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March 4, 2026

VIA EMAIL

Hon. Brent Crane
Chair, House State Affairs Committee
Email: bcrane@house.idaho.gov

Re: *SB 1300 Relating to State Government*

Dear Representatives:

This letter is submitted on behalf of the firm's clients, Thomas Dixon, an Idaho resident and a grandson of E. Roland and Gladys Harriman, and Friends of Harriman State Park, an Idaho Nonprofit Corporation. The Harriman Family donated the land that is now Harriman State Park. Our firm's clients are concerned that the provision of SB 1300, Section 4, providing for the appointment of the Park and Recreation Director by the Governor, who will serve at the pleasure of the Governor, may create a situation in which the terms of the Harriman State Park gift are no longer being given full force and effect by the State of Idaho, in violation of the Agreement between the Harriman Family and the State of Idaho.

The Agreement by which the land, known as Railroad Ranch, was transferred as a gift to the State of Idaho, was entered into on December 4, 1961, by E. Roland Harriman and W. Averell Harriman, and for the People of the State of Idaho by then Governor Robert E. Smylie. The State of Idaho agreed to accept the gift and to establish "a State Park for the use and recreation of the general public, ...subject, however, to the following conditions:

"(b) The People of the State of Idaho acting by and through the Legislature of Idaho will establish pursuant to law a professionally staffed career Park Service whose personnel shall be chosen on the basis of merit alone, and which shall be administered under merit system procedures for personnel administration, and the said Park Service shall, when established, be vested with the control and

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administration of the Park, subject to the advice and consent of the Governor of Idaho.”

The State of Idaho proceeded to establish a Department of Parks in 1965. In that act, there was established a governing board of the agency, known as the Park Board, consisting of six members appointed by the Governor with the advice and consent of the Senate. That Board, in turn, has the authority to appoint a director to serve at its discretion. The act provided that the Director “shall be selected on the basis of executive ability, experience, and training in park and recreational matters.” Further, the act adopted a merit system for all Department of Parks employees.

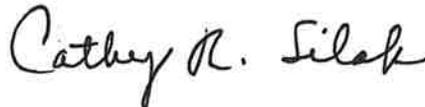
These provisions have remained unchanged to the present day. There have been amendments to the statute, changing the name to the Department of Parks and Recreation, and other changes regarding the funding and authority of the Department, but none have changed the method of the Director’s appointment by the Parks and Recreation Board. See Section 67-4222, Idaho Code.

SB 1300’s proposed amendment would eliminate the merit-based, professional appointment clause of the gift. All Gubernatorial appointments of department directors must receive the advice and consent of the Idaho Senate. Hence, this type of process introduces the potential for non-merit-based selection at the Gubernatorial and Legislative levels.

Our clients believe that the process of appointing Directors has worked well, to serve the public of the State of Idaho with a professionally run Department of Parks and Recreation, as was specified by the Agreement between the Harrimans and Governor Smylie. This Agreement remains in full force and effect and Mr. Dixon will take any legal steps necessary to enforce it. Our clients urge that this process be maintained by statute and that SB 1300 be amended to remove the provisions relating to the Department of Parks and Recreation Director.

Sincerely,

HAWLEY TROXELL ENNIS & HAWLEY LLP



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