



CAPITOL REVIEW

A WEEKLY LEGISLATIVE REPORT

ASSOCIATION MANAGEMENT GROUP : RICK WAITLEY / ROGER BATT / BENJAMIN KELLY
55 SW 5TH AVENUE, SUITE 100 MERIDIAN, ID 83642 PH: 208-888-0988 FX: 208-888-4586

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IMPLEMENTATION OF LEGISLATION

After a piece of legislation has made it through both Houses of the Idaho Legislature and has been signed by the Governor, there is always interest in the “date of implementation”. Usually, most bills will take effect on July 1 of the year they are signed, which is the new fiscal year of operation for the State. But, bills can have an emergency implementation date that might make them effective immediately, or they can even be retroactive. A few years ago, a bill was signed into law that was retroactive back 3 to 4 years. Each bill is different, but you should not assume that because the governor signs it, it is immediately law.

CO-OP BILLS BECOME LAW

H60 has the primary purpose of updating Idaho’s cooperative marketing association statute and ensuring that the statute is not more restrictive than federal law. The bill seeks to update the existing statute to make it more in line with the federal Capper-Volstead Act. It will add a provision to allow the current practice of one man, one vote and/or that the cooperative does not pay dividends on stock or membership capital in excess of 8% annually. The House of Representatives passed the bill on 2/11/19 with a vote of 68-0-2 and the Senate passed the bill on 2/28/19 with a vote of 35-0-0. There was an overwhelming amount of support for H60 and the bill will be implemented into law on July 1, 2019.

H94 provides a layer of safety for the public propane consumer. The safety of Idahoans is put at risk when discount propane providers fill propane tanks already leased to customers by Idaho propane companies. Normally, discount propane providers do not conduct safety inspections or leak tests, and very often overfill tanks to dangerous levels. H94 will protect consumer safety by restricting the filling of propane gas storage tanks or cylinders to its owner or someone having the owner’s authorization. The tanks are an integral part of a pressurized fuel system. If a tank is not filled properly and becomes damaged because of negligent actions, or if it is filled with contaminated gas, an accident could occur resulting in property damage and personal injury. Additionally, H94 provides liability protection and legal recourse in the event of a violation. An individual who owns a container, or his agent, has the greatest interest in seeing that only safe filling procedures are followed

and that all governmental regulations are met. Propane tanks owned by the customer can be filled by any company the customer chooses and would not be affected by this legislation. H94 passed through both chambers with solid support: the House of Representatives passed the bill on 2/19/19 with a vote of 56-13-1 and the Senate passed the bill on 3/19/19 with a vote of 30-3-2. H94 has received the governor’s signature and will likely be implemented into law on July 1, 2019.

BALLOT INITIATIVES

Legislation that seeks to increase voter involvement throughout the state in the voter initiative/referendum process has been amended by the Senate. S1159 would raise the bar to qualify a voter initiative for the ballot by requiring the signatures of 10% of the voters in 32 of the 35 legislative districts. The current standard for an initiative or referendum to make the ballot is the signatures from 6% of the voters in 18 of Idaho’s 35 legislative districts.

Earlier in the week, the Senate State Affairs Committee voted 6-3 to send the bill to the amending order - meaning, when the bill is taken up on the floor, any senator can offer amendments to the bill. The vote came after the committee heard over four hours of testimony last week. The reason for the amendment deals with how signatures are counted and whether it’s on a county or legislative district basis. Once on the Senate floor, the bill was amended to clarify when the 180-day timeframe begins and that the signature sheets will be organized by county when collected. Because multiple legislative districts across the state encompass more than one county, if petitions were circulated by legislative districts, one petition with signatures would need to be passed around to several different county clerks just to verify the signatures for voters in their county. After much debate on the Senate floor, S1159 was passed on an 18-17 vote. The bill will now go to the house.

The need for S1159 and a fix of the process stems from the fact that four counties in Idaho (Ada, Canyon, Bonneville and Kootenai) can meet the current standard of signature requirements. Though 18 legislative districts may sound like a justifiable amount,

those 18 districts can be targeted within the population centers and, in essence, game the system.

Another key point is that, as we reach the eve of another redistricting process that will shift more district representation towards urban centers and away from our rural communities, there is the obvious effect of depriving rural counties and their legislative districts. An increase in population centers necessitates greater involvement and participation by Idaho residents in the ballot initiative process.

For the second year in a row, Idaho has earned the title of fastest-growing state in the country, this time sharing the title with Nevada at 2.1 percent, according to the U.S. Census Bureau. Idaho's population grew by more than 35,000 people to a total 1,754,208. Nearly three-quarters of the change is due to in-migration from other states, according to the bureau. The rest can be attributed to a "natural increase" - when the number of births in the state outpaces the number of deaths. Idaho also made the Census Bureau's top 10 list for percentage increases in 2016 and 2015 prior to becoming the fastest growing in 2017 and 2018. Moreover, earlier last year, Forbes declared Boise the fastest-growing area in the country. Overall, Idaho's population has grown a whopping 12 percent since 2010 and estimates say Idaho could break 2 million residents by 2025.

With these rapidly changing demographics, it is all the more important to be sure that the entire population has the opportunity to be engaged. Much of what makes this state so great, can be found in its rural communities and their agricultural roots.

The actual voting of the electorate on a proposition that has received the amount of signatures needed is left unchanged in the measure and would be the same standard of over 50% for passage. Other standards would include following a single-subject rule, providing a fiscal impact statement on how tax dollars would be spent, proposing a funding source and having an effective date of no sooner than July 1 following the vote — giving budget writers time to react and shift tax dollars appropriately.

RETIREMENT OF DON MORISHITA

Idaho will see the retirement of a great weed scientist and superintendent of the University of Idaho Kimberly Research and Extension Center. Don Morishita has spent nearly 30 years working with associates to provide the information growers need on crop production. Morishita will retire at the end of April. He grew up on a small farm in Osgood in eastern Idaho with three older brothers. Neither he nor his brothers wanted to take over the farm when their father quit farming, and he took a job as the county weed superintendent. He graduated from Utah State University and attended graduate school at the University of Idaho. His first job after completing his

Ph.D. was at Kansas State University. After four years in Kansas, an opportunity opened up at the University of Idaho. The emphasis of that position was to help sugarbeet growers more effectively control weeds — their number one challenge. There weren't many herbicides registered for use in sugarbeets and the ones that were injured the crop. He and his associates worked on the timing of herbicide applications, sprayer calibration and application rates to lessen the damage.

His research has been extensive, covering weed control not only in sugarbeets but dry beans, small grains and field corn. He also studied the effectiveness of direct seeding, herbicides, tillage methods, cover crops, seeding rates, row spacing and herbicide resistance. A retirement party for Morishita is planned for April 27 at the Turf Club in Twin Falls from 5 - 8 p.m. Thanks to Carol Dumas, Capital Press, for the material.

MR. SNOW TO RETIRE

Idaho's hydrology profession will have big snowshoes to fill at the end of April, when Ron Abramovich retires. The Boise-based USDA Natural Resources Conservation Service water-supply specialist and the state snow survey's public face for decades would be the first to say that the talent pool is deep. But even his fellow water scientists say he's a giant in the field and will be missed. Abramovich, who each year delivers 30-plus public presentations and some 75 media interviews on how Idaho's snowpack and expected streamflows are shaping up, has been a high-profile presence in the state's agriculture community and beyond since the early 1990's.

Farmers and their lenders use the snowpack information he and his NRCS colleagues compile to help inform planting decisions across Idaho, where 3.78 million acres of farmland are irrigated and water use for irrigation ranks second nationally, according to the U.S. Geological Survey. Each year, the Boise, Palisades, Minidoka and Owyhee reservoir systems in the Snake River Basin provide irrigation water for a combined \$3.5 billion worth of crops and livestock.

Abramovich grew up in Cleveland, where his dad drove snowplows and other heavy equipment for the city. "I always had an interest in snow," Abramovich, a Colorado State University graduate in watershed sciences, said. Abramovich began his career collecting and measuring storm runoff as a USGS hydrologic technician for a few years before joining the NRCS Snow Survey as a trainee in Salt Lake City in 1988. He then moved to Portland to work and learn about stream forecasting. He moved to Boise in August 1991. Thanks to Brad Carlson, Capital Press, for the material.

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