



CAPITOL REVIEW

A WEEKLY LEGISLATIVE REPORT

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LARRY BRANEN IDAHO AG SUMMIT

The 25th Annual Larry Branen Idaho Ag Summit was held this week in Boise. Five individuals were honored and presented the Governor's Award for Excellence in Agriculture. Those honored included: **Dan Dixon, Bill Novinger, Tim Dillin, Tom Gehring, and Philip Soulen.**

Dan Dixon, Education/Advocacy. Dan is a farmer in the Greenleaf, Idaho area where he has been involved in raising hops, peppermint, sugar beets, onions and a variety of vegetable seed crops on just over 1,000 acres. Dan and his family were named Canyon County Farm Family a few years ago.

Bill Novinger, Environmental Stewardship. Bill is the owner and operator of Dry Creek Farm in Gooding. Bill has been involved in dairy, cattle and farming for many years. Bill was named the 2016 Conservation Farmer of the Year from the Gooding Soil Conservation District. Bill is a certified Nutrient Management Planner and belongs to the American Society of Agricultural Consultants.

Tim Dillin, Marketing Innovation. Tim farms 1500 acres in partnership with his wife and his father in the production of barley, wheat, canola, alfalfa and garbanzo beans in Boundary County. Tim and his wife founded Farm to Market Grains and are producing and selling numerous wheat and barley flour products at farmers' markets throughout northern Idaho and to artisan bakers in the Treasure Valley.

Tom Gehring, Technical Innovation. Tom invented the Little Big Rig ATV sprayer in the early 1980's. Tom works with growers in crop nutrition helping them to gain better yields and manage through macronutrients, liming and good agronomy. Tom helped to start the Keuterville Cowboy Wildland Firefighters and has been fire chief for the organization since its inception.

Philip Soulen, Lifetime Achievement. Philip is from Weiser where he is the president of Soulen Livestock Company, a business started by his father in 1926. While the operation is based in Weiser, the business operates across eight different counties. The company runs about 8,500 head of ewe lambs, yearlings and

bucks and 1,250 head of cows, calves, heifers and bulls. Soulen started the Colorado Milling and Elevator Company and has been an active civic leader in many community and area groups such as the Weiser School Board, Idaho First National Bank board, Idaho Power board and the Weiser Hospital Foundation. Governor Brad Little was on hand to present the five awards.

Also recognized at the Summit was **Brenda Richards** who was presented the **Pat Takasugi Leadership Award** by the Idaho Cattle Association. Brenda has been a strong advocate and spokesperson for the Public Lands Council. She has also held a variety of other leadership positions in cattle and lands organizations at the state and national level.

PUBLIC LANDS ACCESS

Recreation is a large part of Idaho's economy. Access to hunting, fishing, hiking, motorized recreation and all other forms of recreation is a critical part of Idaho's outdoor culture. That is one of the key factors that the group behind S1089 has argued in bringing the legislation. This also would allow for environmental groups and other occasional public land users to sue private landowners for "damages" they suffer for being denied proper access. The bill is also an attempt to indirectly retaliate against landowners who supported the trespass bill (H658a) passed during the 2018 legislative session.

H658a was created to **strengthen the trespass statute, limit liability to the landowner and was an important bill to protect private property rights in Idaho.** It consolidated existing statutes so that the law could be more easily found and understood. It added additional posting requirements while enhancing trespassing penalties to demonstrate the serious nature of violating private property rights. The legislation balanced the rights of landowners and the rights of the public and was a significant improvement to existing law. Further, the law was not meant to criminalize innocent behavior.

S1089 attempts to add a **civil remedy to address violations where a landowner intentionally obstructs access to public lands.** Unfortunately it

misses the mark, because most of the activity addressed in the bill is already unlawful and would only open up landowners to more lawsuits. S1089 would set up a situation where a landowner who owns private land adjacent to public lands could be sued for properly marking their land as private property and not providing an easement or right-of-way through their private property to the adjacent public lands. There are already criminal penalties for posting public lands as private, blocking public highways or blocking navigable streams from public access. Many agriculture organizations have chosen to oppose S1089.

COST PER MILE TAX

The Chairman of the Senate Transportation Committee, Senator Bert Brackett, has introduced two bills that are aimed at addressing how farm and commercial vehicles are assessed in relation to fees. S1066 and S1067 **would create a registration fee structure for all commercial vehicles of \$280 and change the mileage use fee on all vehicles over 60,000 pounds.** The two bills both provide mileage use fees but would assemble them differently with those fees applying to all commercial and agricultural vehicles.

The measures attempt to replace the current five-tier system of registering all commercial and farm vehicles having a maximum gross weight in excess of 60,000 pounds. The existing registration is based on the maximum gross weight of a vehicle as declared by the owner. The total number of miles driven on roads and highways in the state, county, city and highway districts in Idaho also is part of the determination of the appropriate tier.

In addition to the \$280 registration fee in S1066 and S1067, **a mileage fee would be added based upon the maximum gross weight of a vehicle** as declared by the owner and the total number of miles driven on roads in Idaho regardless of the state in which the vehicles is registered. The mileage fee would be paid on all commercial and farm vehicles having a maximum gross weight in excess of 60,000 pounds. The mileage use fees would be determined by multiplying a cost-per-mile charge by the total miles driven in the state.

This would raise trucking costs for most commercial and farm vehicles, and **it would more specifically, place a larger fee burden on lower weight trucks.** This would be a disadvantage to most agricultural operations due to their reliance on lower weight vehicles to haul commodities to a point of sale. S1066 and S1067 have been held in committee to this point and have not been approved or brought forth by the Interim Transportation Committee that was tasked with searching for better methods of assessment.

OPPORTUNITY SCHOLARSHIP

Governor Brad Little has **proposed a \$7 million increase** to the state's **Opportunity Scholarship Program** that is aimed at helping more students go on to postsecondary education. Potentially reaching 2,000 more students, **each \$3,500 award** can help address the central concern students have about college: cost.

Let me give you an example. A University of Idaho freshman, let's call her Emma, comes from a hardworking family with an annual income of \$41,000 – somewhat below the state's average family income of \$49,000. (In fact, about 39 percent of U of I students are similarly situated.) Emma is a well-qualified student, with a solid 3.5 GPA. Even given the comparative affordability of our state's public colleges and universities, and even after her family contribution (\$1,000), federal loans (\$5,500), personal savings from summer and part-time work (\$4,000) and U of I aid (a renewable \$2,000 Go Idaho! scholarship), Emma has a gap to bridge.

For Emma, a \$3,000 gap might as well be \$3 million. That's why the Opportunity Scholarship is so important. The program weighs both need and academic achievement in determining eligibility. But funding limitations have meant that more than **4,500 eligible students** – accomplished and motivated students similar to Emma – are on a waiting list to receive an award.

ONGOING TRANSPORTATION FUNDING

The Idaho legislature routinely sets their budget much lower than they project the state's revenue will be in a given fiscal year. When there is a **surplus of tax revenue** collected by the state, those funds are regularly placed into what is called the "**surplus eliminator**" or the Strategic Initiatives Program. Those funds are transferred within the Idaho Transportation Department and the Local Strategic Initiatives Fund administered by the Local Highway Technical Assistance Council. The surplus eliminator varies from year to year.

With the persistently insufficient amount of transportation funding generated by the state, S1063 is a **continued stop-gap measure that extends the surplus eliminator for five years.** The funding must go towards safety, mobility concerns, economic opportunities, the repair and maintenance of bridges or the purchase of public rights-of-way. The current surplus eliminator is set to expire on May 30, 2019.

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