



# CAPITOL REVIEW

## A WEEKLY LEGISLATIVE REPORT

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### LOBBYING THE GOVERNOR

While people often might assume that only Legislators are lobbied, that is not the case. There is also lobbying that takes place with the Governor's staff and office. That was the circumstance this week when letters were delivered to the Governor related to the personal property tax exemption on agricultural harvesting equipment. After H87 passed both the House and the Senate, it was sent to the Governor for his signature. The following is the procedure and time frame for the Governor signing a bill into law: *The governor must sign or veto legislation within 7 days after transmittal (excluding Sunday), or the legislation becomes law without his signature. If legislation is transmitted to the governor less than 7 days before adjournment, then he must act within 10 days after the date of adjournment (excluding Sunday), or it becomes law without being signed.* The letters on H87 presented the Governor with reasons why industry wanted to see this bill signed into law... now the wait begins.

### SURVEYORS SEEK EXCEPTION TO TRESPASS

S1037a expands the existing authorization of land surveyors to access private lands. Licensed professional land surveyors are the only persons authorized by Idaho statute to provide legal surveys of private property boundaries. The authorization to access and locate necessary property corners and evidence related to boundaries enables land surveyors to conduct a proper survey. Surveys supported by all of the required evidence protect real property rights. Originally, S1037a did not include a provision that would require the surveyor to provide notice to the landowner before entering the landowner's property and would bear a resemblance to trespass. S1037a was amended to include a section that requires the surveyor to provide the landowner with written notice prior to the surveyor's entry onto the land. It also specifically notes that the surveyor should cooperate with the landowner to avoid disruption in the landowner's business or agricultural operation. The measure passed the Senate with a 28-7 vote and is now waiting for a hearing in the House Business committee.

### U OF I CALS RESEARCH/EXTENSION BUDGET

One of the first budgets that was set by JFAC was the budget for the U of I College of Agricultural and Life Sciences Research and Extension. This is for FY 2020 and appropriates a total of \$32,530,700. S1145 maintains the current appropriated amount for health insurance at \$11,650 per eligible FTP; provides a 5.5% increase for the employer's share of PERSI contributions; and temporarily reduces the rate agencies pay the Division of Human Resources for its services. Specific items in the budget includes: \$140,000 for the replacement of equipment at various research stations, 3% change in employee compensation for permanent employees, with a minimum increase of \$550 for each employee and the remaining amount to be distributed based on merit. S1145 funds three-line items, which provide 1 FTP and \$118,300 for an additional 4-H Extension Educator; 2 FTP and \$217,600 for staff support at the Rock Creek Ranch; and 0.57 FTP and \$122,600 for occupancy costs. The measure passed the Senate 34-0-1 and expected to be voted on by the House this next week.

### BALLOT INITIATIVES & VOTER INVOLVEMENT

Legislation that seeks to increase voter involvement in the voter initiative/referendum process was introduced this week and will be heard by the Senate Local Government & Taxation Committee early next week. S1159 would raise the bar to qualify a voter initiative for the ballot by requiring signature requirements of 10% of the voters in 32 of 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.

The need for a fix of the process stems from the fact that four counties in Idaho (Ada, Canyon, Bonneville and Kootenai) can meet the current standard of signature requirements. Though 18 legislative districts may sound like a justifiable amount at first glance, those 18 districts can be targeted within the population centers and, in essence, game the system. This has the obvious affect of disenfranchising rural counties and those legislative districts located within.

There is no doubt that the argument will be made that 2018's passage of Proposition 2, regarding Medicaid expansion, is the reason this bill is coming forward. What the opposition will not mention is that there is a number of in-state and out of state organizations that have already expressed the desire to focus large amounts of resources to a laundry list of initiatives that would likely hamper agriculture and rural communities. Another point is that a corporation, advocacy group or wealthy individual with enough means can currently get anything on the ballot. This was evident with last year's Proposition 1 that was struck down by voters. It addressed the issue of historical horse racing and had little to do with the general public. A major campaign was conducted by proponents and employees paid to gather signatures. Reports of opposition and hired surrogates harassing signature gathers were also made and underlined the flaws in the current system.

The actual voting of the electorate on a proposition that has received the amount of signatures needed is left unchanged in the measure and would be the same standard of over 50% for passage. Other standards would include following a single-subject rule, providing a fiscal impact statement on how tax dollars would be spent, proposing a funding source and having an effective date of no sooner than July 1 following the vote - giving budget writers time to react and shift tax dollars appropriately.

### [IDAHO COOPERATIVE UTILITIES SEEK SPECIAL PROVISIONS](#)

S1152 addresses cooperatives that distribute electric power and that provide telecommunications and broadband services to their members in rural Idaho. These cooperatives are member-owned and member-managed. The member driven boards of directors set their own service rates and determine their own service standards without Public Utilities Commission oversight. Because they are member-owned and member-managed, in many states these cooperatives are specifically exempted from state unclaimed property laws. S1152 would bring Idaho into line with the many other states that have historically exempted patronage capital credits from unclaimed property statutes and allow these cooperatives to decide how to deal with their unclaimed capital credits and either be exempt from or subject to the State's unclaimed property laws as they choose. A similar bill was passed several years ago for agricultural cooperatives which allowed them to retain patronage inside the cooperatives to be used for educational purposes.

### [CAPITOL TUNNEL GETS A NEW MURAL](#)

A 35' mural highlighting Idaho Agriculture is under development at this time. The capitol tunnel in Boise connects state buildings in the capitol complex together and allows state employees and guests using

the tunnel to travel between buildings underground avoiding weather and traffic. The project is being coordinated by Idaho Ag in the Classroom and Linda McMillin, art teacher at Parma High School has been contracted as the artist. Those participating in the project as sponsors include:



### [GOVERNOR OTTER HONORED BY LIA](#)

Governor C.L. "Butch" Otter was honored last week during the LIA Alumni Gala and Auction and presented the Founder's Club Award. This award is presented each year to an individual, selected by the LIA Board of Trustees. Governor Otter was working for the Simplot Company at the time the proposal to create a leadership program was discussed. He stepped forward and offered manpower and financial support to the ISDA in the early 1980's to initiate the program. He was then elected Lt. Governor under Governor John Evans and became a voting member of the Leadership Idaho Agriculture Council which directed the program for the initial years. In recent years, Governor Otter both as Lt. Governor and as Governor had listened to a number of speeches by LIA Classes on the topic "If I were Governor of the State of Idaho, this is what I would do for Idaho Agriculture and/or Rural Communities". Former First Lady Lori Otter and several close friends and family members joined the Governor for this honor and recognition at the event. Former Governor Otter is the 14<sup>th</sup> individual to receive this award.

### [IDAHO AGRICULTURE LOSES A FRIEND](#)

Don Johnson, dairymen from Kuna and longtime lobbyist for the Idaho State Grange suffered cardiac arrest last Saturday and passed away early Sunday morning. Memorial Services will be held at Kuna High School Performing Arts Center on Saturday, March 9 at 1:00PM. Memorials may be sent to the Idaho FFA Foundation, attention the Don and Mary Johnson Scholarship Fund. Don was an active and involved member of the Kuna community serving on the school board, library board, fire district and active in the local, state and national Grange.

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