



Legislative Update



SENATOR GRANT BURGoyNE - DISTRICT 16

January 21, 2019

WEEK TWO UPDATE



Womxn's March at the Capitol

Womxn's March

This Saturday Boise hosted the annual Womxn's march at the Statehouse, hundreds of women, men and non-binary Idahoans came out to support the advancement of women in politics and the fight for equality. Many of you may have noticed the "X" in womxn's this year. This was added to show inclusivity for transgender and non-binary Idahoans.

Add the Words

Again, this session, I have joined with other legislators in co-sponsoring Add the Words legislation. This bill would bar sexual orientation and sexual identity discrimination in Idaho. Similar legislation has been put forward for many years but has not been given a hearing with only one exception. The majority of Idahoans live in cities which have barred such discrimination, and I believe that the majority of the people in Idaho see the need and value for a statewide bill.

This week, approximately 200 demonstrators came to the Capitol in support of Add the Words. I was so glad to see them here showing that this issue will not go away. I will continue my efforts to pass this legislation until we are successful.

K-12 Education

This session, the Legislature must once again face the fact that the cost of an adequate education system exceeds what the Legislature authorizes. The Governor has added \$3.5 Million to his original K-12 budget recommendation, and the STEM Action Center is saying that the Governor's recommendation is \$1 Million too low to adequately fund its programs. (STEM stands for Science, Technology, Engineering and Math.) Furthermore, the new school funding formula, which has been years in the making, is being rolled out this session and raises substantial concerns about which school districts will benefit, and which ones will lose, under the proposal. The Boise and the West Ada School Districts could be big losers, unless the Legislature can find at least \$63 Million in extra funding. Although we in Ada County contribute an outsized portion of our incomes to state funding, thereby subsidizing school districts elsewhere, the formula as proposed will make things much more difficult for us. Not only will we be contributing more to other school districts, but because of the restrictions the Legislature places on raising local money for schools, the West Ada School District and others in our county will find replacing lost revenue very difficult, if not impossible. Efforts are being made to fix this problem. Just like the rest of the state, our Ada County schools need more State funding, not less, and the removal of state created obstacles.

Senate Salvages Teacher Pay Rule

The House Education Committee rejected a state Board of Education Rule that created a mechanism for new teachers from out of state to be placed on the teacher career ladder (which determines teacher pay). The Board's rule allows use of a teacher's out of state student achievement and success data to be used for this purpose. The Senate Education Committee unanimously approved the rule. Since a rule remains valid unless both the House and the Senate reject it, the rule will remain in effect.

Senate Committee Approves Caseload Standards for Public Defenders

In 2015 the ACLU sued the State of Idaho claiming that the state's system of providing indigent criminal defendants public defenders at public expense was beneath that required by the Sixth Amendment to the United States Constitution. Because of the suit, the Legislature created the Public Defense Commission (PDC) with the goal of assuring constitutional compliance. An important aspect of the Commission's work has been to establish public defender workload standards.

The PDC's workload rule setting the maximum number of cases a public defender could work in a year came up for review last week in the Senate Judiciary and Rules Committee on which I sit. I

believed the standard set caseload levels too high and moved to lower it. I also believed the rule was inadequate because it failed to set a standard for the number of cases a public defender could have at any given time. Consequently, a public defender might comply with the overall yearly standard, but still be too busy at certain times of the year to properly defend one or more defendants. My motion failed for lack of a second, and the PDC's rule was approved by the rest of the committee. Providing indigent criminal defendants an adequate public defense is not only the just, proper and constitutionally mandated thing to do, it avoids unnecessary and expensive appeals and retrials resulting from overturned convictions and promotes confidence in the criminal justice system. Furthermore, appeals and retrials can be traumatic for crime victims. I believe we all benefit from the expeditious resolution of criminal cases, but we must have just verdicts.



Local 55 joins us for Union Day at the Capitol

Union Day

Each Session, members of the AFL-CIO visit the Capitol on “Union Day” to speak with legislators about issues important to working people. This year, a topic of great importance to the unions is legislation from the Division of Building Safety (DBS) to amend licensing requirements for electricians. The amendments are intended to ease the requirements and promote flexibility in the types of work electricians can perform. The unions are concerned that the legislation does not have sufficient safeguards to assure that electrical work will only be performed by those qualified to do it, and that they were not given an opportunity to have their concerns heard and considered.

I serve on the interim occupational licensing committee and I strongly support removing occupational licensing barriers that unnecessarily interfere with the right to earn a living. Nonetheless, I believe that those doing electrical and other construction work need to be qualified. Work sites need to be safe during construction and completed buildings need to be safe for their occupants and the public as well. I am pleased that DBS has agreed to receive and consider the unions' concerns about the legislation, and I hope we can get to an adequate bill.

Faith Healing

Current Idaho law affords substantial protection to parents who refuse to provide their children healthcare on religious grounds. Representative John Gannon, D. Boise, and others are leading an effort to amend Idaho's faith healing law so that it would not apply if a child is at risk of serious injury or death. I fully support this legislation because outright repeal of the faith healing exemption has proved to be impossible at present. I attempted to write compromise legislation to protect our children from the faith healing exemption last session, but it got nowhere. I hope this latest effort will be successful.

Governor Little Asks Oil and Gas Conservation Commission Chairman to Resign

Governor Brad Little asked for, and received, the resignation of Idaho Oil and Gas Conservation Commission Chairman Kevin Dickey after disclosure that Mr. Dickey purchased stock in Alta Mesa Resources, an oil and gas company regulated by the Commission. Mr. Dickey has indicated that he does not think his stock purchase created a conflict of interest. Even if it didn't violate the law, it created the appearance of a conflict of interest. I am pleased that the Governor acted quickly and decisively in this matter.

Governor Requests \$200,000 for Wolf Control Board

Following several years in which it received more General Fund appropriations than it could spend, the Wolf Control Board has informed the Legislature that it is fine with a reduced appropriation of \$200,000 for FY 20 because of the surplus funds it has on hand. The Board contracts with the U.S. Department of Agriculture's Wildlife Services and the Idaho Department of Fish and Game to kill wolves that attack cattle, sheep, deer and elk. In addition to state General Fund money the Board receives money from Fish and Game and sheep and cattle ranchers. I have not supported appropriations to the Board in the past. I will continue to look to the scientific evidence in determining whether killing wolves is the only viable response to predation and I will carefully consider where the costs of predation should rest with the taxpayers, the livestock and sheep industries or some combination of the two.

Governor Little Acknowledges Climate Change

This week, Governor Little had this to say about climate change:

Climate is changing, there's no question about it. Sometimes what you do from a regulatory standpoint might be counter to what the right thing to do is, but you've got to recognize it. It's here. We've just got to figure out how we're going to cope with it. And we've got to slow it down. Now, reversing it is going to be a big darn job. . . . I'm pretty optimistic. When I visit at the federal level, both at the Interior and Agriculture, they appreciate what's

taking place in Idaho. We've got a long way to go but I like the trajectory about what's taking place.

Federal Government Shutdown

The Idaho Department of Health and Welfare (DHW) announced that it would issue February food stamps (technically known as Supplemental Nutrition Assistance) early, beginning this week. DHW administers this federal program in Idaho and March benefits are in danger of being disrupted by the federal government shutdown. Additionally, federal government workers furloughed because of the shutdown are being forced into difficult financial circumstances. In recognition of the difficult situations many Idahoans now find themselves, Albertson's has launched a "round up" program which asks customers to round up the price of their purchases with the extra money going to the Idaho Food Bank.

Governor Little's Administration has conducted a three-week forecast of the effect of the federal government shutdown on state operations. Idaho receives federal money to help support numerous programs. At the request of legislative Democrats that forecast will be expanded to eight weeks.

UPCOMING DISTRICT 16 EVENTS

Our First Town Hall Meeting

Tuesday, January 24, 7.p.m Cynthia Mann Elementary [5401 W Castle Dr, Boise, ID 83703](#)
Receive an update on the 2019 Legislative session and answers to your questions.

Our Second Town Hall Meeting

Thursday, February 19, 7 pm at Ustick Library, Ustick and Cole Roads
Receive an update on the 2019 Legislative session and answers to your questions.

Our Third Town Hall Meeting

Thursday, March 14, 7 pm at Garden City City Hall, [6015 N Glenwood St, Garden City](#)
Receive an update on the 2019 Legislative session and answers to your questions.

Capital Tour

Saturday, March 16, 10 a.m.
Tour the Idaho Capitol with your legislators and a guide. Meet at reception desk on the Garden Level! All ages welcome!

CONTACT ME:

Please feel free to contact me by email at GBurgoyne@senate.idaho.gov or by calling my assistant, Oliver Cowan, at 208-332-1414.



State Capitol | P.O. Box 83720 | Boise, Idaho 83720-0081 | (208) 332-1000