

IN THE HOUSE OF REPRESENTATIVES

HOUSE JOINT RESOLUTION NO. 10

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 PUBLIC LANDS. It
11 shall be the duty of the state board of land commissioners to pro-
12 vide for the location, protection, sale, or rental of all the lands
13 heretofore, or which may hereafter be granted to or acquired by the
14 state by or from the general government, under such regulations
15 as may be prescribed by law, ~~and in such manner as will secure the~~
16 ~~maximum long term financial return to the institution to which~~
17 ~~granted or to the state if not specifically granted; provided, that~~
18 ~~no state lands shall.~~ Priority of use shall be given first to rev-
19 enue-generating activities on or from such lands, including but not
20 limited to timber sales, mining, and grazing, followed by preserv-
21 ing and promoting the public's access to recreate, hunt, fish, and
22 trap on such lands. Public access shall not be denied as long as
23 such recreation, hunting, fishing, and trapping activities do not
24 impede contracted revenue-generating activities. Revenue-gener-
25 ating activities and public access on such lands shall be subject
26 to such limitations as may be prescribed by law and shall be prior-
27 itized over the sale or exchange of such lands. Such lands shall
28 not be sold for less than the appraised price. No law shall ever
29 be passed by the legislature granting any privileges to persons
30 who may have settled upon any such public lands, subsequent to the
31 survey thereof by the general government, by which the amount to be
32 derived by the sale, or other disposition of such lands, shall be
33 diminished, directly or indirectly. The legislature shall, at the
34 earliest practicable period, provide by law that the general grants
35 of land made by congress to the state shall be judiciously located
36 and carefully preserved and held in trust, subject to disposal at
37 public auction for the use and benefit of the respective object for
38 which said grants of land were made, and the legislature shall pro-
39 vide for the sale of said lands from time to time and for the sale of
40 timber on all state lands and for the faithful application of the
41 proceeds thereof in accordance with the terms of said grants; pro-
42 vided, that not to exceed one hundred sections of state lands shall

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

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

13 "Shall Section 8, Article IX of the Constitution of the State of Idaho
14 be amended to provide that state lands be managed for ongoing revenue genera-
15 tion followed by public access?"

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

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