



CAPITOL REVIEW

A WEEKLY LEGISLATIVE REPORT

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A Weekly Legislative Report

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ISDA DIRECTOR

Chanel Tewalt, the Governor of Idaho's recommendation for the Director of the Idaho State Department of Agriculture appeared before the Senate Agricultural Affairs Committee on Tuesday of this week for questions from the committee related to her confirmation. Several letters of support had been filed on behalf of Chanel Tewalt related to the confirmation. On Thursday, the Senate committee voted unanimously to recommend Chanel Tewalt to the Senate membership for confirmation. Most likely the Senate will consider the confirmation next week.

FRESHMEN LEGISLATORS

Recently, we were asked the question about how do we get to know the new legislators, especially in a year where nearly half of the faces are new. Each Wednesday following Food Producers of Idaho Legislative Meetings we host a new legislator luncheon in Boise and invite several freshman legislators to join us. We ask them three questions:

- 1) What is your background related to agriculture?
- 2) What committees are you serving on?
- 3) What important issues are working on as a legislator or do you see coming forward for the 2023 legislature?

This procedure has been in place for several years and has proven very productive in our efforts to learn more about legislators. It is a relaxed friendly environment and is well attended by members of Food Producers each week. At this point we have hosted 16 new legislators.

RESTRICTED DRIVER'S LICENSE

The Restricted Driver's License legislation was printed at the end of last week. The bill is S1081 and the sponsor is Senator Jim Guthrie. The sponsor and supporting organizations of the bill had hoped that the legislation would be considered by the Senate State Affairs Committee, but S1081 has been sent to the Senate Transportation Committee. Senate

Transportation Committee chairman, Senator Doug Okuniewicz has agreed to hold a hearing on the bill. S1081 will likely improve Idaho's road safety, ensure more drivers on Idaho roads are covered by insurance, enhance driver education and training for all Idahoans, improve safety of law enforcement officers, reduce the severity and extent of motor vehicle collisions, and generate additional state revenue for Idaho Transportation Department (ITD) programs. If enacted, S1081 makes a Restricted Driver's License available to all persons residing in Idaho. It is also an alternative to the STAR Card, or REAL ID, and would make available class D driving privileges to all persons who can verify their identity and that they live in Idaho. The restricted driver's license would be issued by ITD, or other authorized vendors (including a county if it chooses to opt-in) and would have to be renewed every 2 years at a cost of \$50. The Restricted Driver's License would be limited to driving purposes only, it would have a distinguishable appearance, and conspicuous words of limitation to ensure the card is not used for voting, to purchase firearms, or to exercise any other rights or privileges reserved to citizens.

GROUND WATER AND IRRIGATION

S1033, sponsored by Senator Van Burtenshaw, aims to give clear authority to the Director of the Idaho Department of Water Resources to condition new irrigation groundwater rights based on a policy that encourages the use of surface water, even in cases of land use change under the land use planning act. This proposed legislation would amend Chapter 2 of Title 42 of the Idaho Code by adding a new section, which requires permits for the appropriation of groundwater for irrigation to prioritize the use of available surface water as the primary irrigation supply and use groundwater only as a supplemental water supply when surface water is not available. The bill sets criteria for determining when groundwater can be used and when it cannot, and makes these determinations binding on the applicant and their successors and assigns in any proceedings before state and local governmental

entities. S1033 has been referred to the Senate Resources & Environment Committee and is currently waiting to be heard.

[DON HALE HALL OF FAME AWARD](#)

Don Dixon grew up in New Sweden, Idaho and graduated from Idaho Falls High School before enrolling at Idaho State University where he received a degree in Business Administration in 1954 and went on to receive his MBA in 1992. Don served in the Armed Services for two years. Don served as the State Director of Agriculture for eight years for Senator Mike Crapo where he was a familiar face at many agriculture events across the state. After his retirement Don served as the Executive Director for the USDA Farm Service Agency in Idaho. Don's list of engagements with Idaho Agriculture is long and demonstrates his commitment to public policy, leadership and passion for Idaho agriculture. Don was honored by the Idaho Hay and Forage Association at their 2023 annual meeting this week in Twin Falls with the Don Hale Hall of Fame Award. Don has been an active member of the IHFA for several years and now his son and grandson are also active participants.

[CAREER TECHNICAL CENTERS](#)

S1070 is sponsored by Senator Lori Den Hartog. S1070 amends Section 33-1002G of Idaho Code and allows school districts and public charter schools to establish career technical schools and centers that qualify for funding to support the added cost of high-quality career technical education. Currently, at least 15% of students attending the career technical school must come from a separate high school to be eligible for added cost funding. The proposed amendments would allow new schools to be eligible with an initial student enrollment of 5% from a separate high school, increasing each year until reaching the 15% requirement. The amendments would also address transportation challenges in rural areas, allowing for students who enroll full-time at the high school with the career technical education program to be counted as part of the 15% requirement. Senator Den Hartog attended this week's Food Producers meeting to share with the agriculture community her intent for this piece of legislation. The bill has been printed and is awaiting a hearing in the Senate Education Committee.

[PACE OF THE LEGISLATURE](#)

This is the 6th week of the legislative session. This week, one piece of legislation has been passed by both the House of Representatives and Senate. The Week 5 summary of progress shows:

- 425 pieces of legislation have been introduced.
- This is compared to 490 and 491 in the prior two legislative sessions.

- The Senate has voted on 8 bills this year in comparison to 16 and 22 the prior two sessions.
- The House has voted on 22 bills which compares to the same number in 2022 and 38 in 2021.

[BARBED WIRE FENCES](#)

S1063 that deals with barbed wire fences was introduced this past week. S1063 would update certain sections of Idaho Code that deal with the careless exposure of barbed wire fences. Additionally, it would adjust and revise provisions regarding a property owner's liability after receiving notice. If corrective actions are not taken to fix the situation for the exposure of barbed wire, new penalties will be enforced under the proposed legislation. Currently, the fine is a maximum of \$25.00 and minimum of \$5.00. The proposed penalty levels would be \$150.00 for the first offense, \$300.00 for the second offense, and a misdemeanor for a third offense. It should be noted that before a person, occupant, owner, firm, or corporation does receive a penalty they would have 10 days to correct the violation after the notice has been received. A person would be subject to a visit from a Sheriff if they allow their barbed wire fence to be strewn on the ground or in disrepair so that the situation would permit livestock to escape and be exposed to injury.

[FLOOD CONTROL DISTRICTS](#)

H119 allows the commissioners of a flood control district to appoint or reappoint commissioners after expiring terms of office and to fill commissioner vacancies, rather than requiring the director of the Idaho Department of Water Resources to do so. In the event the remaining commissioners are unable to appoint a resident of the division, they may appoint a person at-large who is a qualified elector of the district to serve as commissioner of the division with the commissioner's expiring term or vacancy. One of the reasons behind this change is that at least one district has had a position sit open for an extended amount of time and has not been able to have a full commission. H119 also clarifies commissioners' qualification requirements.

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