



# ASSOCIATION MANAGEMENT GROUP

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## ◆ 2022 Legislative Summary ◆

The 2<sup>nd</sup> Regular Session of the 66<sup>th</sup> Idaho Legislature convened on January 10, 2022. After 81 legislative days, lawmakers were ready to hit the campaign trail in their newly drawn legislative districts. During the session there were 1,046 draft proposals, 596 pieces of legislation introduced, with both houses passing 344 bills. During the 2022 Session, AMG lobbyists attended meetings of the Ag Lobbyist group (each Tuesday) and represented clients at Food Producers of Idaho (each Wednesday). In addition, Benjamin Kelly or Patxi Larrocea-Phillips participated in the Idaho Association of Commerce and Industry's (IACI) weekly legislative meetings representing Food Producers of Idaho and the Northwest Agricultural Cooperative Council.

The clients that AMG lobbied for during the 2022 Legislative Session included:

### Rick Waitley/Benjamin Kelly/Patxi Larrocea-Phillips:

Food Producers of Idaho

Idaho Alfalfa & Clover Seed Growers Association

Idaho Association of Soil Conservation Districts (**BK**)

Idaho Hay and Forage Association

Idaho Honey Industry Association

Idaho Onion Growers' Association

Idaho Noxious Weed Control Association

Idaho Wool Growers Association

Nezperce Prairie Grass Growers Association

Northwest Agricultural Cooperative Council

Northwest Farm Credit Services

### Roger Batt:

Bayer USA, LLC

FARE Idaho

Idaho Eastern Oregon Seed Association

Idaho Grape Growers and Wine Producers

Idaho Ground Water Association

Idaho Heartland Coalition

Idaho Mint Growers Association

Treasure Valley Water Users Association

Western Equipment Dealers Association

## LEGISLATIVE SESSION HIGHLIGHTS

**81 LEGISLATIVE DAYS:** The legislative session came to a close on March 31 with the official count of 81 days that the Idaho Legislature was in session. Legislative sessions tend to run shorter in election years as candidates are anxious to begin campaigning. This was a redistricting year and it is a year where many legislators are campaigning in newly drawn districts. Leadership had aimed for March 25 as the going-home date but had several loose ends to tie up before adjourning Sine Die. Below is a comparison of the length of each session over the last 27 years:

2022: 81	2015: 89	2008: 87	2001: 82
2021: 311	2014: 74	2007: 82	2000: 87
2020: 75	2013: 88	2006: 93	1999: 68
2019: 95	2012: 81	2005: 87	1998: 71
2018: 80	2011: 88	2004: 69	1997: 73
2017: 80	2010: 78	2003: 118	1996: 68
2016: 75	2009: 117	2002: 68	

**2022 AG ALL STAR AWARDS:** Food Producers of Idaho chose 40 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:

### **House (17 All Stars)**

Paul Amador  
Scott Bedke  
Megan Blanksma  
Matthew Bundy  
Greg Chaney  
Marco Erickson

Marc Gibbs  
Linda Wright Hartgen  
Clark Kauffman\*  
Laurie Lickley\*  
Dustin Manwaring  
Gary Marshall

Lori McCann  
Scott Syme  
Caroline Troy  
Jon O. Weber  
Rick Youngblood

### **Senate (23 All Stars)**

Jeff Agenbroad  
Kelly Anthon\*  
Robert Blair  
Van Burtenshaw  
Kevin Cook  
Carl Crabtree  
Lori Den Hartog  
Scott Grow  
Jim Guthrie\*

Mark Harris\*  
Lee Heider  
Todd Lakey  
Abby Lee\*  
Dave Lent  
Patti Anne Lodge\*  
Fred Martin  
Jim Patrick\*  
Jim Rice

Doug Ricks  
Mary Souza\*  
Julie Van Orden\*  
Chuck Winder  
Jim Woodward

*\*Received award every year  
eligible Underline indicates first-  
time recipient*

### **KEY 2022 LEGISLATIVE ACTION**

**IDAHO DEPT OF WATER RESOURCES BUDGET:** As a part of Governor Little's "Leading Idaho" plan, the State will be adding record investments in water infrastructure to assist in rural Idaho and agriculture. H769 invests in state water infrastructure to ensure a dependable supply of water for current and future generations. With the help of the Governor, the Legislature, co-sponsors Representative Matt Bundy and Senator Carl Crabtree, the Idaho Water Users Association and agriculture, \$325 million will be allocated in just water infrastructure. The Idaho Department of Water Resources will manage the funds and ensure that critical projects, like raising the Anderson Ranch dam and finishing the pipeline to the Mountain Home Airforce Base, are completed. The funds will also support infrastructure for water recharge on the Upper Snake River and replace aging infrastructure for irrigation districts and canals. Idaho leads the nation in conjunctive management of its water and has carefully stewarded the resource. As the state grows and continually faces water scarcity, these one-time investments can increase storage capacity to better withstand drought years. With the added investments, Idaho will also update old, less-efficient infrastructure and invest in technologies that improve efficiency, in an effort to stretch water resources.

**IDAHO STATE DEPT OF AGRICULTURE BUDGET:** The Idaho State Department of Agriculture (ISDA) received funding for the department through H768. Year over year changes included an 8.4% increase to the budget that was mainly comprised of Federal Funding. ISDA was granted 7.5 additional full time personnel. Five of those positions went to the Invasive Species Program to help with watercraft inspection stations at Idaho's borders coupled with early detection monitoring and aquatic invasive species and noxious weed management. Most importantly, it will continue to maximize the watercraft inspection program to decrease the chances of spreading zebra mussels, quagga mussels, and other aquatic invasive species into Idaho waters. A trailer bill, S1429, passed the legislature and appropriates another \$600,000 to help establish more suitable and workable structures for three invasive species watercraft checkpoints at existing check stations on Idaho Transportation Department property. The three locations would be Cotterel Port of Entry and Rest Area on I-86, Malad Rest Area on I-15, and Cedars Maintenance Shed on I-90.

**IDAHO SOIL AND WATER CONSERVATION COMMISSION BUDGET:** H757 was signed into law by the Governor encompassing the Idaho Soil and Water Commission budget and includes an additional \$5 million in funding for a grant program called the Water Quality for Program Agriculture (WQPA). Soil and water conservation districts historically provided financial assistance for agricultural best management practices and watershed improvement projects. Conservation districts also frequently partner with USDA-NRCS to combine WQPA and federal funding to maximize project implementation and results. WQPA is authorized by Idaho Code but has not been funded since the budget cuts necessitated by the recession in 2008.

The reasons for reviving the program are many, but one highlight is that Idaho NRCS supports resumption of WQPA and is willing to match dollar-for-dollar state funding that comes through the program. It also allows NRCS to seamlessly use the entire collection of USDA Farm Bill Programs and is willing to provide technical and administrative assistance for the WQPA program. Outside of federal partners, soil and water conservation districts are focused and experienced in supporting agricultural producers. Districts have field offices throughout the state, and many conservation district board members, managers and staff, are directly involved with production agriculture. They have direct, local knowledge, relationships and experience with ag producers, land and production and often, producers are more comfortable working with nonregulatory, local partners.

WQPA's focus is water quality improvement but can also meet a large unmet need by providing funding for water conservation projects, soil conservation projects and small aging infrastructure replacement or improvement projects. Another benefit is being a proven program with a long track record. Conservation districts, the Idaho Association of Soil Conservation Districts board members and ISWCC staff all have working institutional knowledge and there is already written guidance for the program. Projects can be approved for multiple-years and do not need to be completed in an agency's fiscal year, allowing for quick and nimble assistance to address project concerns throughout the year.

**IDAHO DEPT OF ENVIRONMENTAL QUALITY BUDGET:** H73 includes the Idaho Department of Environmental Quality's (DEQ) budget and appropriates an additional \$10 million in funding for a grant program for Best Management Practices (BMP). \$5 million would be allocated for regular BMP implementation and the other \$5 million for Confined Animal Feeding Operations (CAFOs).

DEQ presented their budget before the Joint Finance and Appropriations Committee and located inside the request was \$10 million for BMP projects in Idaho. The funding is intended to supplement the agency's federal nonpoint source program grant. In 2021, legislation was passed to establish a specific fund for the annual appropriation of state general fund dollars to support and fund nonpoint source agricultural best management practices projects around Idaho. DEQ identified complications with appropriating, allocating, and disbursing these funds all within the same fiscal year. The nature of these projects span multiple calendar years and makes it difficult for recipients of the subawards to get the work completed and invoices submitted for reimbursement before the end of the fiscal year it was appropriated. Private landowners and conservation districts have participated since the program's inception in 2017 to help meet water quality standards in impaired water bodies in Idaho.

The \$5 million for CAFOs was added in addition to another bill (H559) because CAFOs are not eligible for many water quality projects since they do not directly discharge to water bodies. The purpose of H559 is to make a fund available to support investments in environmental projects on CAFOs to improve livestock byproduct, waste, nutrient and water management, its land application and storage systems. The fund was added to the Governor's budget proposal on top of the \$5 million increase for BMP's.

**MASK LEGISLATION:** Issues continued to arise during the session that revolved around mask mandates and COVID-19. H631 dealt specifically with mask mandates. The language in H631 would have prohibited state facilities from requiring a face mask, face shield or face covering as a condition of entry or employment, regardless of the reason for the requirement (i.e. even if unrelated to preventing spread of an infectious disease). This would have placed undue health and safety risks upon our university research labs and state-operated diagnostic and testing labs. Idaho agriculture was not able to support legislation that placed in peril our Idaho's ability to respond to emergencies and the health and safety needs of our research, diagnostic and testing facilities. H631 did not receive a hearing in the Senate and did not become law.

**RIGHT TO FARM ACT AMENDMENTS:** With a growing agricultural, suburban, and urban interface in Idaho, it is important to recognize and protect the ability for agricultural applicators and aircraft to access agricultural lands. H606 sought to complete that task by adding to the definition of agricultural operations under the Right to Farm Act of Idaho. Agricultural aircraft must travel to and from agricultural lands and treatment areas to perform their vital functions. There have been more instances of complaints and negative confrontations

because people new to rural Idaho do not understand that they live in areas where aerial applications on fields will be taking place. H606 does not relieve pilots from Federal Aviation Administration regulations related to low-flying and congested areas but does allow them to continue their current practices related to the “ingress” and “egress” of aircraft and their access to agricultural lands and treatment areas. H606 has been signed by Governor Little and will be implemented on July 1, 2022.

**ISWCC COMMISSION APPOINTMENTS:** H642 will increase the number of commissioners appointed to the Idaho Soil and Water Conservation Commission. Currently there are 5 commission members, and the increase would be 7 appointments made by the Governor. H642 would allow for the conservation districts to put forward names to the Governor to choose from for 6 of the positions, with the governor to choose the 7<sup>th</sup> at large. The reason for the change is inside of the Idaho Association of Soil Conservation Districts there are 6 divisions covering the entire state and would allow each division to submit names to the Governor with regional representation in mind. The 7<sup>th</sup> position would be to break any ties on the commission and more importantly, to allow the Governor to choose an individual with a specific expertise, i.e. financial or technical, that may be needed.

**TRANSPORTATION:** Governor Brad Little signed a key part of his “Leading Idaho” plan into law, providing hundreds of millions of dollars in new transportation funding to clear out one-third of Idaho’s bridge maintenance backlog. S1359 includes \$200 million for local bridges, \$6 million for air, \$8 million for rail, \$18 million to pay off debt for GARVEE projects, \$10 million for safe pedestrian crossings, and \$10 million to build out a road at the Port of Lewiston. Governor Little also signed another transportation funding bill that will include \$200 million for road maintenance.

**WASHINGTON FUEL TAX:** House Joint Memorial 5 passed the House and Senate with no votes against the legislation. Joint Memorials are petitions or representations made by either body and concurred with by the other body, addressed to whoever can effectuate the request of the memorial. HJM 5 was a message to the Governor of Washington opposing a proposed Washington law that would impose a tax on fuel exported by Washington to Idaho. Both Idaho and Alaska threatened retaliation or retaliated with legislation for the tax and Oregon Governor Kate Brown called on Washington Governor Jay Inslee to veto the bill. A top Democrat in the Washington Legislature pulled support of a proposed tax on fuel exported from the state’s five refineries that has been criticized by neighboring states. Rep. Jake Fey, D-Tacoma, one of the architects of a proposed \$16.8 billion transportation funding measure no longer backed the bill. Democrats had proposed a 6 cent per gallon tax on fuel exported from the state. Nearly 40% of the fuel processed in Washington refineries goes to other states. Governor Little and Attorney General Wasden sent a letter to Governor Inslee asking him to stop the added fuel tax on Idahoans. The letter asked Inslee to consider how the tax would impact Idahoans already struggling with inflation and rising fuel costs. The legislation in Washington did not cross the finish line during their legislative session.

**IDAHO DEPARTMENT OF LANDS LEGAL COUNSEL:** S1372 would have removed the Deputy Attorney Generals out of the Idaho Department of Lands and would have allowed the Idaho Department of Lands and Land Board to seek and retain outside counsel. This would have to occur in consultation with the Director of the Idaho Department of Lands. There have been several critics claim that since the Attorney General sits on the Land Board and his office provides consultation to the Idaho Department of Lands, then a conflict of interest exists. S1372’s fiscal note included the cost of \$601,800 to hire an estimated 4.0 Full Time Personnel. However, the note also stated that the Department of Lands’ dedicated funds would cover part of that and this would translate to savings to the state general fund in future years. The legislation would not alter any of the Attorney General’s duties on the Land Board. S1372 passed the Senate but was not given a hearing in the House of Representatives.

**LEGISLATIVE ADJOURNMENT DATE:** Senator Jim Guthrie introduced legislation for the second consecutive session that would have established a clear ending date for annual legislative sessions. Currently in law, the legislative session starts on the Monday nearest the ninth day in January. However, there has not been an established target end date. In 2003 the legislature set a record of meeting for 118 days and then in 2009 the legislature met for 117 days. The 2021 Legislature set the newest record of 311 days with all its stops and

starts, and officially ended on November 29, 2021. Currently, Idaho Code does have a provision or guidelines for special sessions. They are called extraordinary sessions and are only initiated by the Governor for a specific purpose, like the three-day session in August of 2020 that specifically dealt with liability reform. S1239 would have ended the legislature every year on or before 11:59 PM of the last Friday in March. S1239 passed the Senate but did not receive in the House of Representatives.

**U OF I CALS RESEARCH/EXTENSION BUDGET:** The University of Idaho's Agricultural Research and Extension Services budget passed the House with a 60-7-3 vote and received unanimous consent in the Senate. In addition to funding the annual operating budget for University of Idaho Extension and the research conducted through the Idaho Agricultural Experiment Station, there was success in securing one time funding for research support staff and a 4-H STEM coordinator tied to the Idaho Center for Agriculture, Food and the Environment (CAFE), investment to address the digital divide and provide computer literacy education statewide, funding to enhance employee compensation to ensure that the university is recruiting and retaining skilled faculty and staff, and a supplemental investment to address unforeseen infrastructure needs at the Parma R&E Center.

**2022 PRIMARY ELECTIONS:** The 2022 election season officially began Monday, February 28 with candidate filings. The candidate filing period opened at 8 a.m. Monday, February 28 and closed at 5 p.m. on Friday, March 11. Although several candidates had already declared they were running for election in 2022, political candidates must fill out declaration of candidacy forms and submit them during the filing period for their names to appear on the ballot. For the first time in 10 years, there will be new congressional and legislative boundaries in place due to the 2021 redistricting process. With this year's elections, the new political boundaries and competition for higher office are expected to lead to a significant reorganization in the Idaho Legislature next year. Republicans and Democrat candidates will compete in their parties' primary elections on May 17. Those that are successful on the May 17 party primaries will advance to the November 8 general election.

**ANRIPAC CANDIDATES:** The Agricultural and Natural Resources Political Action Committee met recently to discuss which candidates the group would support in the May 17 Primary Election. Below is a list of candidates that were vetted and have opponents in the Primary Election. Members felt that these individuals would be the best representatives of agriculture and natural resources in Idaho.

- |                        |                            |                                 |
|------------------------|----------------------------|---------------------------------|
| Dist. 1 Jim Woodward   | Dist. 11 Greg Chaney       | Dist. 26 Jack Nelsen            |
| Dist. 1 Sage Dixon     | Dist. 11 Chris Allgood     | Dist. 27 Kelly Anthon           |
| Dist. 2 Jon Cantamessa | Dist. 13 Jeff Agenbroad    | Dist. 27 Douglas Pickett        |
| Dist. 3 Jordan Redman  | Dist. 14 Josh Tanner       | Dist. 28 Jim Guthrie            |
| Dist. 4 Tara Malek     | Dist. 20 Chuck Winder      | Dist. 28 Dan Garner             |
| Dist. 4 Jim Addis      | Dist. 20 Joe Palmer        | Dist. 29 Dustin Manwaring       |
| Dist. 4 Paul Amador    | Dist. 20 James Holtzclaw   | Dist. 30 Julie VanOrden         |
| Dist. 5 Peter Riggs    | Dist. 21 Treg Bernt        | Dist. 31 Van Burtenshaw         |
| Dist. 6 Robert Blair   | Dist. 21 James Petzke      | Dist. 31 Jerald Raymond         |
| Dist. 6 Lori McCann    | Dist. 21 Jeff Ehlers       | Dist. 31 Rod Furniss            |
| Dist. 7 Carl Crabtree  | Dist. 22 John Vander Woude | Dist. 32 Kevin Cook             |
| Dist. 8 Terry Gestrin  | Dist. 23 Todd Lakey        | Dist. 32 Stephanie Jo Mickelsen |
| Dist. 8 Matthew Bundy  | Dist. 23 Melissa Durrant   | Dist. 32 Dave Lent              |
| Dist. 9 Abby Lee       | Dist. 23 Shaun Laughlin    | Dist. 34 Jon Weber              |
| Dist. 9 Ryan Kerby     | Dist. 24 Jim Patrick       | Dist. 34 Britt Raybould         |
| Dist. 9 Scott Syme     | Dist. 24 Chenele Dixon     | Dist. 35 Mark Harris            |
| Dist. 10 Scott Brock   | Dist. 24 Steve Miller      | Dist. 35 Josh Wheeler           |
| Dist. 10 Mike Moyle    | Dist. 25 Gregory Lanting   |                                 |
| Dist. 10 Bruce Skaug   | Dist. 26 Laurie Lickley    |                                 |

FINAL PROGRESS REPORT

Week-to-Week Comparison

April 5, 2022

<b>FINAL</b>	2022	2021	2020	2019	2018	2017
New legislation prepared	829	958	830	761	799	785
Changes, amendments, and engrossments	<u>217</u>	<u>268</u>	<u>223</u>	<u>314</u>	<u>196</u>	<u>239</u>
	1046	1226	1053	1075	995	1024
<b>INTRODUCTIONS</b>						
Bills (both houses)	596	660	559	522	561	540
Resolutions, Memorials, Proclamations (both houses)	65	58	70	67	78	75
<b>ACTION</b>						
Bills Passed (both houses)	344	368	347	331	355	345
Bills signed by the Governor	336	364	341	329	340	330
Law without Governor signature	2	0	0	0	13	7
Bills vetoed by the Governor	6	4	6	2	2	8
Veto Overridden	0	0	0	0	0	0
Resolutions, Memorials adopted	40	25	42	37	51	49
Length of Session (days)	81	311	75	95	80	80
<b>TRIVIA</b>						
Code sections amended	561	596	487	594	417	459
New code sections	133	178	122	142	156	191
Code sections repealed	117	122	137	62	127	98
Pages of passed legislation	1365	1465	1214	1307	1103	1217

**SUBSTITUTE LEGISLATORS:** We had two substitute legislators that served the entire legislative session. In District 6 and serving for Senator Dan Johnson, was Leland farmer **Robert Blair**. Blair is a fourth-generation farmer from the Leland area, near Kendrick, growing wheat, barley and other traditional annual crops. Blair's wife, Rhonda, is a special education teacher in the Kendrick school district. Blair and his wife have two sons. Dillon, their oldest son, works at CHS Primeland in Moscow, and Logan, their youngest son, is a senior at the University of Idaho, where Blair and his wife are both alumni. In addition to farming, Blair said that he travels across the country and internationally as a consultant concerning how to effectively use drones (unmanned aerial vehicles) in agriculture. According to Blair, he was the first farmer in the United States to use a drone to help manage crops beginning in 2006. Drone-based photography provides an aerial view of his crops which helps him target fertilizer, water and pesticide use. Blair has held leadership positions in the agriculture world, both as the past president of the Nez Perce County Farm Bureau and the Idaho Grain Producers Association, as well as a USA Eisenhower Agriculture Fellow.

In District 31 and serving for Senator Steve Bair, was Pingree farmer **Julie Van Orden**. Born in Pocatello, Van Orden graduated from Blackfoot High School, attended College of Southern Idaho and Idaho State University

at the Vocational-Technical School. She has served as Idaho PTA State President, Snake River School District Board of Trustees Chairman and as a Japanese American Citizen League member. Currently, she is a commissioner on the Idaho Potato Commission. Both Blair and Van Orden are running for the legislature in their respective districts in 2022.

**CLOSING:** We hope you have found the communication related to legislative issues complete and valuable to understanding what happened in Boise from January through March. 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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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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