

2019 Legislative Preview

January 2, 2019

Idaho State Bar Real Property Section

Backdrop

- Election:
 - New Governor
 - 25 new legislators (+2 switching chambers) (7 D, 18 R)
- Chamber Dynamics
 - New Lt. Governor/Senate
 - Leadership Race/House
- New Agency/Department Heads
- Federal Tax Reform/Withholding Issue
- Budget

New Committee Chairs—House

- JFAC: Rep. Youngblood (Nampa)
- State Affairs: Rep. Harris (Meridian)
- Education: Rep. Clow (Twin Falls)
- Judiciary: Rep. Dayley (Boise)
- Business: Rep. Dixon (Ponderay)
- Energy, Environment & Technology: Rep. Vander Woude (Nampa)
- Local Government: Rep. Mendive (Coeur d'Alene)
- Commerce: Rep. Holtzclaw (Meridian)

New Committee Chairs—Senate

- JFAC: Sen. Bair (Blackfoot)
- Health & Welfare: Sen. Martin (Boise)
- Resources: Sen Heider (Twin Falls)
- Agriculture: Sen. Guthrie (McCammon)
- Local Government & Taxation: Sen. Rice (Nampa)
- Judiciary & Rules: Sen. Lakey (Nampa)
- State Affairs: Sen. Lodge (Huston)

Interim Committees

- Campaign Finance Reform
 - Legislation likely
- Criminal Justice Reinvestment Oversight Committee
- Occupational Licensing & Certification Laws Committee
- Public School Funding Formula Committee
 - A new formula has been recommended to the legislature—passed unanimously out of committee on November 26, 2018.
 - Model available at:
<https://legislature.idaho.gov/sessioninfo/2018/interim/psff/> (Funding Model Tab)

Medicaid Expansion

- Initiative approved by 60% +
- Expands coverage for folks who:
 - Individuals must be under 65;
 - Have a modified adjusted gross income less than 133% of federal poverty level; and
 - Not be otherwise eligible for coverage under Idaho's current state plan.
- Not a done deal
 - Court challenge?
 - Funding?
 - Medicaid Eligibility Rules?
 - Conditions + Waiver Request?

Legislation

- Annexation
 - Forced annexations
 - Vote?
 - Notice?
 - Moratorium on failed annexation?
- Easements—doctrine of merger limited by State or political subdivision acquisition of both title/conservation easement.
- Surveyor's Narrative to be included in records of survey
- Prison Labor
 - Expand to permit use in livestock/forestry
- Public records exempt from sales tax
- Industrial Hemp/Medical Marijuana
- Comprehensive list of executive/agency legislation at:
 - <https://dfm.idaho.gov/legislation/>

The end?

- Optimistic: March 16 (2002)
- Rational: March 23 (2016)
- Yikes: March 30 (2017)
- Double Yikes: April 6 (2015)
- Apocalyptic: May 4 (2009!)