

LEGISLATURE OF THE STATE OF IDAHO  
Sixty-first Legislature Second Regular Session - 2012

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 477

BY LOCAL GOVERNMENT COMMITTEE

AN ACT

RELATING TO LEASES OF STATE-OWNED RECREATIONAL COTTAGE SITE AND HOMESITE  
LANDS; AMENDING SECTION 58-310, IDAHO CODE, TO REMOVE AN EXCEPTION RE-  
LATING TO SPECIFIED LAW AND TO PROVIDE THAT THE SUCCESSFUL BIDDER SHALL  
BE REQUIRED TO PROVIDE SPECIFIED RENTAL ON THE LEASE AT THE CLOSE OF THE  
AUCTION; REPEALING SECTION 58-310A, IDAHO CODE, RELATING TO AN EXEMP-  
TION FROM SPECIFIED CONFLICT APPLICATION AND AUCTION PROVISIONS FOR  
SINGLE FAMILY, RECREATIONAL COTTAGE SITES AND HOMESITES; AND REPEALING  
SECTION 58-310B, IDAHO CODE, RELATING TO THE AUCTION OF LEASES REGARD-  
ING CERTAIN STATE-OWNED LAND.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 58-310, Idaho Code, be, and the same is hereby  
amended to read as follows:

58-310. TWO OR MORE APPLICANTS FOR SAME LAND -- AUCTION OF  
LEASE. ~~Except as otherwise authorized in sections 58-310A and 58-310B, Idaho~~  
~~Code:~~ (1) When two (2) or more persons apply to lease the same land, the  
director of the department of lands, or his agent, shall, at a stated time,  
and at such place as he may designate, auction off and lease the land to the  
applicant who will pay the highest premium bid therefor, the annual rental to  
be established by the state board of land commissioners.

(2) The director shall give notice by letter at least fourteen (14) days  
prior to the date of such auction, which notice shall be sent in the course of  
regular mail, to each of the applicants, notifying them of the time and place  
such auction is to be held. The notice shall be sent to the name and address  
exactly as it is given in the application.

(3) If any applicants fail to appear in person or by proxy at the time  
and place so designated in said notice, the director may proceed to auction  
and lease any part or all of the lands applied for.

(4) The state board of land commissioners shall have power to reject any  
and all bids made at such auction sales, when in their judgment there has been  
fraud or collusion, ~~or for any other reason~~, which in the judgment of said  
state board of land commissioners justified the rejection of said bids.

(5) ~~The challenger of the current lease~~ The successful bidder shall be  
required to provide payment of one (1) year's rental on the lease payable at  
the ~~time of application to lease~~ close of the auction. If the amount of the  
annual rental bid be not paid forthwith by the successful bidder, together  
with the expense of such sale, if the state board of land commissioners shall  
require the same to be paid as hereinbefore provided, or if for any reason the  
successful bidder does not accept the lease on the terms offered, the lease  
may be immediately reoffered in the same manner at public auction, without  
further notice.

1           (6) Only those persons who have filed applications in the manner and at  
2 the time provided for by statute or rule shall be permitted to bid at any such  
3 auction for the lease of state lands.

4           SECTION 2. That Section [58-310A](#), Idaho Code, be, and the same is hereby  
5 repealed.

6           SECTION 3. That Section [58-310B](#), Idaho Code, be, and the same is hereby  
7 repealed.