



CAPITOL REVIEW

A WEEKLY LEGISLATIVE REPORT

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A Weekly Legislative Report

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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 **needs reliable infrastructure to move those goods to market or a centralized shipping location.** H362 increases the sales tax distribution to transportation from 1% to 4.5% and dedicates eighty million dollars 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 addresses 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. H362 recently passed the House and is headed to the Senate. Additionally, Governor Little recently signed into law H308 which is **a supplemental appropriation bill totaling \$126 million for the Idaho Transportation Department.** House Bill 308 appropriates \$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.

SECRETARY OF STATE

Senator Mary Souza, from Coeur d'Alene, **has announced she will run for Idaho Secretary of State in 2022**, joining a race that includes Ada County Clerk Phil McGrane. Current Secretary of State **Lawrence Denney has said to the press that he will likely not seek another term.** Souza is a 4th term legislator, co-owner of a family business and a former critical care nurse. Prior to being

elected to the Idaho Senate, she was an unsuccessful candidate for mayor of Coeur d'Alene. Souza, who represents North Idaho's District 4 in the state Senate, currently serves on the Senate Local Government & Taxation Committee and the Commerce & Human Resources Committee, of which she is vice-chair.

Representative Paul Amador, from Coeur d'Alene, **announced that he plans to run for Senator Souza's seat in District 4.** Amador is a 3rd term state representative who currently is the chairman of the House Ways & Means Committee and also serves on JFAC, the Environment, Energy & Technology Committee and the Judiciary, Rules & Administration Committee.

DRIVER'S AUTHORIZATION CARD

SCR107 will assist in continuing discussions that were started during this legislative session revolving around a Driver's Authorization Card. SCR107 **authorizes the Legislative Council to appoint a committee to undertake and complete a study of driver authorization card programs** for the State of Idaho. The principal goal of the committee will be to gather information and make recommendations regarding the adoption of a system for the authorization of driving privileges that would be available to all residents of Idaho, and the manner, method, and means for implementation of the same. The committee is expected to examine how such a system may be structured in light of the constitutional duties, oath and obligations of elected officials and consistent with principles of federalism. Previously, 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. SCR107 has passed the Senate and will go to the House for a concurring vote.

HEMP UPDATE

Idaho is the only state that still bans hemp cultivation and could finally join our neighbors under a hemp-authorization measure that awaits Governor Little's signature. The Senate agreed this week to H126 allowing the production, processing, transportation, and research of hemp. **The measure would allow commercial production to begin in 2022** and require the plant's total THC content to come in at or below 0.3%. H126 would require hemp transporters to submit to law-enforcement searches and to allow peace officers to randomly select reasonably sized samples not to exceed 20 grams for THC compliance testing.

Other regulatory details and fees will be worked out by the Idaho Department of Agriculture and a "trailer" appropriation was passed out of JFAC this week to help cover any initial program costs. The program will include user fees that will be self-sustaining and ISDA is directed to submit a plan to the U.S. Department of Agriculture for approval. H126 passed the House and Senate **with Governor Little yet to indicate whether he will sign the bill.**

AMERICAN RESUCE PLAN ACT FUNDS

A number of House Concurrent Resolution bills were introduced this week by Speaker of the House, Scott Bedke. A specific resolution, HCR18, will be of particular interest to agriculture around the state and **would authorize an interim committee comprised of the membership of the House Resources and the Senate Resources committee's membership to review the use of the American Rescue Plan Act (ARPA) funds for allowable water infrastructure projects.** The ARPA funding is the main reason that the legislature has plans to stay longer in Boise this year. ARPA funds Idaho is expected to receive come to roughly \$5.3 billion and are to be spent over the next four years. Once those funds are distributed to states, the legislature wants to be sure that they have a say in where they are allocated.

BALLOT INITIATIVES UPDATE

Legislation that seeks to increase voter involvement throughout the state in the voter initiative process has **passed out of both the Senate and House, and now awaits the Governor's signature.** S1110 would raise 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. An increase in population centers necessitates greater involvement and participation by rural Idaho residents in the ballot initiative process.

Governor Little vetoed a more stringent version of the bill in 2019, reasoning that it would not make it through the 9th Circuit Court of Appeals when it would have been litigated. There has been no indication if the Governor will sign or veto S1110 but there has been a lot of noise made by the opposition. Just this week, former Idaho Supreme Court Justice, Jim Jones delivered a petition with more than 16,000 signatures to Governor Little's office. **The petition is a result of a signature-gathering campaign led by Reclaim Idaho and Conservation Voters for Idaho.** 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.**

APRIL WATER SUPPLY OUTLOOK

The Natural Resources Conservation Service has released the April Water Supply Outlook Report. **For information on specific basins, streams, and reservoirs, please view the full report online at [April Water Supply Outlook Report](#).** Streamflow, snowpack, and precipitation data for each basin can be accessed on the [NRCS Idaho Snow Survey web page](#).

ISDA RULEMAKING

The Idaho Department of Agriculture will be **compressing their negotiated rule meetings this spring** that are being presented for authorization as part of the ISDA's plan to review each rule every 5 years. There are no specific rulemaking changes planned by the ISDA at this time except for evaluation and amendments consistent with the Governor's Zero-Based Regulation Executive Order. It is anticipated that rulemaking stakeholders will propose and advocate for rulemaking changes as part of the negotiated rulemaking process. ISDA intends to consider all changes presented by the public and **may propose certain changes so long as they are consistent with the rules' statutory authority and the Governor's Executive Order.** You can contact rulesinfo@isda.idaho.gov to make arrangements for participation by telephone and web conferencing.

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