



CAPITOL REVIEW

A WEEKLY LEGISLATIVE REPORT

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A Weekly Legislative Report

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IDAHO IS TIRED OF WAITING

This past week Senate Joint Memorial 101 was introduced by Senator Jim Guthrie and supported by Representative Judy Boyle. A joint memorial is defined as a petition or representation made by the House of Representatives and concurred in by the Senate, or vice versa, addressed to whoever can effectuate the request of the memorial. The United States Federal government controls immigration, naturalization, and entry to the United States. The **country's southern border is an unquestionable problem** and in need of control because drugs like fentanyl and human trafficking are undeniably occurring. The Federal government has failed to meet its responsibility to secure our country, at and within its borders. Additionally, SJM101 expresses that as a further result of the **federal government's failures** the security of the country and of the several states, including Idaho, is threatened and harmed by the unavailability of lawful labor needed to harvest, process, and transport our domestic food supply, to extract mineral, gas, oil, and timber resources, to build homes, businesses and highways, and to provide other basic life necessities. The lack of available employees leads to increased dependence upon foreign production and threatens our national security. Currently, there are seasonal guest worker options through H-2A and H-2B visa programs. **However, there is a need for year-round guest worker programs.** The domestic workforce is insufficient to meet labor needs of the economy. Agriculture depends on foreign born labor as many jobs do not attract domestic workers. This Memorial expresses the desire of Idaho citizens and business that the **Federal immigration system be modernized** to secure the border, to provide for a legal workforce of guestworkers, and asks that Idaho's delegation become National leaders on this topic. This memorial does not offer amnesty for the unlawful entry into the country and it states that there is not a path to US citizenship in the guest worker visa program.

PROPERTY TAXES

H292 was printed last week and passed off the House of Representatives floor on Tuesday and was heard in the Senate Local Government and Taxation on Thursday. Introducing the bill was Representative

Jason Monks but listed as supporting H292 also included Speaker Mike Moyle, Senator Scott Grow and Senator Doug Ricks. H292 is aimed at providing immediate, and long-term property tax relief to all property taxpayers in Idaho through multiple avenues. These avenues could run **from loosening criteria on the circuit breaker program to providing tax relief to homeowners** on their primary residence to **providing moneys to school districts to pay down bonds or levies.** This bill would not shift any tax burdens from one classification to another. H292 is currently waiting to be heard on the Senate floor.

IMPROVED WATER INFRASTRUCTURE FUNDS

The Joint Finance and Appropriations Committee voted in favor of **advancing the Governor's budget proposal to enhance Idaho's water infrastructure.** In a statement the Governor said, *"Water is our most precious resource, and the demands on our supply of clean, plentiful water will only increase over time. Last year, we put a record \$750 million to improve the quality and quantity of water throughout the state as part of our 'Leading Idaho' plan. These added investments in water infrastructure approved by JFAC this week is just good government, plain and simple."* This proposal includes **\$150 million to preserve and extend water projects** that guarantee a dependable water supply, and **\$115 million to assist local drinking water and wastewater systems**, with a focus on small rural communities that require infrastructure improvements to enhance water quality. Included in this is **\$5 million for the Water Quality Program for Agriculture (WQPA)**, which will be managed by the Idaho Soil and Water Conservation Commission. Additionally, House Concurrent Resolution 7 was brought to support the critical water and wastewater infrastructure needs and for continued funding in these investments. The state is in a good position to continue investing in these projects for the benefit off all citizens and for future generations.

RESTRICTED DRIVER'S LICENSE

What happened to S1081 that would have allowed undocumented workers to obtain a restricted driver's license? The measure was spearheaded by the Idaho Dairymen's Association, but it was supported by many

associations who represent agriculture and business in Idaho. Additionally, groups such as PODER of Idaho, Idaho Hispanic Foundation and the Roman Catholic Diocese of Boise to name a few, supported the measure. S1081 was sponsored by Senator Jim Guthrie and was heard in the Senate Transportation Committee. Following a packed room of those testifying, the measure was sent to the floor by the committee with no recommendation. The issue was held on the 3rd Reading Calendar in the Senate for over two weeks. The groups supporting the legislation decided that it was not the right time to move the bill forward and S1081 was returned to the Senate State Affairs Committee where it will remain.

SINE DIE

The formal definition is - adjournment sine die is the **conclusion of a meeting by a deliberative assembly, such as a legislature or organizational board**, without setting a day to reconvene. In Idaho each legislative standing committee often will sine die and then both the House of Representatives and Senate will sine die, and eventually the entire legislature. While there is no formal set date as to when the 2023 legislature might conclude (Sine Die) the general sense is that it could happen prior to the end of March.

STATE AGENCIES DONATION PROHIBITION

H170a was introduced by Representative Jason Monks of Meridian. The bill was recently amended in the Senate. H170a proposes an amendment to Idaho Code to **prohibit donations or sponsorships by any state departments** to non-governmental events or organizations unless required by law or approved by the Governor. H170a has a carveout for commissions or boards that would be classified as self-governing. For these entities any donation or sponsorship to any non-governmental entity or event would only need to be approved by the chief executive officer of the board or commission. A delegation of agriculture lobbyists met with the bill sponsor to discuss their concerns. The recent amendments also clarified some language and **defined a donation** as “a voluntary transfer of property or money with no exchange of value on the part of the recipient.” Additionally, **sponsorship was defined** and states it is “the act of supporting a person, organization, or activity by giving money, encouragement, or other help.” For example, now it could mean that giving a box of fruit or vegetables from any of the commodity commissions to a non-governmental organization would come within the scope of H170a and produce further reporting requirements. This bill will likely have several unintended consequences as it could place burdensome requirements on smaller commissions that operate on a shoestring budget.

NOXIOUS WEEDS

H94 amends Idaho Code Section 22-2405 to incorporate language that defines when the individual **notice to a landowner to control and eradicate noxious weeds is deemed satisfied and served**. This clarification would prevent absentee landowners from arguing that they were not present to receive service. Additionally, the clarification would prevent landowners from evading service. **Currently, landowners have the duty to maintain their properties so that they are free from noxious weeds and the cost of controlling the noxious weeds is the obligation of the landowner** per Idaho Code. This clarification was brought forward when a **county noxious weed department was sued** by a constituent because it was alleged that the department did not provide proper notice. The lawsuit settled outside of court, but noxious weed departments now need to clarify language in statute so that this can be prevented from happening again. H94 has passed both bodies and has been signed by the Governor. The change will go into effect on July 1, 2023.

ENDOWMENT LANDS

S1049 gives the State Board of Land Commissioners' agents the ability to cite and fine those misusing Idaho's endowment lands. S1049 was worked on by a substantial number of stakeholders representing sportsmen, recreation and grazing interests between the 2022 and 2023 legislative session. The purpose of S1049 is to protect State land from being abused and misused. Over the last several years, public lands have seen a sharp increase in users. S1049 states that the State Board of Land Commissioners provides notice to the public of any restrictions, closures, prohibitions, and regulations on State endowment land. Proper posting is required, and fines and restitution requirements are outlined. If a person is found guilty of violating the statute and subsequent rules that are promulgated, the person would **get a warning ticket**. On the second violation the violator would receive an infraction and **fine of \$250.00** and the third offense would **carry a misdemeanor**. The State Board of Land Commissioners will be tasked with promulgating any rules surrounding a closure, restriction, regulation and prohibition. Any rule promulgated shall have the proper notice posted on the Idaho Department of Lands' website and at the physical location. S1049 has passed the House of Representatives and Senate and is before the Governor for his consideration.

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