

Fight over public lands brewing in Idaho Statehouse

By KIMBERLEE KRUESI, Associated Press

BOISE, Idaho (AP) — Idaho lawmakers are once again reviving efforts to convince the federal government to relinquish control over public lands throughout the Gem State and much of the West.

Disagreement over management of federal land has spanned decades. However, tensions between the competing interests have peaked in the wake of an armed takeover of an Oregon wildlife refuge that lasted 41 days, multiple arrests and one death earlier this year.

Rep. Judy Boyle, a Republican from Midvale, traveled to Oregon twice during the standoff at the Malheur National Wildlife Refuge to show support for the armed protesters. She has since introduced several public lands proposals to the Idaho Legislature.

The first measure would create a management framework in the unlikely event Idaho acquires federal lands. House lawmakers approved the proposal on a 53-14 vote on Thursday.

"This is simply a framework, so we can show the citizens of Idaho what we intend to do with that land if we get it back from the federal government," Boyle said. "We are getting ahead of the game and getting a head start by doing this."

Idaho and Utah have become leaders in the West's pursuit of finding a legal way to take control of federal land, even though Idaho Attorney General Lawrence Wasden has said the state's constitution gave up claims to the land when Idaho joined the union. In the meantime, lawmakers in Idaho have attempted to find other ways to chip away for state control.

For example, another Boyle proposal would have removed past consent of land sales to the federal government — an argument repeatedly struck down in courts and one that did not sit well with Idaho lawmakers concerned about property rights infringement.

"This bill is an imposition on my property right," said Rep. Van Burtenshaw, R-Terreton. "We're telling Idahoans they have to go through us if they want to sell their lands to the federal government, that's amazing to me."

In the end, despite wanting to curb the federal government, the House Resources and Conservation Committee killed the bill Thursday.

Meanwhile, a third proposal —backed by Sen. Sheryl Nuxoll, R-Cottonwood — is also making its way through the statehouse. It would allow county officials and local sheriffs to declare federal lands a public nuisance.

While supporters say the measure is purely symbolic, they also argue that they hope doing so would shame the federal government into allowing more state control.

The proposal, SB 1338, just needs to clear the House floor before it can head to Gov. C.L. "Butch" Otter's desk for his approval.

The federal government owns more than 60 percent of Idaho, along with significant portions in many states throughout the West. Congress has the authority to turn over federal land to the states, but efforts to pass such a law have failed so far.

"Idaho only remains 30 percent private property, every day that goes by we lose more and more and more of that," Boyle said.

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