

IN THE SENATE

SENATE BILL NO. 1294

BY COMMERCE AND HUMAN RESOURCES COMMITTEE

AN ACT

1 RELATING TO THE DEPARTMENT OF COMMERCE; AMENDING SECTION 67-9002, IDAHO
2 CODE, TO REVISE LEGISLATIVE FINDINGS; AMENDING SECTION 67-9004, IDAHO
3 CODE, TO PROVIDE FOR MANAGEMENT OF THE IDAHO RURAL DEVELOPMENT PART-
4 NERSHIP AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 67-9005,
5 IDAHO CODE, TO REVISE A PROVISION REGARDING THE RESPONSIBILITIES OF THE
6 IDAHO RURAL DEVELOPMENT PARTNERSHIP AND TO MAKE TECHNICAL CORRECTIONS;
7 AMENDING SECTION 67-9006, IDAHO CODE, TO REVISE PROVISIONS REGARDING
8 THE BOARD OF DIRECTORS AND TO REMOVE PROVISIONS REGARDING THE BOARD OF
9 DIRECTORS; AMENDING SECTION 67-9007, IDAHO CODE, TO REMOVE PROVISIONS
10 REGARDING DUTIES OF COCHAIRS; REPEALING SECTION 67-9008, IDAHO CODE,
11 RELATING TO THE EXECUTIVE DIRECTOR OF THE IDAHO RURAL DEVELOPMENT PART-
12 NERSHIP; REPEALING SECTION 67-9009, IDAHO CODE, RELATING TO GENERAL
13 MEMBERSHIP OF THE IDAHO RURAL DEVELOPMENT PARTNERSHIP; REPEALING SEC-
14 TION 67-9010, IDAHO CODE, RELATING TO PERFORMANCE EVALUATIONS OF STATE
15 EMPLOYEES; REPEALING CHAPTER 90, TITLE 67, IDAHO CODE, RELATING TO THE
16 IDAHO RURAL DEVELOPMENT PARTNERSHIP ACT; AND DECLARING AN EMERGENCY AND
17 PROVIDING EFFECTIVE DATES.
18

19 Be It Enacted by the Legislature of the State of Idaho:

20 SECTION 1. That Section 67-9002, Idaho Code, be, and the same is hereby
21 amended to read as follows:

22 67-9002. LEGISLATIVE FINDINGS. The legislature finds that:

23 (1) Rural development has been given a high priority as a means of
24 achieving a sound and mutually beneficial balance between the economies,
25 culture, infrastructure, and community vitality of rural and urban areas of
26 Idaho.

27 (2) (a) During the last half century, the legislature has enacted many
28 laws and established many programs to provide resources to rural commu-
29 nities; and

30 (b) Efforts have been made, and continue to be needed, to coordinate ru-
31 ral development programs; and.

32 ~~(c) During the last decade, the national rural development partnership~~
33 ~~and its principal components, the national rural development council~~
34 ~~and state rural development councils, have successfully provided op-~~
35 ~~portunities for collaboration and coordination among federal agencies~~
36 ~~and between federal agencies and states, nonprofit organizations, the~~
37 ~~private sector, tribal governments, and other entities committed to ru-~~
38 ~~ral advancement.~~

39 ~~(3) State rural development councils were established in 1990 by Presi-~~
40 ~~dential executive order as vehicles to help coordinate rural programs.~~

1 ~~(4) The congress of the United States authorized and codified a na-~~
 2 ~~tional system of rural development coordination and cooperation with enact-~~
 3 ~~ment of the "national rural development partnership act" (7 U.S.C. 2008m).~~

4 ~~(5) The national rural development partnership has been recognized as a~~
 5 ~~model of new governance and as an example of the effectiveness of collabora-~~
 6 ~~tion between the federal, state, local, tribal, private, and nonprofit sec-~~
 7 ~~tors in addressing the needs of the rural communities.~~

8 ~~(6) (3) Partnerships between governmental and nongovernmental enti-~~
 9 ~~ties can extend scarce funding through collaboration and cooperation.~~

10 ~~(7) The continued success and efficacy of the Idaho rural development~~
 11 ~~partnership could be enhanced through specific legislative authorization~~
 12 ~~removing any statutory barriers that could detract from the benefits poten-~~
 13 ~~tially achieved through the partnership's unique structure.~~

14 SECTION 2. That Section 67-9004, Idaho Code, be, and the same is hereby
 15 amended to read as follows:

16 67-9004. IDAHO RURAL DEVELOPMENT PARTNERSHIP CREATED. (1) There is
 17 hereby created an independent public body corporate and politic to be known
 18 as the "Idaho rural development partnership," which shall be a public in-
 19 strumentality of the state, and its exercise of the powers conferred by this
 20 chapter is and shall be deemed to be the performance of essential public
 21 functions and purposes. The Idaho rural development partnership shall be
 22 exempt from taxation, and shall be an entity of the state of Idaho as provided
 23 in the tort claims act, chapter 9, title 6, Idaho Code, and shall be entitled
 24 to all the protection as provided in the tort claims act, chapter 9, title 6,
 25 Idaho Code.

26 (2) The Idaho rural development partnership shall reside within the
 27 Idaho department of commerce or within another department of the executive
 28 branch as designated by the governor. The designated agency shall manage the
 29 budget and staffing requirements to meet the needs of the partnership.

30 SECTION 3. That Section 67-9005, Idaho Code, be, and the same is hereby
 31 amended to read as follows:

32 67-9005. RESPONSIBILITIES. The In accordance with the mission of the
 33 national rural development partnership in bringing together partners from
 34 all levels of government as well as private for-profit and nonprofit organi-
 35 zations to address the needs of rural America, the partnership's responsi-
 36 bilities shall be to:

37 (1) Assess community and economic conditions of rural Idaho;

38 (2) Advise the governor and the legislature on public policy and
 39 strategies to identify the community and economic development opportunities
 40 in rural Idaho;

41 (3) Act as a clearinghouse of information and as a referral center on
 42 rural programs and policies;

43 (4) Conduct outreach to rural communities and facilitate communication
 44 between rural residents and public and private organizations that provide
 45 services to rural communities;

46 (5) Identify organizations, authorities and resources to address vari-
 47 ous aspects of rural development;

1 (6) Serve as a nonpartisan forum for identifying and understanding ru-
2 ral issues from all perspectives;

3 (7) Improve intergovernmental coordination, and private and public
4 cooperation, and ~~to~~ seek out opportunities for new partnerships to achieve
5 rural development goals within existing governmental and community struc-
6 tures;

7 (8) Foster coordinated approaches to rural development that support
8 local initiatives, with an imperative not to usurp the individual missions
9 of any member organizations or duplicate effort;

10 (9) Seek solutions to unnecessary impediments to rural development
11 within Idaho;

12 (10) Work cooperatively and seek solutions to impediments with the
13 national rural development partnership and other state rural development
14 councils; and

15 (11) Submit an annual report to the governor outlining the work and ac-
16 complishments of the partnership.

17 SECTION 4. That Section 67-9006, Idaho Code, be, and the same is hereby
18 amended to read as follows:

19 67-9006. BOARD OF DIRECTORS. (1) The partnership shall be managed by a
20 board of directors that shall include the following members:

21 (a) ~~A One~~ (1) representative appointed by the governor;

22 (b) ~~The Three~~ (3) directors from ~~not more than five~~ (5) state agencies
23 of the executive branch as appointed by the governor;

24 (c) The director of the cooperative extension service in the state of
25 Idaho;

26 (d) ~~Representatives Four~~ (4) representatives from ~~the following~~ fed-
27 eral agencies. Such agencies may include: the United States department
28 of agriculture's rural development, farm service agency and forest
29 service, the United States department of the interior's bureau of land
30 management, the United States department of commerce's economic de-
31 velopment administration, the United States environmental protection
32 agency, and the United States department of housing and urban develop-
33 ment;

34 (e) ~~Four~~ (4) Two (2) state legislators consisting of one (1) member
35 appointed by the president pro tempore of the senate, ~~one~~ (1) member
36 ~~appointed by the minority leader of the senate,~~ and one (1) member ap-
37 pointed by the speaker of the house of representatives ~~and one~~ (1) mem-
38 ~~ber appointed by the minority leader of the house of representatives;~~

39 (f) ~~A representative~~ Two (2) representatives chosen by each of the fed-
40 erally recognized Indian tribes in the state of Idaho;

41 (g) ~~Four~~ (4) Two (2) representatives from organizations of local gov-
42 ernment in the state of Idaho, as appointed by the governor, ~~one~~ (1) each
43 representing cities, counties, economic development agencies, and re-
44 source conservation and development organizations;

45 (h) ~~Two~~ (2) representatives One (1) representative, as appointed by the
46 governor, from for-profit business organizations, to include agribusi-
47 ness and other businesses operating with special emphasis on rural ar-
48 eas of the state of Idaho;

1 (i) A One (1) representative of the principal contractor for the United
2 States department of energy's Idaho national laboratory; and

3 (j) ~~Five (5)~~ Two (2) rural leaders chosen by the governor representing
4 private entrepreneurs, chambers of commerce, and nonprofit and commu-
5 nity-based organizations, living in rural Idaho and representing a geo-
6 graphic balance across the state.

7 ~~(2) Nonvoting, ad hoc members may be included on the board to assist
8 with specific issues and projects as necessary.~~

9 ~~(3) (2)~~ Except for appointments by the governor under this section,
10 members of the board of directors shall serve at the pleasure of the organ-
11 ization or entity the member represents. Board members appointed under
12 subsection (1) (j) of this section shall serve four (4) year terms concurrent
13 with the governor's term.

14 ~~(4) (3) The duties of the board of directors shall be to:~~

15 ~~(a) Elect elect a cochair as provided in section 67-9007, Idaho Code;.~~

16 ~~(b) Appoint and employ, and at its pleasure discharge, an executive di-
17 rector and to prescribe the duties and fix the compensation of the exec-
18 utive director; and~~

19 ~~(c) Establish offices, to incur expenses, to enter into contracts and
20 to create such liabilities as may be reasonable for the proper adminis-
21 tration and enforcement of this chapter.~~

22 ~~(5) (4)~~ The board of directors shall hold a meeting at least annually. A
23 majority of the members of the board of directors shall constitute a quorum.

24 SECTION 5. That Section 67-9007, Idaho Code, be, and the same is hereby
25 amended to read as follows:

26 67-9007. COCHAIRS. ~~(1)~~ The board of directors of the partnership shall
27 have two (2) cochairs, one (1) elected by the partnership's board of direc-
28 tors from among the board's membership, and the other appointed by the gover-
29 nor. The cochair elected by the board of directors shall serve a two (2) year
30 term, and may be reelected until a total of four (4) consecutive years have
31 been served, following which that individual will be disqualified for elec-
32 tion to the position of cochair until at least one (1) term of office has in-
33 tervened.

34 ~~(2) The duties of the cochairs shall be to:~~

35 ~~(a) Set operating policies; and~~

36 ~~(b) Manage the partnership budget and staff, including the hiring of an
37 executive director, subject to approval by the board of directors.~~

38 SECTION 6. That Section [67-9008](#), Idaho Code, be, and the same is hereby
39 repealed.

40 SECTION 7. That Section [67-9009](#), Idaho Code, be, and the same is hereby
41 repealed.

42 SECTION 8. That Section [67-9010](#), Idaho Code, be, and the same is hereby
43 repealed.

44 SECTION 9. That Chapter 90, Title 67, Idaho Code, be, and the same is
45 hereby repealed.

1 SECTION 10. An emergency existing therefor, which emergency is hereby
2 declared to exist, Sections 1 through 8 of this act shall be in full force and
3 effect on and after July 1, 2024. Section 9 of this act shall be in full force
4 and effect on and after January 1, 2027.