



# ASSOCIATION MANAGEMENT GROUP

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## ◆ 2021 Legislative Summary ◆

The 1<sup>st</sup> Regular Session of the 66<sup>th</sup> Idaho Legislature convened on January 11 with the House recessing on May 12 until December 31, 2021, and the Senate adjourning on the same day. After 122 legislative days – 2021 was the longest legislative session in Idaho history. During that time there were 1,163 draft proposals, 628 pieces of legislation introduced, with both houses passing 347 bills. During the 2021 Session, AMG lobbyists attended all Zoom meetings of the Ag Lobbyist group (each Tuesday) and represented clients at Food Producers of Idaho Zoom meetings (each Wednesday) and Benjamin Kelly or Patxi Larrocea-Phillips participated in the Idaho Association of Commerce and Industry’s (IACI) weekly Zoom legislative meetings representing Food Producers of Idaho and the Northwest Agricultural Cooperative Council.

The clients that AMG lobbied for during the 2021 Legislative Session included:

Rick Waitley/Benjamin Kelly/Patxi Larrocea-Phillips:

Food Producers of Idaho  
Idaho Alfalfa & Clover Seed Growers Association  
Idaho Hay and Forage Association  
Idaho Honey Industry Association  
Idaho Onion Growers’ Association

Idaho Noxious Weed Control Association  
Nezperce Prairie Grass Growers Association  
Northwest Agricultural Cooperative Council  
Northwest Farm Credit Services

Roger Batt:

Bayer USA, LLC  
Idaho Eastern Oregon Seed Association  
Idaho Grape Growers and Wine Producers  
Idaho Heartland Coalition

Idaho Mint Growers Association  
Treasure Valley Water Users Association  
Western Equipment Dealers Association

## THE LONGEST SESSION IN HISTORY

**122 LEGISLATIVE DAYS:** As of May 12, the official count of days that the Idaho Legislature was in session is 122. Legislative sessions tend to run longer in non-election years and shorter in election years. Leadership had aimed for March 28 as the going-home date this year but with continued COVID relief funding expected to arrive to the state, the Senate “adjourned” and the House simply “recessed” instead of officially adjourning to prevent the Governor from allocating funds without their approval. Below is a comparison of the length of each over the last 25 years:

2020: 75	2013: 88	2007: 82	2001: 82
2019: 95	2012: 81	2006: 93	2000: 87
2018: 80	2011: 88	2005: 87	1999: 68
2017: 80	2010: 78	2004: 69	1998: 71
2016: 75	2009: 117	2003: 118	1997: 73
2015: 89	2008: 87	2002: 68	1996: 68
2014: 74			

**NEW LEGISLATORS:** The General Election in November produced a total of 22 new faces in the 2021 Idaho Legislature. A couple of the newly elected members had served in prior legislative sessions but were re-elected from their Districts for this session. Three Senators elected had formerly served in the Idaho House of Representatives. The class of freshman legislators was not timid. A number of new pieces of legislation were drafted and proposed by first year legislators. The freshman class represented a 20% turnover in legislators from the prior session.

**2020 AG ALL STAR AWARDS:** Due to COVID restrictions the annual Food Producers of Idaho – Ag All Star event was not held in person this year. However, legislators who were recipients for this award were presented the award and a gift from industry during the opening week of the legislative session. Food Producers of Idaho recognized 94 legislators who had a voting record that met the criteria of Food Producer policies related to agriculture, natural resources, water, transportation, and taxes. An underline indicates first-time recipients and an asterisk (\*) indicates that the recipient received the award every year eligible. Those recognized with the Ag All Star award included:

**REPRESENTATIVES:**

Chris Abernathy  
Jim Addis \*  
Paul Amador  
Neil Anderson  
Robert Anderst \*  
Kevin Andrus  
Randy Armstrong  
Vito Barbieri  
Scott Bedke  
Steve Berch  
Megan Blanksma \*  
Judy Boyle  
Greg Chaney \*  
Sue Chew  
Lance Clow  
Gary Collins \*  
Brent Crane  
Muffy Davis  
Gayann DeMordaunt \*  
Sage Dixon  
Barbara Ehardt

Jake Ellis  
Rod Furniss  
John Gannon  
Terry Gestrin  
Marc Gibbs \*  
Priscilla Giddings  
Bill Goesling \*  
Brooke Green  
Linda Wright Hartgen  
James Holtzclaw  
Wendy Horman  
Clark Kauffman \*  
Ryan Kerby \*  
Mike Kingsley  
Megan Kiska  
Laurie Lickley \*  
Gary Marshall  
Rob Mason  
John McCrostie  
Ron Mendive  
Jason Monks

Dorothy Moon  
Mike Moyle  
Tammy Nichols  
Joe Palmer  
Britt Raybould  
Jerald Raymond \*  
Doug Ricks \*  
Ilana Rubel  
Paul Shepherd  
Elaine Smith  
Thyra Stevenson  
Scott Syme  
Sally Toone  
Caroline Troy \*  
John Vander Woude  
Jarom Wagoner  
Fred Wood \*  
Julianne Young  
Rick Youngblood \*  
Bryan Zollinger

**SENATORS:**

Jeff Agenbroad \*  
Kelly Anthon \*  
Steve Bair \*  
Bert Brackett  
Cherie Buckner-Webb  
Van Burtenshaw  
Don Cheatham  
Carl Crabtree  
Lori Den Hartog  
Scott Grow  
Jim Guthrie \*

Mark Harris \*  
Lee Heider  
Brent Hill  
Maryanne Jordan  
Todd Lakey \*  
Abby Lee \*  
Dave Lent \*  
Patti Anne Lodge \*  
Fred Martin  
Dean Mortimer  
David Nelson

Mark Nye  
Jim Patrick \*  
Jim Rice \*  
Mary Souza \*  
Michelle Stennett  
Steven Thayn  
Steve Vick  
Janie Ward-Engleking  
Chuck Winder  
Jim Woodward

## KEY 2021 LEGISLATIVE ACTION

**SEPARATION OF POWERS:** An array of bills aimed at limiting the authority of the Governor during a declared emergency passed the House and Senate late in the session and was hesitantly agreed to by the Governor. The issue stemmed from a number of Executive Branch decisions enacted during the onset of the pandemic without input from the Legislative Branch. Truly the predominant issue of the 2021 Session, Governor Little had already vetoed two separate bills (S1136a and H135a) that would have severely limited his ability to act in emergency situations. The vetoed bills were the Senate and House versions that had been chosen among many other iterations to limit the Governor's emergency powers. The Senate fell one vote short of overriding the Governor's veto of S1136a and that bill was then no longer able to be considered. The House did override the Governor's veto on H135a with well over a two-thirds majority, but the Senate never took an additional override vote, halting H135a from being passed.

Throughout 2020 and leading into the legislative session, there had been criticism as to how Governor Little had responded to the Coronavirus. During the Special Session last August, several recommendations by the legislature were proposed but did not get full traction due to what the legislature may or may not have been able to legally address at that time.

Prior to any proposals receiving legs at the beginning of the 2021 Legislative Session, Food Producers of Idaho let their position be known that they had real concerns with legislation that would remove or modify Idaho emergency declarations for natural disasters and the unintended impacts it would have on Idaho's farmers, ranchers, and rural communities. Emergencies and disasters require immediate responses, with the ability of responders and government to be nimble, flexible, and direct, with minimal red tape. These unfortunate circumstances call for strong leadership and clarity as to where the leadership must originate. When Mother Nature is one of your business partners, you are keenly aware of potential disasters ranging from fire to flood to drought to blizzards. Losing or ending a declaration prior to getting the emergency addressed could prevent farmers and ranchers from receiving needed aid, whether in the form of accessing available funding or feed, exchanging water rights to irrigate and bring in a crop, fixing washed out roads after a flood, or apply for low interest loans.

Despite some of the successes in responding to the challenges of 2020, it was clear, that reform was needed in some areas of Idaho's responses to COVID, but not with natural disasters. Concerns continued to intensify through the session that the proposed bills would hinder or prematurely end emergency disasters, establish additional legislative requirements that relate to emergency declarations and would inhibit Idaho's ability to respond to current and future emergencies. The table below is the current open declarations in Idaho with only two addressing Covid-19.

**Open Emergency and Major Disaster Declarations**

DISASTER INCIDENT		DECLARATION	PROGRAM	DESCRIPTION (For open emergencies)
START	END	DATE	STATUS	
12/16/2015	12/27/2015	2/1/2016	OPEN	Drought conditions, very dry fuels and high winds have created perilous situations arising from the wildfire in Bonneville County, Idaho.
2/5/2017	2/27/2017	4/21/2017	OPEN	Extraordinary flooding caused by rapid snowmelt and precipitation have created perilous situations in Bingham, Cassia, Elmore, Franklin, Gooding, Jefferson, Jerome, Lincoln, Minidoka, Twin Falls, and Washington Counties, Idaho.
3/6/2017	3/28/2017	5/18/2017	OPEN	Extraordinary floods, landslides, and avalanches caused by heavy rains and snowmelt have created perilous situations in Benewah, Bonner, Boundary, Clearwater, Kootenai, Latah, Shoshone, Idaho, Lewis, and Valley Counties, Idaho.
5/6/2017	6/16/2017	8/27/2017	OPEN	Extraordinary river flooding caused by heavy rains and snowmelt has created perilous situations in Ada, Canyon and Gooding Counties, Idaho.
3/29/2017	6/15/2017	10/7/2017	OPEN	Extraordinary spring flooding caused by warming temperatures and snowmelt have created perilous situations in Blaine, Camas, Elmore, Custer and Gooding Counties, Idaho.
4/7/2019	4/13/2019	6/12/2019	OPEN	Extraordinary flooding and soil saturation have created perilous situations in Adams, Idaho, Latah, Lewis and Valley Counties, and the Nez Perce Reservation, Idaho.
1/20/2020		3/13/2020	OPEN	Emergency response and protection activities resulting from a statewide outbreak of novel coronavirus.
1/20/2020		4/9/2020	OPEN	Major Declaration for FEMA in response to a statewide outbreak of novel coronavirus.

Governor Little's veto justifications for S1136a and H135a included that it would impair his ability to assemble and instruct the National Guard to deal with emergencies, the state's ability to receive federal disaster aid and more. In his estimation the entire legislative body would have to convene in Boise to extend an emergency declaration requested by one county for months-long flooding and would be totally impractical and costly. He also argued that they violate the Idaho Constitution in multiple sections. The Idaho Constitution prohibits the Legislature from performing executive duties. Declaring and responding to emergencies are core executive functions defined by the Idaho Constitution and the U.S. Constitution. Little reinforced his veto message with support messages from every living former Idaho governor.

Ultimately a compromise was struck with four new bills being drafted. The new iterations were part of an effort to separate what legislators called the "key components" of the two previous bills that were vetoed. All four pieces of legislation were introduced and passed within a two-day timeframe. H391 clarifies that constitutional rights cannot be changed or limited as a result of an emergency declaration. H392 changes Idaho Code to read that only state rules can be changed during an emergency, not regulations or laws. H393 states all jobs are essential, and any restrictions on job performance must be "narrowly tailored" and cannot apply to an entire classification of jobs. The fourth, S1217, repeals and replaces Idaho Code that delegates authority to the governor to act in a state of extreme emergency and changes it to require concurrence by the Idaho Legislature for actions such as ending emergency declarations and/or orders, suspension of constitutional rights and any alteration or suspension of Idaho Code.

**TRANSPORTATION FUNDING:** A major accomplishment for Idaho agriculture and Idaho industry in general, was a long-awaited increase in transportation funding. Transportation has been and will continue to be a key component to moving Idaho's commodities to market. Idaho continually produces more goods than can be consumed within the state and must have reliable infrastructure to move those goods to market or a centralized shipping location. H362 increased the sales tax distribution to transportation from 1% to 4.5% and now dedicates \$80 million of those funds to be disbursed annually to the Idaho Transportation Department for large infrastructure projects on the state highway system. Any excess of \$80 million would be dedicated to local units of government for roads and bridges. H362 also partially addressed the long-term transportation needs on the state and local transportation systems. The Idaho Transportation Department amount allows for approximately \$1.6 billion in bonding capacity over a 20-year period. With respect to the local amounts, as the Idaho economy grows, the need for additional infrastructure investment on the local system will continue to grow with it. Additionally, Governor Little signed into law H308 which is a supplemental appropriation bill totaling \$126 million for the Idaho Transportation Department. House Bill 308 appropriated \$126 million in the following manner: \$118 million for contracted infrastructure improvements that will be split 60/40 with local jurisdictions; \$2 million for railroad safety projects; \$4 million for community airports; and \$2 million for pedestrian safety improvements.

**BALLOT INITIATIVES:** Legislation that sought to increase voter involvement throughout the state in the voter initiative process passed out of both the Senate and House and was signed by the Governor. S1110 raises the bar to qualify a voter initiative for the ballot by requiring the signatures of 6% of the voters in all 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. The reasoning for the change was that the increase in population centers requires greater involvement and participation by rural Idaho residents in the ballot initiative process. Governor Little had vetoed a more stringent version of the bill in 2019, reasoning that it would not make it through the 9<sup>th</sup> Circuit Court of Appeals when it would have been litigated. In regard to S1110 passed this year, former Idaho Supreme Court Justice, Jim Jones delivered a petition with more than 16,000 signatures to Governor Little's office against the increase. The petition is a result of a signature-gathering campaign led by Reclaim Idaho and Conservation Voters for Idaho that were against changing the requirements. With rapidly changing demographics, it is important to be sure that the entire population, including rural voters, have an opportunity to be engaged in the initiative process.

**PESTICIDE RULES:** During the summer of 2020, the Idaho State Department of Agriculture conducted negotiated rulemaking for stakeholders regarding the rules that affect pesticide applicators. Those rules went

through several revisions and multiple meetings were held to update stakeholders on those revisions and seek input. One change that occurred was that applicators should follow the label's wind speed recommendations as a basic ground rule. If there is no wind speed restriction recognized on the pesticide label, then the applicators are prohibited from applying pesticides in wind speeds that exceed 10 MPH. An apprentice category was included to allow individuals more on the ground experience while earning their pesticide license and those apprentices would be supervised by a professional applicator. The proposed rules were approved by the both the House of Representatives and Senate.

**RECREATIONAL AGREEMENTS:** Idaho's recreational access laws encourage private landowners to grant public access to their property for recreational purposes. Amidst COVID-19 state and public lands saw a surging amount of visitors. Idaho has also seen very high levels of fishing and hunting licenses sold which indicates the public's high interest in getting outdoors. While most recreational users behave responsibly, occasionally a member of the public can cause substantial damage to gates, fences, crops or other areas closed to motorized vehicles. H187 clarifies that when a landowner enters into a recreational access agreement with Idaho Fish & Game, and both the landowner and the department agree to certain restrictions on motorized vehicles, the department actually has the authority to enforce those restrictions, as long as the recreational users are given notice of the restrictions. H187 was supported by various members engaged in the Idaho Property Rights Coalition. H187 passed the House of Representatives with a vote of 50-19-1 and subsequently passed the Senate with a vote of 33-2-0. The Governor signed the legislation into law with an effective date of July 1, 2021.

**DRIVER AUTHORIZATION CARDS:** S1132 would have improved Idaho's road safety, ensured more drivers on Idaho roads are covered by insurance, enhanced driver education and training for all Idahoans, and generated additional state revenue for Idaho Transportation Department (ITD) programs. A study conducted by the Office of Performance Evaluations (OPE), which was overseen by members of the Idaho Legislature revealed that accidents with unlicensed drivers are three times deadlier than accidents with licensed drivers. Further, the average property damage claim involving an unlicensed driver is \$22,000 higher than claims involving a licensed driver. Unlicensed drivers also create more burdens on the judicial system as they are 9.5 times more likely to flee the scene of a fatality accident. The limited requirements would have helped more people get the legal ability to drive, providing the potential to reduce burdens on the criminal justice system and reduce costs of judicial and law enforcement administration. People looking to get a Driver's Authorization Card would have needed to provide documents that provide their proof of residency in Idaho and proof of person such as a birth certificate. They would also have received proper training before getting behind the wheel to drive. Undocumented workers are already using Idaho's roads. The Driver Authorization Cards would have held them to the same standard as citizens, permanent residents or lawful visitors by making available the safety training and licensing fees that are currently required. If S1132 was passed, an estimated 17,600 driving authorization cards are expected to have been issued to unauthorized immigrants in Idaho within the first 30 months of a driving authorization program. There are currently an estimated 37,000 unauthorized immigrants that live in Idaho. Unfortunately, the bill did not move out of the Senate Transportation Committee during the session.

**BEER AND WINE EXCISE TAX:** H232 is the result of a partnership between the Idaho Wine Commission, Idaho Brewers United and the Idaho Hop Commission, and took three years to come to fruition. A bill passed by the legislature in 1988 resulted in strong beer that is over 4% to be considered and taxed as wine. Since 1994, the Idaho Grape and Wine Commission has been receiving strong beer excise tax funds to promote the Idaho wine industry. H232 takes approximately \$146,000 in strong beer excise taxes from the Idaho Grape and Wine Commission budget and reallocates it to the Idaho Hop Commission to promote the beer industry. The lost funding from the Idaho Grape and Wine Commission is replenished through increasing the percentage of the wine excise tax based solely on wine that is produced and sold in Idaho. Instead of the Idaho Grape and Wine Commission receiving 5% of this excise tax, they will now receive 88% of this tax. Based on the 2019 numbers, that change would equate to approximately \$144,000. Representative James Holtzclaw and Senator Carl Crabtree carried the legislation on the House and Senate floors. Representative Brent Crane is to be commended for his leadership in bringing all of the parties together to support one piece of legislation. H232 was signed by Governor Little on April 21 during a bill signing ceremony.

**WATER QUALITY TRADING:** Treasure Valley Water Users Association assisted in the passage of H99 that deals with water quality trading. H99 authorizes a non-point source discharger (e.g. a farmer) to enter into a private contract with a point source discharger (e.g. a municipality) and sell water quality credits to help the municipality meet the water quality standards and to utilize the funding received from the municipality for on-farm Agricultural Best Management Practices (BMPs) projects. Other states have adopted a similar trading framework and have been very successful with it. Idaho's agricultural community and municipalities will benefit from being authorized to conduct water quality trading through the passage of the legislation. H99 passed both bodies and received Governor Little's signature.

**AGRICULTURAL BMP FUND:** S1079a establishes a fund for the annual appropriation of state general fund dollars to support and fund nonpoint source agricultural Best Management Practices (BMP) projects around Idaho. This appropriation was initially set up during the 2017 legislative session and was intended to supplement the agency's federal nonpoint source program grant. The Department of Environmental Quality (DEQ) has identified complications with appropriating, allocating, and disbursing these funds all within the same fiscal year. The nature of these projects, spanning multiple calendar years or seasons, and the short time frame in which DEQ has from appropriation to the end of spending, makes it difficult for recipients of these subawards to get the work completed and invoices submitted for reimbursement before the end of the fiscal year in which the money was appropriated. The only options currently available are to have the legislature provide reappropriation authority or for the Division of Financial Management to do a yearly encumbrance. Neither of these options is ideal; therefore, DEQ requested a specific fund be set up for this funding that would allow a longer time frame for the project proponents and awardees to plan and complete projects that benefit Idaho's waterways. Creation of a dedicated fund will help DEQ align the awarding of the state funding with the federal nonpoint source program grants thereby reducing the administrative overhead and duplication of effort associated with running separate application and award periods. S1079a passed both bodies and was signed into law by Governor Little on April 13 and is effective from that date forward.

**PROPERTY TAXES:** H389 makes several changes to Idaho Code that will provide property tax relief while limiting the ability of local taxing districts to increase their budgets. For property taxpayers, it will provide relief in 2021 to homeowners by increasing the homeowner's exemption to \$125,000. The homeowner's exemption is currently set at \$100,000. H389 reduces property taxes for homeowners who qualify for the circuit breaker program by increasing the benefit up to \$1,500, depending on the need. Likewise, it will reduce property taxes for veterans qualifying for the disabled veteran's property tax reduction program by increasing the benefit to \$1,500. In 2022, it will add an additional qualification for the circuit breaker program to ensure the general fund no longer subsidizes income-poor but asset-rich applicants. Additionally, in 2022, H389 will increase the exemption for personal property taxpayers to \$250,000 and exempts transient personal property from taxation. For local taxing districts, it reduces the amount of valuation available to tax new construction and annexation that will create a total cap of 8% in any budget year. A reduction will also include the amount of forgone revenue a taxing district may take for ongoing budget growth but provides a mechanism for expenditures that are considered one-time capital projects. Finally, H389 delays the entry of an improved property's market value on the new construction roll until after the improvements are completed. Overall, H389 provides direct residential and commercial property tax relief and provides for indirect property tax relief by curbing growth in local budgets, the combination of which results in tax relief for all property owners. H389 passed both the House of Representatives and Senate the last week of the session in an effort to provide property tax relief for legislators' constituents. A property tax bill had been brought earlier in the session to limit city budgets, but it did not make it through the process. Critics of H389 argued that it was too complex to review at the eleventh hour of the legislative session and stakeholders needed more time to review the bill. H389 was signed by Governor Little stating that he had concerns with the efficacy of the legislation.

**WOLF LEGISLATION:** S1211 has gone through the legislative process and was signed by Governor Little. S1211 was introduced to help curb and maintain the wolf population and will aid in the management of wolves moving forward. S1211 will allow the Wolf Depredation Control Board to enter into agreements with private contractors for more efficient means of removing wolves. The Control Board can also renew, or transfer control permits to ensure successful completion of those permits approved by the Director of the Department of Fish

and Game. It will also provide essential tools for sportsmen and livestock producers by opening up methods that align with other wild canines in Idaho such as the use of UTVs, snowmobiles, night scopes and thermals. Additionally, trapping is permitted year-round on private property. This will allow property owners to protect their livestock and property in a timely manner with a method that has been proven effective. Interested individuals will be required to have a valid wolf tag and proper trapping license from the Department of Fish and Game. Wolf tags are now universal and can be used for either trapping or hunting. However, the individual must take all the required education courses and possess the correct licenses to trap or hunt. Due to S1211, there will be no limit to how many tags an individual can purchase. The legislation passed through both bodies and was signed by Governor Little.

**HEMP:** H126 passed both Houses and received the governor's signature, making Idaho the last state in the union to be able to grow hemp. The measure now allows Idaho producers to grow the commodity and diversify their portfolios. H126 included an emergency clause that made it effective immediately upon the Governor's signing, but the process of setting up the new regulation system for industrial hemp will likely take long enough that the first hemp growing season in Idaho would be in 2022. Prior to H126, it was legal to sell hemp-derived products in Idaho, as long as they contained no amount of THC. Businesses selling CBD or cannabidiol (an extract from hemp that's used to treat various ailments, such as pain, anxiety and movement disorders), sprouted up across the state after hemp was legalized by the 2018 Farm Bill. Treasure Valley CBD retailers have said that they do not expect to be immediately impacted by the new Idaho law, but there may be benefits in the near future. Most hope that someday they will be able to buy their products from local growers and processors. Before the passage of H126, Idaho law made no distinction between industrial hemp and marijuana.

**U OF I CALS RESEARCH/EXTENSION BUDGET:** The fiscal year 2022 original appropriation for the Agricultural Research and Cooperative Extension Service is summarized below. It appropriates a total of \$32,695,100. For benefit costs, the bill maintains the current appropriated amount for health insurance at \$11,650 per eligible full time personnel, extends the holiday for the employer's sick leave contribution rate for another year, and restores funding for the employer's unemployment insurance contribution rate. The bill also provides funding for the equivalent of a 2% change in employee compensation for permanent state employees.

- Total FY 2021 budget = \$32,108,400. This is a 1.8% **increase** from FY 2021.
- This includes 349.35 FTPs and no line items.

**PARMA R & E CENTER FUNDING:** The aging facility of the Parma Research and Extension Center has drawn the attention of lawmakers and University administration. The center plays a key role for a large swath of commodities in Idaho and deals in science and research that impacts all of Idaho agriculture (i.e. soils, insects, diseases, etc.) The facility will be renamed the **Idaho Center for Plant and Soil Health**. Current fundraising goals have been set and money has been appropriated by the legislature to move forward with the project. Architects are working directly with faculty to design the facility and groundbreaking is anticipated to occur in the spring of 2022.

**FOOD QUALITY ASSURANCE LAB OPERATION:** Consistent with the Governor's Red Tape Reduction Act, H50 eliminated the Idaho Food Quality Assurance Lab industry institute. The Idaho State Department of Agriculture (ISDA) proposed repealing Title 67, Chapter 83, which established the Idaho Food Quality Assurance Institute (IFQAI). The IFQAI originally was established as an "independent public body corporate and politic" to oversee the management of the Idaho Food Quality Assurance Laboratory. The laboratory previously was housed within the University of Idaho. At the request of industry and the university, ISDA took over management of the laboratory. The IFQAI has transferred its powers and duties to the ISDA for years through an annual memorandum of understanding (MOU). IFQAI has not managed the day-to-day activities of the laboratory for more than a decade. IFQAI has been functioning as an advisory committee, and H50 codified what has been established through MOUs. If this bill were to become law, ISDA will organize and host an Idaho Food Quality Assurance Laboratory advisory committee. The Idaho Food Quality Assurance Laboratory offers formal, third-party food quality and environmental testing to Idaho producers, government agencies,

agricultural groups, processors, and consumers. H50 did not change the services, including voluntary industry testing, provided by the laboratory. Under the Idaho Public Records Act, all records of laboratory test results provided by or retained by the laboratory are confidential and exempt from disclosure. H50 did not affect those exemptions.

**2021 LEGISLATIVE DEMOGRAPHY**

**UNUSUAL RECESS:** The Idaho Legislature brought business to halt on Friday, March 19 for a two-week period amid a small outbreak of COVID-19 among lawmakers and staff at the state Capitol. The recess lasted until April 6 in hopes of breaking the cycle of COVID-19 infections. At the time the legislature took this action there were at least 10 confirmed cases of COVID-19 among House Representatives, House staff, and Senate staff, according to the House Democratic leader's office. It was also reported that at least six House lawmakers had tested positive for COVID-19.

**PROGRESS REPORT:** It seemed like things moved very slowly at the beginning of the 2021 session which may have extended legislators time in Boise. Ultimately, the separation of powers debate with the Governor has extended the session indefinitely. One thing is certain, the longer they were in town, the more legislation they composed. Here is the comparison from previous years:

<b>WEEK 20</b>	2021	<b>*2020*</b>	<b>*2019*</b>	<b>*2018*</b>	<b>*2017*</b>	<b>*2016*</b>
New legislation prepared	908	<b>830</b>	<b>761</b>	<b>799</b>	<b>785</b>	<b>831</b>
Changes, amendments, and engrossments	<u>255</u>	<u><b>223</b></u>	<u><b>314</b></u>	<u><b>196</b></u>	<u><b>239</b></u>	<u><b>312</b></u>
	<b>1163</b>	<b>1053</b>	<b>1075</b>	<b>995</b>	<b>1024</b>	<b>1143</b>
<b>INTRODUCTIONS</b>						
Bills (both houses)	628	<b>559</b>	<b>522</b>	<b>561</b>	<b>540</b>	<b>557</b>
Resolutions, Memorials, Proclamations (both houses)	54	<b>70</b>	<b>67</b>	<b>78</b>	<b>75</b>	<b>75</b>
<b>ACTION</b>						
Bills Passed (both houses)	368	<b>347</b>	<b>331</b>	<b>355</b>	<b>345</b>	<b>379</b>
Bills signed by the Governor	364	<b>341</b>	<b>329</b>	<b>340</b>	<b>330</b>	<b>369</b>
Law without Governor signature	0	<b>0</b>	<b>0</b>	<b>13</b>	<b>7</b>	<b>8</b>
Bills vetoed by the Governor	4	<b>6</b>	<b>2</b>	<b>2</b>	<b>8</b>	<b>2</b>
Veto Overridden	0	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
Resolutions, Memorials adopted	24	<b>42</b>	<b>37</b>	<b>51</b>	<b>49</b>	<b>52</b>
<b>BILLS PASSED BY ONE HOUSE</b> (and pending in other house)						
Senate	19	--	--	--	--	--
House of Representatives	44	--	--	--	--	--
Length of Session (days)	--	<b>75</b>	<b>95</b>	<b>80</b>	<b>80</b>	<b>75</b>
<b>*Bold indicates end of session figures*</b>						

**GOVERNOR APPOINTED LEGISLATOR:** Toward the close of the 2021 legislative session a House Ethics Committee hearing resulted in the resignation of Rep. Aaron von Ehlinger. The local Central Committee wasted no time in coming together to identify three names to be submitted to the Governor for consideration. On May 17, Governor Brad Little appointed Lori McCann, Lewiston, to fill the vacant legislative District 6 seat in the Idaho House of Representatives.



**CLOSING:** We hope you have found the communication related to legislative issues complete and valuable to understanding what happened in Boise from January through May. Our weekly *Capitol Review* is designed to inform you each week about issues that impact the agriculture industry and special events and people involved with these issues. If you have specific questions related to legislation discussed in this report or between legislative sessions, please do not hesitate to contact our office. We can be reached at:

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Roger: roger@amgidaho.com  
Benjamin: benjamin@amgidaho.com  
Patxi: patxi@amgidaho.com

Feel free to visit our website at [www.amgidaho.com](http://www.amgidaho.com) to learn more about our services and the clients we serve at Association Management Group.

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