

# 2019 Food Producers of Idaho – Legislative Summary

65th Idaho Legislature, First Session

\* Legislation will be tracked for FP Scorecard

Bill #	Description	House	Senate	Final
H1* FP SUPPORT Senate Only	Adds to existing law to provide that the director of IDWR shall subordinate permits and licenses for certain projects issued after a specified date to the capture and retention of water in existing on-stream storage reservoirs during and following flood control operations until the date of allocation.	1/22 67-0-3	2/05 35-0-0	
H25* FP SUPPORT	Prevents land actively devoted to agriculture from being annexed without the express written permission of the owner.	1/29 69-0-1	3rd Reading	
H26* FP SUPPORT	Establishes the compliance date for certain regulations for testing and inspection of petroleum underground storage tanks (USTs) incorporated by reference by the state of Idaho in IDAPA 58.01.07.004. This conforms Idaho regulations with other states and maintains compliance of insurance contracts providing for environmental clean-up of UST's issued by the Petroleum Clean Water Trust Fund.	1/31 68-0-2	Res & Env	
H38* FP SUPPORT	The primary oversight for food safety and inspections for human food manufacturers falls within the jurisdiction of the federal FDA, under the authority of the Food Safety & Modernization Act (FSMA). The FDA may contract a number of these inspections out to the State of Idaho. Currently, they are contracted with IDHW. Legislation was passed in 2018 to transition this authority from IDHW to the ISDA. Extends the timeframe for that transition to be completed by September 29, 2021.	1/31 68-0-2	3rd Reading	
H50	Restores the power of local government to establish an increased minimum wage should the local government decide to do so.	Ways & Means		
H51* FP OPPOSE	Removes the prohibition on the use of eminent domain powers for purposes of developing greenbelts and bike paths.	Ways & Means		
H54	Repeals the training wage exemption in Idaho's minimum wage law which allows age based discrimination.	Ways & Means		
H55	Proposes to incrementally increase the minimum wage in Idaho from \$7.25 an hour to 8.25 an hour effective July 1, 2019; to \$10.50 an hour effective July 1, 2020; to \$12.00 an hour effective July 1, 2021. Wages for tipped employees will increase from \$3.35 per hour to \$4.35 per hour commencing July 1, 2019, \$5.85 per hour on July 1, 2020 and \$7.35 per hour commencing July 1, 2021.	Ways & Means		
H60* FP SUPPORT	Aligns Idaho's cooperative marketing association statute with existing Capper-Volstead provisions by adding a "one man, one vote" membership option. This change ensures that Idaho's statute is not more restrictive than federal law.	3rd Reading		
H61* FP SUPPORT	Authorizes a non-refundable income tax credit for shortline railroad infrastructure, investment and maintenance. This legislation provides a 40% income tax credit on the value of a qualified freight railroad infrastructure investment. The credit is capped at \$3,500 per mile of shortline railroad track in Idaho. To receive the full credit a shortline railroad must invest \$8,750 of its money upfront. The Idaho State Tax Commission will administer the program and report approved investments and corresponding value.	2nd Reading		
H63	Clarifies the definition of dessert wine as a certain kind of wine based on its characteristics, contents and the process of how the wine is made. It eliminates certain beverages that are not considered dessert wine by the industry, such as vermouth, quinquina and americano.	State Affairs		
H65	Will require that all pending administrative rules shall be affirmatively approved by both the House of Representatives and the Senate, via a concurrent resolution.	State Affairs		
H67* FP SUPPORT	Amends I.C. Section 42-233 to provide the Director of the IDWR with more flexibility to exempt new geothermal water rights if certain conditions are met.	2nd Reading		
H87* FP SUPPORT	Clarifies I.C. to ensure that all agricultural operations are treated consistently and equitably when agricultural personal property is assessed for property tax purposes.	3rd Reading		
H94	Provides a layer of safety for the public propane consumer. The safety of Idahoans is put at risk when discount propane providers (DPP's) fill propane tanks already leased to customers by legitimate Idaho propane companies. The DPP's do not conduct safety inspections or leak tests, and very often overfill tanks to dangerous levels. The proposed law will protect consumer safety by restricting the filling of propane gas storage tanks or cylinders to its owner or someone having the owner's authorization. The law additionally provides liability protection and legal recourse in the event of violation.	Bus		

S1005	Adds language identifying conduct that may be considered labor trafficking and further defining "force, fraud or coercion." The language is intended to provide guidance to law enforcement and prosecution for the types of conduct that may be considered human trafficking under Idaho law. Section 18-8603 removes language requiring the crime be committed in conjunction with the commission of another crime defined in section 18-8602, thereby making human trafficking an independent criminal offense rather than an enhancement to another criminal offense.		14th Order	
S1024* FP SUPPORT House Only	Passed in 2008, Idaho Code 39-114 requires anyone planning to burn crop residue to pay a fee in an amount of two dollars per acre to the department prior to burning. This requires growers to estimate acreage they expect to burn without knowing field, soil, air quality, or weather conditions that could prevent them from burning. DEQ is proposing to change the timing of when fees are paid to an annual invoice structure for actual acres burned rather than a fee due when acres are registered. The change will ensure farmers do not risk paying for acres they did not burn and will remove any confusion regarding a registration fee and the actual burn approval permitting process.	Ag Affairs	2/06 35-0-0	
S1039* FP SUPPORT	The Idaho Wolf Depredation Control Board Statute is set to sunset on June 30, 2020. Action will need to be taken this year if the Board is going to be extended beyond its sunset date.	Res & Con	2/07 30-5-0	
S1041* FP SUPPORT	Ground water districts exist principally to protect their members' water rights from curtailment by developing and implementing mitigation plans, the costs of which are assessed to the district members. This bill meets two operational needs of ground water districts. First, ground water district assessments are levied once per year in accordance with the schedule set forth in Idaho Code sections 42-5232 and 42-5241 to meet projected district expenses. On rare occasions actual expenses occasionally exceed projections, creating a need to levy a special assessment to pay actual expenses. New subsections 42-5232(5) and 42-5241(2) provide this authority. Second, some ground water users have in recent years willfully disregarded their responsibilities under ground water district mitigation plans approved by the Idaho Department of Water Resources. New subsection 42-5232(6) enhances the ability of ground water districts to enforce compliance with mitigation plans approved by the Idaho Department of Water Resources.	Res & Con	2/07 35-0-0	
S1045* FP SUPPORT	Provides for inmate trainee participation in work training programs offered through the Idaho Correctional Industries (ICI). The bill will offer training stipends for participants in the programs but states that inmate trainees are not employees of the Idaho Department of Corrections (IDOC) and are not entitled to worker's compensation or unemployment compensation. It will amend section 20-413A, Idaho Code to provide for contracts for agricultural training programs for inmate trainees.		Jud & Rules	

Shading indicates Food Producers latest action