

**FWAA - Idaho
2017 Legislative Session Tracker**

| BILL # | BILL TITLE | STATUS | CATEGORY | DESCRIPTION | UPDATE | POSITION |
|---------------|--|---------------|-----------------|---|--|-----------------|
| 58-0101-1602 | Rule for Control of Air Pollution in Idaho | ADOPTED | Environment | Deletes Sec. 582. Section was temporary for non-attainment issue in Ada County in the 90s. Now out of date and no longer applies because DEQ has approved maintenance plan since 2003. | Completed | Monitor |
| 58-0101-1603 | Clean Air Act - Rule Update incorporated by reference | ADOPTED | Environment | 46 revisions/changes. Highlighted: The national ambient air quality standard for ozone, reduced from 75 to 70 parts per billion; and, updates to DEQ's permit program. Power plants – EPA promulgated two rules to control carbon dioxide emission from power plants, for new facilities and existing facilities. Phosphate fertilizer plants – new requirements for monitoring mercury and floride, record keeping and updates to emission requirements for certain processes within the facilities. Oil and natural gas wells will now have methane as a regulated pollutant. | Completed | Monitor |
| 39-0312-1601 | Safety Requiriements of Overlegal Permits | ADOPTED | Transportation | Rule identifies a requirement for owner inspections in compliance with 49 CFR 396.17 and 396.19. Drivers are to meet all special training requirements for longer combination vehicles. Additionally, brakes shall meet the Federal Motor Carrier Safety Administration Regulations and shall be maintained to the Federal Motor Vehicle Safety Standards No. 121 in effect at the time the commercial motor vehicle was manufactured. No vehicle or vehicle combinations shall operate with mixed brake systems between tractor and trailers. Previously this only referenced interstate travel, with this rule it will additionally reference intrastate travel to promote highway safety. | House Transportation Subcommittee recommends adoption 1/20. Senate approved on 1/31. | Monitor |
| 39-0315-1601 | Excess Weight Permits for Reucible Loads (129K trucks) | ADOPTED | Transportation | Addresses truck permitting and 129,000 pound commercial motor vehicles (129K trucks) on the state's Interstate system due to passage of SB1229 (2016). The rule proposes to establish a statewide permitting system. Currently the permit system operates under an ad hoc style with 228 jurisdictions. The ITD has thought about a statewide permitting system for a while and believes it would promote intrastate surface transportation safety, intermodal commerce, law enforcement efficiencies and reduced administrative costs to local highway jurisdictions. Commercial vehicle combinations in excess of eighty thousand (80,000) pounds will be permitted by the ITD's Division of Motor Vehicles on local highways when a local highway jurisdiction authority has agreed to participate in the Department's permitting process. | House Transportation Subcommittee recommends adoption 1/20. Senate approved on 1/31. | Monitor |

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| 39-0322-1601 | Overlegal Permits | ADOPTED | Transportation | Address commercial motor vehicle brakes. Specifically, that the brakes on all commercial motor vehicles must meet and be maintained to the Federal Motor Vehicle Safety Standards No. 121 in effect at the time the commercial motor vehicle was manufactured. Essentially, no vehicle or vehicle combinations shall operate with mixed brake systems between tractor and trailers. In addition black coded routes will be indicated as so on interstates for industry. | House Transportation Subcommittee recommends adoption 1/20. Senate approved on 1/31. | Monitor |
| 39-0323-1601 | Revocation of Overlegal Permits | ADOPTED | Transportation | Addresses a new instance in which a permit can be revoked. Specifically, revocation of a permit for non-compliance if the motor carrier has violated an Out-of-Service order by the Federal Motor Carrier Safety Administration (FMCSA). These are for more extreme cases, when a driver is avoiding requirements and has a serious historical record of doing so. This would not be implemented on drivers with a more minor violation such as a broken tail light. | House Transportation Subcommittee recommends adoption 1/20. Senate approved on 1/31. | Monitor |
| 11-1301-1603 | Motor Carrier - Electronic Logging Device | Adopted Senate | Transportation | With some exceptions all motor carriers and drivers, who are currently required to complete paper logs to document record of duty status (RODS) to comply with 49 CFR 395, will be required to use ELD's (Electronic Logging Devices) no later than December 18, 2017. However, the final federal rule exempts several sectors: Drivers who use paper RODS for not more that 8 days during any 30 day period; Drivers who conduct driveaway-towaway operations, where the vehicle being driven is the commodity being delivered; Drivers of vehicles manufactured before model year 2000. These exempted drivers must still document RODS using either paper logs or ELD's. Idaho is required to adopt this regulation by reference to maintain compliance with Federal Motor Carrier Safety Administration (FMCSA) and remain eligible for grant and highway funds. | Senate Transportation Approved 1/19. House Transportation Subcommittee recommends adoption 1/20. NO ACTION this week | Monitor |
| HR1 | Idaho Admin Procedure Act | Enroll | Rules / Government | The purpose of this legislation is to amend the Administrative Procedures Act to reflect the language in HJR5 defining the term "in whole or in part." Adding an emergency clause. | Passed Senate on 2/2 vote was 34-0-1 | Support |
| HB52 | Interstate Oil & Gas Compact Commission | House 3rd Reading | Energy | This legislation would ratify, approve and adopt the Interstate Compact to Conserve Oil and Gas, and allow Idaho to become a full member of the Interstate Oil and Gas Compact Commission. Idaho is currently an Associate Member, which does not allow full participation and voting. Full membership will allow Idaho to weigh in on national oil and gas issues that affect the state's ability to administer the oil and gas conservation programs. | On 2/2 House Resources sent to floor with do pass recommendation. | Monitor |

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| HB54 | SOS fees for businesses | House State Affairs | General Business | This amendment corrects oversights that were included in the 2015 enactment of the Idaho Uniform Business Organizations Code. These corrections include clarifying fee names, including missed fees, and removing fees that we are no longer charged. | No Action this week | Monitor |
| HB61 | Employers and non-complete clauses | House Ways & Means | General Business | Removes the requirement of "presumption of irreparable harm" for breach of a non-compete agreement. This leaves these agreements to be applied and enforced by courts as other contracts are. It also removes the requirement that the presumption of key employee status can only be rebutted by a showing that an employee has no ability to adversely affect an employer's business, thereby allowing employees additional options as to how they may rebut such presumption. | No Action is expected | Monitor |
| HB67 | Income Tax Relief | To Senate | Taxes | Exempts individual income tax for the first \$750. It moves the the individual and corporate tax rates from 7.4% to 7.2%. There is an emergency clause to make retroactive for 2017. | House Passed on 2/2 vote was 58-11-1 | Support |
| HB68 | Personal Property Tax Exemption Expansion | House Rev & Tax | Taxes | Increases the Personal Property Tax exemption from the current \$100,000 in property valuation to \$250,000. | No Action this week | Support |
| HB71 | Human Rights Employer Acts Prohibited | House Ways & Means | General Business | This bill would preclude employers from asking job applicants about salary history. For workers who are affected by a wage gap, these factors can create a ripple effect throughout the course of their careers. If a woman is underpaid at one job, the effects of that experience can stay with her as she applies for future positions if employers consider it when determining a future salary. | No Action is expected | Monitor |
| HB72 | Minimum Wage | House Ways & Means | General Business | Increases the minimum wage from the current federal minimum wage of \$7.25 per hour to \$8.75 per hour on July 1, 2017, and to \$10.50 on July 1, 2018, and \$12.00 per hour on July 1, 2019. Wages for tipped employees will increase from \$3.35 per hour to \$4.35 per hour for employment commencing July 1, 2017, \$5.85 per hour for employment commencing on July 1, 2018, and \$7.35 per hour for employment commencing July 1, 2019. | No Action is expected | Oppose |
| HB76 | Immigration | House State Affairs | General Business | Requires / mandates local law enforcement to to comply with and uphold immigration law and policy regarding immigration enforcement without providing funding source to expand efforts. Similar to prior Idaho immigration bills, this would address only one component of the illegal immigraion issue, does NOT address ag jobs, and would allow/encourage racial profiling. | Printed on 1/31 and referred to House State Affairs. | Oppose |

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| HB97 | Attorney's Fees | House Jud & Rules | Legal | This bill amends section 12-121, Idaho Code, regarding the award of attorney fees in civil cases and addressed an Idaho Supreme Court decision from 2016 issued in the case of Hoffer v. Shappard. Essentially, the bill returns the law of attorney's fees back to what it has been for nearly 40 years - awarding - attorney fees when cases are brought, pursued or defended frivolously, unreasonably, or without foundation - and places it in statute. The language is taken from the former court rule (Rule 54) that the court threw out with the Hoffer decision. | Printed on 2/2 and referred to House Judiciary & Rules | Support |
| S1009 | IDEQ Crop Residue Burning | House Enviro | Environment | DEQ is proposing an increase to the ozone evaluation threshold from 75% to 90%. To account for the time needed to obtain EPA approval for this change, it will be implemented in two stages. For the 2017 burn season, the ozone threshold will remain at the current level or 75% of the 2008 ozone standard. On February 28, 2018, which is the expected date of EPA approval of Idaho's state implementation plan which identifies the change, the 90% threshold of the 2015 ozone standard will become effective. The new threshold will continue to be protective of Idaho's air quality but will also preserve growers' ability to burn crop residue on good burn days when using smoke management best practices. | Passed Senate on 1/30 vote was 29-5-1. Referred to House Environment | Monitor |
| S1036 | Approps Supplemental | Senate Floor | Transportation | Appropriates additional \$24.7 million in FY2017 funds for transportation projects generated by the Transportation Surplus Eliminator passed in 2015. | Reported out of JFAC with do pass recommendation. | Support |
| RS2507 8 | Transportation Permitting | Senate Transport | Transportation | Authorizes equipment dealers to move implements of husbandry during daylight hours without a permit. | Printed in Senate Transportation on 2/2. | Support |
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