subject to disposal at public auction for the use and
37 benefit of the respective object for which said grants of land were
38 made, and the legislature shall provide for the sale of said lands
39 from time to time and for the sale of timber on all state lands and
40 for the faithful application of the proceeds thereof in accordance
41 with the terms of said grants; provided, that not to exceed one hun-
42 dred sections of state lands shall be sold in any one year, and to

1 be sold in subdivisions of not to exceed three hundred and twenty
2 acres of land to any one individual, company or corporation. The
3 legislature shall have power to authorize the state board of land
4 commissioners to exchange granted or acquired lands of the state on
5 an equal value basis for other lands under agreement with the United
6 States, local units of government, corporations, companies, indi-
7 viduals, or combinations thereof. Lands acquired from an exchange
8 shall be managed for the benefit of the respective purpose for which
9 the original lands were granted or acquired.

10 (2) Any lands granted or acquired from the United States general
11 government on or after July 1, 2026, shall be classified as pub-
12 lic lands, except lands acquired by exchanging lands originally
13 granted or acquired pursuant to subsection (1) of this section with
14 any land other than the land granted or acquired pursuant to this
15 subsection. Such public lands shall be subject first to valid, ex-
16 isting rights and obligations attached to such lands, then subject
17 to the management objectives, conditions, and limitations provided
18 for in subsection (1) of this section, and then pursuant to such
19 rights and obligations as may be prescribed by law. Any funds col-
20 lected by the state of Idaho from the use, sale, or exchange of the
21 public lands granted pursuant to this subsection shall be deposited
22 in a fund created by the state legislature for the purpose of main-
23 taining and operating such public lands in Idaho.

24 SECTION 2. The question to be submitted to the electors of the State of
25 Idaho at the next general election shall be as follows:

26 "Shall Section 8, Article IX of the Constitution of the State of Idaho be
27 amended to provide that state lands be managed for the beneficial use of the
28 beneficiary and public?".

29 SECTION 3. The Legislative Council is directed to prepare the state-
30 ments required by Section 67-453, Idaho Code, and file the same.

31 SECTION 4. The Secretary of State is hereby directed to publish this
32 proposed constitutional amendment and arguments as required by law.