



# CAPITOL REVIEW

## A WEEKLY LEGISLATIVE REPORT

AMG : RICK WAITLEY | ROGER BATT | BENJAMIN KELLY | PATXI LARROCEA-PHILLIPS  
55 SW 5TH AVENUE, SUITE 100 MERIDIAN, ID 83642 PH: 208-888-0988 FX: 208-888-4586

### A Weekly Legislative Report

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#### STAGE 3

After weeks of declining COVID-19 case counts and hospitalizations, Governor Brad Little announced on Tuesday that statewide metrics justify **returning to Stage 3**. Idaho is now surrounded by states that have detected a more contagious variant strain of COVID-19. Health officials predict that it is only a matter of time before it is discovered in Idaho. Early indications show the COVID-19 **vaccine will protect against the variant strains**. One of the many challenging circumstances through the pandemic is that many agriculture commodity conventions, trade shows, annual meetings and seed and commodity schools have been cancelled, re-scheduled or held virtually. This trend doesn't look to change in the near future.

Under Stage 3 Idaho remains open, but with necessary limitations to protect lives, healthcare access, and the economy. Social gatherings should be **limited to 50 or fewer people**. This does not apply to political and religious expression, educational activities, and health care related events such as COVID-19 testing or vaccination events. It does not apply to youth sporting events, as long as organizers comply with spectator plans administered by the Idaho State Board of Education. Large events, such as trade shows, weddings, and sporting venues with more than 50 people, may receive an exemption if the organizer submits proof to the local public health district confirming the event will follow necessary physical distancing and hygiene protocols as outlined in their safe operations plan.

#### RECREATIONAL TRESPASS

Trespass for private landowners was discussed several legislative sessions ago and a major overhaul was done within Idaho Code to make sure that landowners' property rights were secure. This session, legislation has been proposed to amend a section of Idaho Code that deals specifically with recreational trespass. This issue has stemmed from a case where a **federal court broadened the initial scope of Idaho's recreational trespass statute**. The purpose

of Idaho's recreational trespass statute is to encourage, but not mandate, landowners to make their property available to the public without charge for recreational purposes. In return the landowner would receive limited liability if people enter upon their property to recreate. The goal of S1020 is to amend the definition of land to **include water facilities, parks and campgrounds**. It will also clarify that recreational activities can include the act of traveling across the land owned by another for the purpose of recreating.

#### PEST DEFICIENCY FUND

S1023 reimburses the Idaho State Department of Agriculture for costs accumulated during the past year to survey and control pests on state and private lands. Idaho Code authorizes the use of deficiency warrants under certain circumstances. The agencies pay the bills and return to the legislature during the next legislative session for the cash to reimburse those costs. These funds go towards the control of pest infestations such as Mormon Crickets. S1023 passed the Senate and House without any opposition. It will now go to the Governor for his consideration.

#### DAM BREACHING PROPOSAL

There is beginning to be quite a stir in the state and Pacific Northwest with a number of meetings, presentations and conversations starting to emerge concerning a **Congressman Simpson plan to establish a \$32 billion fund for salmon recovery**. An official plan has yet to be released but will undoubtedly have ramifications on many different sectors of industry, landowners and millions of power company ratepayers. It is sounding like this would be a major restructuring of the Pacific Northwest and one of the most problematic priorities would include the **breaching of the four Lower Snake River dams**.

There is a great deal of time and effort that has been and is currently being done for salmon recovery. With more committed funding, for on the ground efforts in water quality as well as trying to scientifically

understand the ocean's cyclical and unpredictable role for fish migration, there is still much work to be done. Unfortunately, a key portion of the proposal is removing dams which would not allow commodities and products from being transported down the river. It would also increase the costs of important inputs that make the trip back to the inland northwest from the West Coast.

There are a multitude of scientific studies, logistical impediments, environmental damages and common-sense reasons why removing the Snake River dams is not a benefit to the Pacific Northwest. **The removal of those dams could alone be an environmental disaster** due to the damage sediment could have down river on natural habitats. The four Lower Snake River dams have more than a 95% fish migration survival rate and the barge traffic they support eliminates millions of tons of carbon dioxide from the atmosphere during a period of time when the U.S. is committed to reducing greenhouse gases. No feasible power alternative is currently available except to use oil or coal at this time. Massive infrastructures would need to be built to even attempt solar or wind power to be a viable option, and it would likely still not reach any kind of efficient outcome. **There is no doubt that these dams also make possible fuel-efficient, low-carbon, safe and reliable barge transportation.** We will see what the full proposal entails with its expected official release in the coming days.

### [NEW LEGISLATORS](#)

Last week we featured several freshmen legislators in Capitol Review. This week we wanted to continue the trend and introduce several more freshmen legislators.

#### **Representative Doug Okuniewicz District 2 (Kootenai County)**

B.A. from University of Nevada; M.A. in communication from University of Alabama; 25-years' experience working in middle, senior, and executive management positions for a diversified corporation; executive management for an intellectual property company, an employee benefits company, and a nonprofit organization focused on charitable giving; inventor with more than 25 U.S. patents; lives in Hayden, Idaho; spouse: Lori; two children.



#### **Representative Brandon Mitchell District 5 (Benewah & Latah Counties)**

Raised in Syracuse, Utah; graduate of Clearfield High School; attended Weber State University and Brigham Young University–Idaho; small business co-owner with wife since January 2013; served as a leader in the Boy Scouts of America (2006-2018); have been certified therapeutic foster parents along with wife and served in that capacity for 12 years; lifetime benefactor member of the NRA; scuba instructor; 2nd degree black belt in Tae Kwon Do; served in various leadership roles; spouse: Marcie, 31 years; one son and two daughters (one adopted, still at home, and one foster); five grandchildren.



#### **Representative Codi Galloway District 15 (Ada County)**

Raised in Boise; attended Centennial High School; graduate of Brigham Young University with a degree in education; taught three years in the public school system; owned, operated, and sold three small businesses, most recently a talent development/CTE school located in Meridian; spouse: Scott, 21 years; four children.



#### **Representative Matt Bundy District 23 (Elmore, Owyhee & Twin Falls Counties)**

B.A. Weber State University, M.A. University of Utah, Ed.S. University of Idaho; 20-year Air Force veteran; achieved rank of lieutenant colonel; post-9/11 combat deployment to Afghanistan; currently teaching American government at Mountain Home High School; served with the U.S. Department of State – Teachers for Global Classrooms program, working with educators in the 2012 Ukraine cohort; selected by Veterans of Foreign Wars as the 2019-2020 VFW National High School Civics Teacher of the Year; high school baseball and basketball coach; member of Mountain Home City Council; spouse: Colette; three children; four grandchildren.



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