



CAPITOL REVIEW

A WEEKLY LEGISLATIVE REPORT

AMG : RICK WAITLEY
55 SW 5TH AVENUE, SUITE 100

ROGER BATT
MERIDIAN, ID 83642

PATXI LARROCEA-PHILLIPS
PH: 208-888-0988 FX: 208-888-4586

A Weekly Legislative Report

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A HEATED WEEK

As legislators continue to debate voting procedures and rules, the Idaho Legislature's budget committee has not yet taken the traditional step of voting on a revenue target that the entire state budget is based around. The revenue target is important because the Idaho Constitution **requires the Idaho Legislature to pass a balanced budget** where expenses do not exceed revenues. This revenue target is intended to show the Joint Finance Appropriations Committee (JFAC) and other legislators how much money is available to spend on budget requests. JFAC has also been facing other challenges including implementing significant changes to the budget process by breaking the budgets up into different parts and altering the committee's daily public hearing procedures. Some of the members do not like the new procedure and has led to them writing and crafting their own standalone budgets that are in direct competition with plans for separate maintenance of current operations budgets (see Capitol Review vol.24 no.2).

To further complicate matters, the Republicans have been caucusing an abnormal amount of time to try to gain consensus on party disagreements with the budget and other procedures. This all came to a head this week when the House went on the floor Thursday, voted unanimously to retain Speaker of the **House Mike Moyle**, and then quickly went into another caucus. Following the caucus meeting **Rep. Megan Blanksma was not retained as the Majority Leader** and all other leadership retained their current positions.

FARMLAND PRESERVATION

H437 provides landowners with an additional option when considering preserving agricultural land in the state and would add a new chapter to the Idaho Land Use Planning Act if passed. H437 provides the legislative authority for local units of government to receive applications from willing landowners to

establish a land use designation, known as an **Agricultural Protection Area (APA)**.

The minimum requirements to establish an APA would include a parcel size of **at least five acres** that is dedicated to production agriculture and has been actively farmed or ranched for the past three years. An application would be reviewed by a locally created APA Advisory Board that would make a recommendation to the local governing body. Once an APA is established, the designation **would remain in place for 20 years** with an option for an automatic renewal. A landowner would be able to remove the APA from their land 10 years after submitting official notice to the local governing body of their intention to dissolve the designation. Any financial or monetary benefit received for the unfulfilled portion of the contract would have to be repaid.

The protections to the landowner would include limiting eminent domain powers to condemn land, capping **property taxes increases at 1% per year** and a number of restrictions to changing local ordinances and regulations that would unreasonably restrict a farm structure or farm practice. The change in statute would also help local communities better plan for the future and provide clear communication from landowners of their intention to continue production agriculture. Surety for land use into the future will aid local governments in their long-term planning processes while maintaining working lands, open spaces and local food production for communities.

PLANT PESTICIDE ACT

H472 would ensure that the Idaho State Department of Agriculture is **able to inspect plants and pests on private land** the same way that is statutorily spelled out to inspect livestock. Currently Idaho Code states that the agency can enter into each county of the state for the purpose of inspecting, examining and determining the healthfulness and general condition of the

environmental, horticultural, forestry and agricultural interests. They **are also allowed to enter any public or private property for inspection**, but the language has not been as specific for the private property portion and H472 is an attempt to provide clearer guidance. It explains that ISDA may enter and inspect, with the permission of the landowner or agent, or with probable cause, or with a warrant, any private premises, lands, or means of conveyance, or article of any person within this state, for the purpose of inspecting, surveying, treating, controlling, or destroying any plant or plant pest. H472 is sponsored by the Idaho Farm Bureau.

IDAHO TEACHER OF THE YEAR

Last October, University of Idaho graduate **Trent Van Leuven** was announced as the 2024 Idaho Teacher of the Year. Superintendent Debbie Critchfield awarded the **Mackay High School** career technical instructor with the title, a commemorative plaque, a check for \$10,000 and Idaho's nominee for national teacher of the year. Van Leuven was selected for his innovative lessons and projects outside the classroom and as the calendar turned to 2024, **he is serving as spokesperson and representative for Idaho educators at state and local events.**

Van Leuven presented before the Senate Ag Affairs Committee and said his goals are to teach students to be lifelong learners, collaborate, and have empathy for others. He thanked local volunteers and partners for their continual support and providing time to spend with students. Local residents worked four years with students to build a **1,400-square-foot state-of-the-art aquaculture lab** that opened in October 2022. They also help plant seedlings at the greenhouse, purchase metal signs from students who fabricate them in the welding program, and buy plants and vegetables grown at the greenhouse. The aquaculture facility was created to enhance students' education in the biological sciences, while providing species such as trout, sturgeon and catfish for local waterways.

Van Leuven taught for five years in the West Ada School District before becoming an instructor at Mackay Junior-Senior High School in 2014. Along with his teaching duties, Van Leuven is also the **president of the Mackay Education Association**, the **chairman of the State and Federal Lands Committee of the Idaho Farm Bureau** and the **secretary for the Idaho Agriculture Teachers Association.**

PESTICIDE FALSE REPORTING

H474 would create a new section of code related to the **false reporting of pesticide and chemigation damage claims.** In recent years, applicators have been subjected to an increasing number of damage claims that have been determined to be false by investigators. H474 states that any person who intentionally and

willfully makes a damage claim to a law enforcement agency or the Idaho state department of agriculture knowing such report to be false will be guilty of a misdemeanor.

VETERINARIAN RESOLUTION

Senate Concurrent Resolution 111 is to authorize the **Idaho State Board of Education to initiate preliminary conversations** with the state of Utah and **Utah State University** to potentially establish an operating agreement for Idaho students to participate in Utah's veterinary program. This would be similar to the existing partnership Idaho has with Washington State University. SCR111 states that the livestock industry is an important part of Idaho's economy and that we are seeing a lack of veterinarians in rural Idaho and in the large animal sector. The State Board of Education will then report back their findings to the legislature. SCR111 was adopted by the Senate and is now moving to the House of Representatives.

ELECTRIC VEHICLE FUELS TAX

H534 creates a **definition of "electric fuel"** for **commercial vehicles** in Idaho and imposes a one (1) cent per kilowatt hour tax on electric fuel. This tax would make it equivalent to the existing tax on motor fuel in statute. H534 would establish a new section that would reflect that the first receiver of electric fuel shall be required to obtain a motor fuel distributor license. Additionally, an individual with a license shall be required to use a meter, provided at their own expense, to measure the amount of electric fuel distributed to commercial vehicles. The motor fuel distributor would be responsible for remitting a monthly distributor's report to the state tax commission under H534. H534 was introduced this past week by Representative Charlie Shepherd and Representative Clay Handy.

DEPREDAATION LEGISLATION

H485 would provide **relief to ranchers who incur losses from wolves and grizzly bears.** Currently, the Office of Species and Conservation applies for a federal grant through the U.S. Fish and Wildlife Services that has historically provided relief to ranchers for wolf depredations and for non-lethal prevention of these interactions, but the funding is slowly drying up. H485 would **create a state level fund** that is available to **compensate livestock producers for those losses** incurred and are validated as losses. Additionally, it would allocate a portion of the funding for conflict prevention and education. H485 would annually appropriate money each year unless the fund reaches its maximum amount.

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