Bill Text

LEGISLATURE OF THE STATE OF IDAHO
Fifty-eighth Legislature
Second Regular Session - 2006

IN THE HOUSE OF REPRESENTATIVES

HOUSE JOINT MEMORIAL NO. 14

BY RESOURCES AND CONSERVATION COMMITTEE

A JOINT MEMORIAL

TO THE PRESIDENT AND VICE PRESIDENT OF THE UNITED STATES, TO THE SECRETARY OF
THE UNITED STATES DEPARTMENT OF INTERIOR, TO THE MAJORITY AND MINORITY
LEADERSHIP OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE UNITED
STATES IN CONGRESS ASSEMBLED, AND TO THE CONGRESSIONAL DELEGATION REPRESENT-
SENTING THE STATE OF IDAHO IN THE CONGRESS OF THE UNITED STATES.

We, your Memorialists, the House of Representatives and the Senate of the
State of Idaho assembled in the Second Regular Session of the Fifty-eighth
Idaho Legislature, do hereby respectfully represent that:

WHEREAS, the Federal Lands Recreation Enhancement Act, H.R. 3283, 108th
United States Congress, was introduced in the United States House of Represen-
tatives and would have authorized the United States Forest Service, the United
States Bureau of Land Management, the United States Fish and Wildlife Service,
the National Park Service, and the United States Bureau of Reclamation to
charge visitor fees for recreation on publicly owned lands; and

WHEREAS, H.R. 3283 was not voted on separately in the United States House
of Representatives and was not introduced in, did not have hearings in, and
was not approved by the United States Senate, but instead was attached to the
omnibus spending bill, H.R. 4818, by the 108th United States Congress, as an appropriation rider; and

WHEREAS, the 108th United States Congress enacted H.R. 4818, and the Federal Lands Recreation Enhancement Act is now codified as 16 U.S.C. sections 6801 through 6814; and

WHEREAS, the Federal Lands Recreation Enhancement Act includes criminal penalties and is substantive legislation that fundamentally changes the way public land in the state is funded and managed; and

WHEREAS, the concept of paying fees to use public land is contrary to the idea that public land belongs to the people of the state and is land where every person is granted access and is welcome, a concept that has been and should remain in place; and

WHEREAS, recreational fees constitute double taxation and bear no relationship to the actual costs associated with recreational use such as hiking, picnicking, observing wildlife, or scenic driving on state roads and public rights-of-way; and

WHEREAS, the fees imposed by the Federal Lands Recreation Enhancement Act are a regressive tax that places an undue burden on the people living in rural areas adjacent to or surrounded by large areas of federal land and discriminates against lower-income and working Idahoans by placing financial obstacles in the way of their enjoyment of public land; and

WHEREAS, the public land access fees in the Federal Lands Recreation Enhancement Act are controversial and are opposed by hundreds of organizations, several state legislatures and millions of rural Americans; and

WHEREAS, the Federal Lands Recreation Enhancement Act establishes an interagency pass that may be used to cover entrance fees and recreational amenity fees for federal public land and water, disregarding the substantially different ways in which national parks and other federal public land are managed and funded; and

WHEREAS, the limited means of expressing opposition to and the lack of public debate in the implementation of the fee program raises the concern that some citizens may be deterred from visiting and enjoying public land in the state and throughout the United States; and

WHEREAS, tourism is an important industry to the state, and the imposition of recreational use fees will have a negative effect on state and local econo-
NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Fifty-eighth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the Legislature of the State of Idaho demands that the Federal Lands Recreation Enhancement Act, which was enacted on December 8, 2004, be repealed and that no recreational fees authorized under the Federal Lands Recreation Enhancement Act be imposed to use federal public land in the state.

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives be, and she is hereby authorized and directed to forward a copy of this Memorial to be sent to the Honorable George W. Bush, President of the United States; the Honorable Richard B. Cheney, Vice-President of the United States and President of the U.S. Senate; the Honorable Gale Norton, United States Secretary of the Interior; the Honorable J. Dennis Hastert, Speaker of the U.S. House of Representatives; the Honorable Ted Stevens, President Pro Tempore of the U.S. Senate, the Honorable William H. Frist, Majority Leader of the U.S. Senate; the Honorable Harry Reid, Minority Leader of the U.S. Senate; the Honorable John Boehner, Majority Leader of the U.S. House of Representatives; the Honorable Nancy Pelosi, Minority Leader of the U.S. House of Representatives; and the congressional delegation representing the State of Idaho in the Congress of the United States.