



# CAPITOL REVIEW

## A WEEKLY LEGISLATIVE REPORT

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### A Weekly Legislative Report

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#### [A SECOND RECESS](#)

This week, the Senate and House passed Senate Concurrent Resolution 111 (SCR111), **authorizing a recess starting on May 6 and running through May 11. The Legislature will be back in Boise on May 12** to finish its business and will be able to address any legislation that has passed both bodies but vetoed by Governor Little. The status of the recess keeps the legislative clock running and in session, as opposed to officially adjourning and not being able to reconvene unless the Governor calls a special session to address a specific issue. Included in this strategic move by the legislature, is the constitutional constraint that the Governor is only able to veto a bill within 5 days of receiving legislation. If they would have adjourned, the Governor would have 10 days to decide and veto, but the legislature could not override or consider the issue again until January of the following year.

With the passage of SCR111, the second recess will also include the unique framework of suspending per diems and housing allowances of Legislators that the first recess at the end of March did not incorporate. This added element drew considerable debate from a number of northern Idaho Legislators in the house before the concurrent resolution passed on a vote of 35-22. Members who must travel and lodge in Boise have considerable planning challenges with leases and housing when the session lasts longer than expected. The valid argument was made that an individual has to work with their landlord to make arrangements and it is very difficult to find people that are willing to let tenants stop and start paying rent for unspecified amounts of time. The irony came in that a few of those making the argument were the most fervent purveyors of fiscal responsibility and that have continually voted against almost every appropriation bill, with little regard for logistical or the minimal capacity of agencies to function.

All this specific planning, along with SCR111, sets up the probability that the Legislature will come back to Boise next week, **finish their business, recess for a third time** (without expense to the taxpayer) and **wait to see how federal COVID dollars roll into the state**. It is looking like they will plan to come back to Boise in the fall and possibly be able to guide those federal funds where they would like them to go. The Senate will reconvene on Wednesday, May 12, at 1:00 PM and the House at 3:00 PM. When they reconvene, it will be the longest legislative session in state history, running 122 days. The previous record was 118 days in 2003.

#### [PROPERTY TAXES](#)

H389 makes several changes to Idaho Code that should 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 this past week 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 need more time to vet the bill. The measure now goes to the Governor for his signature.

### EMERGENCY POWER BILLS

An array of bills aimed at limiting the authority of the governor during a declared emergency passed the House and Senate during floor sessions on Wednesday afternoon. The four bills are part of an effort to separate what legislators called the "key components" of two previous bills that were vetoed by Governor Brad Little. 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, was introduced in the Senate State Affairs Committee on Wednesday and passed the full Senate and House a few hours later. The legislation **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 Legislature for actions** such as ending emergency declarations and/or orders, suspension of constitutional rights and any alteration or suspension of Idaho Code.

### WOLF LEGISLATION

S1211 has gone through the legislative process and was signed today 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 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.

### DISTRICT 6 UPDATE

Legislative District 6 that encompasses Nez Perce and Lewis Counties has dealt with a great deal of drama since the resignation of Aaron von Ehlinger. The local Republican Central Committee held a meeting on Monday night and heard from eight individuals who were interested in filling the vacancy. The members of the Central Committee voted after hearing presentations and answering questions by all the individuals. **The three names chosen include: 1) Glen Baldwin 2) Robert Blair and 3) Hannah Liedkie.** The names have been submitted to Governor Little for his consideration and now the Governor has 15 days to appoint one of the individuals to fill the remaining term for von Ehlinger. The drama began as stories began to surface that the third candidate may be a closet Democrat. Robert Blair, the number two name submitted is a farmer in the Kendrick area. Robert is past president of the Idaho Grain Producers, a graduate of Leadership Idaho Agriculture, formerly served on the Dean's Advisory Board at the U of I College of Agriculture and Life Sciences and former Nez Perce County Farm Bureau President. As the drama continues to build there is now a rumor that the names need to be recalled and new names submitted. Several agriculture leaders have stepped forward to support Blair noting that District 6 represents a strong sector of Idaho agriculture.

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