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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 5 NERSHIP AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 67-9005, 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 15 TION 67-9010, IDAHO CODE, RELATING TO PERFORMANCE EVALUATIONS OF STATE EMPLOYEES; REPEALING CHAPTER 90, TITLE 67, IDAHO CODE, RELATING TO THE 16 IDAHO RURAL DEVELOPMENT PARTNERSHIP ACT; AND DECLARING AN EMERGENCY AND PROVIDING EFFECTIVE DATES. 18

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

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

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

- (1) Rural development has been given a high priority as a means of achieving a sound and mutually beneficial balance between the economies, culture, infrastructure, and community vitality of rural and urban areas of Idaho.
 - (2) (a) During the last half century, the legislature has enacted many laws and established many programs to provide resources to rural communities; and
 - (b) Efforts have been made, and continue to be needed, to coordinate rural development programs; and.
 - (c) During the last decade, the national rural development partnership and its principal components, the national rural development council and state rural development councils, have successfully provided opportunities for collaboration and coordination among federal agencies and between federal agencies and states, nonprofit organizations, the private sector, tribal governments, and other entities committed to rural advancement.
- (3) State rural development councils were established in 1990 by Presidential executive order as vehicles to help coordinate rural programs.

(4) The congress of the United States authorized and codified a national system of rural development coordination and cooperation with enactment of the "national rural development partnership act" (7 U.S.C. 2008m).

- (5) The national rural development partnership has been recognized as a model of new governance and as an example of the effectiveness of collaboration between the federal, state, local, tribal, private, and nonprofit sectors in addressing the needs of the rural communities.
- $\frac{(6)}{(3)}$ Partnerships between governmental and nongovernmental entities can extend scarce funding through collaboration and cooperation.
- (7) The continued success and efficacy of the Idaho rural development partnership could be enhanced through specific legislative authorization removing any statutory barriers that could detract from the benefits potentially achieved through the partnership's unique structure.
- SECTION 2. That Section 67-9004, Idaho Code, be, and the same is hereby amended to read as follows:
- 67-9004. IDAHO RURAL DEVELOPMENT PARTNERSHIP CREATED. (1) There is hereby created an independent public body corporate and politic to be known as the "Idaho rural development partnership," which shall be a public instrumentality of the state, and its exercise of the powers conferred by this chapter is and shall be deemed to be the performance of essential public functions and purposes. The Idaho rural development partnership shall be exempt from taxation, and shall be an entity of the state of Idaho as provided in the tort claims act, chapter 9, title 6, Idaho Code, and shall be entitled to all the protection as provided in the tort claims act, chapter 9, title 6, Idaho Code.
- (2) The Idaho rural development partnership shall reside within the Idaho department of commerce or within another department of the executive branch as designated by the governor. The designated agency shall manage the budget and staffing requirements to meet the needs of the partnership.
- SECTION 3. That Section 67-9005, Idaho Code, be, and the same is hereby amended to read as follows:
- 67-9005. RESPONSIBILITIES. The In accordance with the mission of the national rural development partnership in bringing together partners from all levels of government as well as private for-profit and nonprofit organizations to address the needs of rural America, the partnership's responsibilities shall be to:
 - (1) Assess community and economic conditions of rural Idaho;
- (2) Advise the governor and the legislature on public policy and strategies to identify the community and economic development opportunities in rural Idaho;
- (3) Act as a clearinghouse of information and as a referral center on rural programs and policies;
- (4) Conduct outreach to rural communities and facilitate communication between rural residents and public and private organizations that provide services to rural communities;
- (5) Identify organizations, authorities and resources to address various aspects of rural development;

(6) Serve as a nonpartisan forum for identifying and understanding rural issues from all perspectives;

- (7) Improve intergovernmental coordination, and private and public cooperation, and to seek out opportunities for new partnerships to achieve rural development goals within existing governmental and community structures;
- (8) Foster coordinated approaches to rural development that support local initiatives, with an imperative not to usurp the individual missions of any member organizations or duplicate effort;
- (9) Seek solutions to unnecessary impediments to rural development within Idaho;
- (10) Work cooperatively and seek solutions to impediments with the national rural development partnership and other state rural development councils; and
- (11) Submit an annual report to the governor outlining the work and accomplishments of the partnership.
- SECTION 4. That Section 67-9006, Idaho Code, be, and the same is hereby amended to read as follows:
- 67-9006. BOARD OF DIRECTORS. (1) The partnership shall be managed by a board of directors that shall include the following members:
 - (a) A One (1) representative appointed by the governor;
 - (b) The Three (3) directors from not more than five (5) state agencies of the executive branch as appointed by the governor;
 - (c) The director of the cooperative extension service in the state of Idaho;
 - (d) Representatives Four (4) representatives from the following federal agencies. Such agencies may include: the United States department of agriculture's rural development, farm service agency and forest service, the United States department of the interior's bureau of land management, the United States department of commerce's economic development administration, the United States environmental protection agency, and the United States department of housing and urban development;
 - (e) Four (4) Two (2) state legislators consisting of one (1) member appointed by the president pro tempore of the senate, one (1) member appointed by the minority leader of the senate, and one (1) member appointed by the speaker of the house of representatives and one (1) member appointed by the minority leader of the house of representatives;
 - (f) A representative <u>Two (2)</u> representatives chosen by each of the federally recognized Indian tribes in the state of Idaho;
 - (g) Four (4) Two (2) representatives from organizations of local government in the state of Idaho, as appointed by the governor, one (1) each representing cities, counties, economic development agencies, and resource conservation and development organizations;
 - (h) Two (2) representatives One (1) representative, as appointed by the governor, from for-profit business organizations, to include agribusiness and other businesses operating with special emphasis on rural areas of the state of Idaho;

- (i) A $\underline{\text{One (1)}}$ representative of the principal contractor for the United States department of energy's Idaho national laboratory; and
- (i) Five (5) Two (2) rural leaders chosen by the governor representing private entrepreneurs, chambers of commerce, and nonprofit and community-based organizations, living in rural Idaho and representing a geographic balance across the state.
- (2) Nonvoting, ad hoc members may be included on the board to assist with specific issues and projects as necessary.
- (3) (2) Except for appointments by the governor under this section, members of the board of directors shall serve at the pleasure of the organization or entity the member represents. Board members appointed under subsection (1)(j) of this section shall serve four (4) year terms concurrent with the governor's term.
 - (4) (3) The duties of the board of directors shall be to:
 - (a) Elect elect a cochair as provided in section 67-9007, Idaho Code+.
 - (b) Appoint and employ, and at its pleasure discharge, an executive director and to prescribe the duties and fix the compensation of the executive director; and
 - (c) Establish offices, to incur expenses, to enter into contracts and to create such liabilities as may be reasonable for the proper administration and enforcement of this chapter.
- (5) (4) The board of directors shall hold a meeting at least annually. A majority of the members of the board of directors shall constitute a quorum.
- SECTION 5. That Section 67-9007, Idaho Code, be, and the same is hereby amended to read as follows:
- 67-9007. COCHAIRS. (1) The board of directors of the partnership shall have two (2) cochairs, one (1) elected by the partnership's board of directors from among the board's membership, and the other appointed by the governor. The cochair elected by the board of directors shall serve a two (2) year $term_T$ and may be reelected until a total of four (4) consecutive years have been served, following which that individual will be disgualified for election to the position of cochair until at least one (1) term of office has intervened.
 - (2) The duties of the cochairs shall be to:
 - (a) Set operating policies; and

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- (b) Manage the partnership budget and staff, including the hiring of an executive director, subject to approval by the board of directors.
- SECTION 6. That Section 67-9008, Idaho Code, be, and the same is hereby 38 repealed.
- SECTION 7. That Section 67-9009, Idaho Code, be, and the same is hereby 40 41 repealed.
- SECTION 8. That Section 67-9010, Idaho Code, be, and the same is hereby 42 repealed. 43
- SECTION 9. That Chapter 90, Title 67, Idaho Code, be, and the same is 44 45 hereby repealed.

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