



# CAPITOL REVIEW

## A WEEKLY LEGISLATIVE REPORT

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### A Weekly Legislative Report

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#### GOVERNOR PHILIP E. BATT

In November of 1970, several leading producers from different agriculture commodity organizations met in Caldwell under the name of Treasure Valley Food Producers. They selected Phil Batt as their acting president and Frank Mercer as acting secretary. A second meeting was held in December of 1970 in Caldwell to further consider seeking farm labor legislation in the 1971 Idaho Legislative Session. Phil Batt, a hop farmer from Wilder, was elected President of the Association. Now, 53 years later, Food Producers of Idaho represents over 40 agricultural commodity groups, agribusiness, and farm organizations with members in Idaho and across the Pacific Northwest. The group continues to meet to discuss issues important to Idaho's agricultural industries. Idaho's agriculture community mourns the loss of Governor Phil Batt, a dedicated leader who worked tirelessly to promote and protect our state's agricultural industry. **Governor Batt's legacy will live on through his unwavering commitment to the people of Idaho and his deep understanding of the critical role agriculture plays in our state's economy and way of life.** He was a continuous advocate for Idaho farmers and ranchers, fighting to protect their interests and ensure their voices were heard at all levels of government. **Batt served as Governor, Lieutenant Governor, and in the House of Representatives during his political career.** Governor Batt used his influence to increase opportunities for producers to market their products both domestically and internationally. He recognized the vital importance of water rights, farm labor, and natural resources as essential to the industry's success. Through the years, Governor Batt attended many meetings of Food Producers and shared the humble beginnings of an organization that sought to protect the farmer and rancher and to allow them the freedom to produce crops and livestock without government intervention. We are grateful for Governor Batt's service and dedication to Idaho's agricultural community. His vision, leadership, and advocacy has helped to shape the industry into what it is today, and his contributions will continue to benefit our state's farmers and ranchers for generations to come.

#### ADMINISTRATIVE RULES

State agencies have the duty to promulgate administrative rules. Administrative rules have the force and effect of law but are created by agencies within the executive branch of government. Normally the legislature passes intent language in bills that can guide the agencies in crafting the rules with stakeholder input. The volume and complexity of administrative rules has become cumbersome for a part time legislature to address on a yearly basis, and legislative responsibility in this regard must be addressed sooner rather than later. Recent practice has transpired so that the Legislature approves the entirety of the Idaho administrative rules structure every year. **H206 would place all administrative rules on an eight-year expiration cycle and improve transparency in the process.** This will have the benefit of ensuring that each rule is periodically reviewed for continued relevance and applicability. The eight-year cycle would also enable agencies, the Division of Financial Management, and the Legislature to spread this work out over time, rather than the current practice of the Legislature approving the administrative rules each year. Further, **H206 would place into statute the requirement that all agencies would need to provide a virtual option** through video conferencing or at a minimum a telephone option to allow oral public testimony on their administrative rule proposals. Ideally, this would allow more involvement of Idahoans living outside the Treasure Valley. Finally, H206 would also require the agency to post the recording of the public hearing on the agency's website for at least three years. This allows interested parties to review the meetings if they are unable to attend the rulemaking meeting.

#### NOXIOUS WEED PRESENTATION

Jeremey Varley, Section Manager for Noxious Weeds at the Idaho State Department of Agriculture presented to the House of Representatives and Senate Agricultural Affairs Committees. Varley commented on staffing updates within his section and discussed the interaction between ISDA, local agencies and private

property owners regarding the control and eradication of noxious weeds over the past year. Additionally, ISDA administers the Cost Share program. **In 2022 the Cost Share program awarded over \$750,000 of state funds to 17 Cooperative Weed Management Areas.** Additionally, one special project for Parrot Feather Milfoil near Emmett, Idaho was confirmed for a project later in the year. Varley spoke to a several noxious weeds in Idaho and how ISDA is monitoring those noxious terrestrial and aquatic species. There is one new notable species called Cogon Grass that was discovered in Ada County and was temporarily listed by ISDA. This is the first time the species has been discovered in Idaho. Immediate steps were taken last summer to eradicate the species.

### HIGHLIGHTS OF THE BATT ERA

When you study the public service career you find that Former Governor Batt has some basic philosophies that drove many of his decisions:

- Batt sponsored legislation to create the Human Rights Commission
- He voted to ratify the Equal Rights Amendment
- Sponsored legislation to require toilets in fields for laborers.
- As Governor, Batt fought to provide Worker's Compensation Coverage in Agriculture – legislation he knew he would lose friends over.
- **Worked to remove radioactive waste from eastern Idaho and to prevent more waste from coming into Idaho.**
- Had a career of working with people who disagreed with him or belonged to the opposite political party.
- He was fiscally conservative and a humanitarian who fought for the underdog, the vulnerable and those who didn't have a fair shot in life.
- **Long before inclusion and equity was discussed, Governor Batt believed deeply in the dignity of all people, regardless of their race, gender, sexual orientation or stature in life.**

These are comments taken from a Guest Commentary written by Rod Gramer, longtime Idaho journalist who authored the book "Lucky: The Wit and Wisdom of Governor Phil Batt."

### PROPERTY TAX UPDATE

Another week is coming to a close and during the week we have had another property tax bill introduced and printed. H292 was introduced and printed in House Revenue and Taxation Committee on Thursday morning. **H292 is aimed at providing immediate, and long-term property tax relief to all property tax payers in Idaho.** The first year after the passage of H292 would provide up to \$355 million dollars in property tax relief. During the second and third year it is estimated that \$110 million be used to reduce property taxes for owner-occupied properties that are receiving

the homestead property tax exemption. There would be approximately \$100 million will be used to reduce property taxes for all property taxpayers; and another estimated \$100 million will be distributed to school districts on an average daily attendance basis. **School districts are required to use funds in the order of priority as follows:** (1) payment of school bonds (2) payment of school levies (3) saved for future school facility construction needs or (4) used for new bonds. H292 would also eliminate the March date that school districts can use for elections. **Circuit breaker criteria are also relaxed to allow more people to qualify for the program.** The circuit breaker is a program targeted towards those who meet the following qualifications: the property owners total 2022 income, after deducting medical expenses, was \$33,870 or less; the property owner was 65 or older, blind, widowed, disabled, a former POW or hostage, or a motherless or fatherless child under 18 years old; the property owner owned and lived in a home in Idaho that was their primary residence before April 15, 2023; and the property must have a current homeowner's exemption. Representative Jason Monks introduced H292, but it is also supported by Speaker Mike Moyle, Senator Scott Grow, and Senator Doug Ricks.

### LAVA RIDGE WIND ENERGY PROJECT

400 wind turbines have been proposed to be constructed on thousands of acres of Bureau of Land Management (BLM) administered lands in Jerome, Lincoln and Minidoka counties. The facility would be one of the largest in the country. The project is called the Lava Ridge Wind Project. Recently, the House Environment, Energy and Technology Committee approved House Concurrent Resolution (HCR4) to oppose the development. **The resolution explains how the proposed site would impact agriculture, recreation, wildlife, and the Minidoka National Historic Site.** The BLM has recently extended their comment period on the proposal until April 20. HCR4 is a concurrent resolution to Congress expressing the opinion of Idaho lawmakers. BLM in a Draft Environmental Impact Statement has stated that the agency prefers two smaller-scale alternatives. Other alternatives include approving the original proposal or approving a no build option. Representative Lance Clow of Twin Falls testified that the Lava Ride project would employ many workers for a short period during construction – pressuring other employers and mandating that a limited supply of housing be provided. **Representative Clow also concluded that much of the energy produced could be sent out of state.**

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