



State of Idaho

Ben Ysursa
Secretary of State

LOBBYIST MONTHLY REPORT FORM

To Be Filed By:

L-3 LOBBYISTS
(Sec. 67-6619)

Page _____ of _____ Page(s)
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(Type or print clearly in black ink)
See instructions at bottom of page

Lobbyist's name and permanent business address	Date prepared	Period covered
Richard R. Rush Idaho Assn. of Commerce & Industry PO Box 389 Boise ID 83701-0389	2/10/05	<input checked="" type="checkbox"/> month ending (Mo.) (Day) (Yr.) 1 31 05

Item 1	Totals of all reportable expenditures made or incurred by Lobbyist or by Lobbyist's Employer on behalf of Lobbyist's Employer.				
Category of Expenditure Reimbursed Personal Living and Travel Expenses Pertaining to Lobbying Activity Do Not Have to be Reported	* Total Amount for All Employers	Proportionate amounts contributed by each employer (Identify employers, under Item 3, at bottom of page.)			
		Employer No. 1	Employer No. 2	Employer No. 3	Employer No. 4
Entertainment	\$ 49.03	\$ 49.03	\$	\$	\$
Food and Refreshment					
Living Accommodations					
Advertising					
Travel					
Telephone	70.00	70.00			
Other Expenses or Services	120.00	120.00			
Total	\$ 239.03	\$ 239.03	\$ 0.00	\$ 0.00	\$ 0.00

*When the number of employers you are reporting for requires multiple L-3 forms to be filed a total amount for all employers should be entered on Page 1.

Item 2	The totals of each expenditure of more than fifty dollars (\$50) for a legislator or other holder of public office.			
Date	Place	Amount	Names of Legislators & Public Officials in Group	

☐ Continued on attached page(s)

INSTRUCTIONS Who should file this form: Any lobbyist registered under Section 67-6617 Idaho Code. Filing deadline: Monthly reports due within ten (10) days of the month for activities of the past month. TO BE FILED WITH: Ben Ysursa Secretary of State PO Box 83720 Boise, ID 83720-0080 Phone: (208) 334-2852 Fax: (208) 334-2282	Item 3	Employer(s) Name(s) and Address(es)
	No.1	Idaho Assn. of Commerce & Industry PO Box 389 Boise ID 83701-0389
	No.2	
	No.3	
	No.4	

Item 4	Expenditures made by the lobbyist or by the lobbyist's employer in the nature of contributions of money or other tangible or intangible personal property to any Legislator, or for or on behalf of any legislator.		
	Date	Amount	Name of Legislator Receiving or Benefited

Item 5 Subject matter of proposed legislation, the number of the Senate or House Bill, Resolution or other legislative activity in which the Lobbyist was supporting or opposing.

Subject Code (from table)	Bill, Resolution or Other Legislative Ident. Number	Appropriation Bill Number and Section Number
1, 7, 16, 19, 23, 25, 26		

LEGISLATIVE SUBJECT IDENTIFICATION

Code	Subject	Code	Subject
01	Agriculture, horticulture, farming, and livestock	17	Health service, medicine, drugs and controlled substances, health insurance, hospitals
02	Amusements, games, athletics and sports	18	Higher education
03	Banking, finance, credit and investments	19	Housing, construction, codes
04	Children, minors, youth, senior citizens	20	Insurance (excluding health insurance)
05	Church and religion	21	Labor, salaries and wages, collective bargaining
06	Consumer affairs	22	Law enforcement, courts, judges, crimes, prisons
07	Ecology, environment, pollution, conservation, zoning, land and water use	23	License, permits
08	Education	24	Liquor
09	Elections, campaigns, voting, political parties	25	Manufacturing, distribution and services
10	Equal rights, civil rights, minority affairs	26	Natural resources, forest and forest products, fisheries, mining and mining products
11	Government, financing, taxation, revenue, budget, appropriations, bids, fees, funds	27	Public lands, parks, recreation
12	Government, county	28	Social insurance, unemployment insurance, public assistance, workmen's compensation
13	Government, federal	29	Transportation, highways, streets and roads
14	Government, municipal	30	Utilities, communications, televisions, radio, newspaper, power, CATV, gas
15	Government, special districts	31	Other (please specify) _____
16	Government, state		

CERTIFICATION: I hereby certify that the above is a true, complete and correct statement in accordance with Section 67-6624 Idaho Code.

Paul R. R. R. 2/9/05
Lobbyist signature Date

BILLS TO FOLLOW

(IACI Position: + Support, - Oppose, M= Monitoring, N=Neutral)

Shaded Area=Change from Last Week

Bold=Final Action on Bill

Bill	Description	House	Senate	Final
H2 (+)	(By Department of Commerce & Labor) EMPLOYMENT SECURITY LAW – Prevents an Unemployment Insurance tax evasion scheme called “SUTA Dumping” – e.g., a company with a negative unemployment insurance rating acquires a company with a positive rating and assumes the better rates. Sets forth procedures for assignment of rates and transfers of experience; Provides civil and felony penalties (depending on severity of the case) for specified violations (H2 includes a civil penalty for SUTA Dumping of a 10% increase in UI rates for 1 year, less stringent than the federal felony penalty of increasing to the maximum UI rate for 4 years); Provides that the DC&L director shall establish procedures to identify the transfer or acquisition of a business; Conforms Idaho law to federal law.	Passed 62-6	3 rd Reading	
H4 (+)	(By Department of Commerce & Labor) A three-year freeze on Unemployment Insurance tax rates, which had held the UI rate at 0.8%, ended Dec. 31, 2004. Without the freeze, the unemployment insurance tax rate for employers will more than double to 1.7%, which would cost employers \$344 million over the next 6 years. H4, however, will replace the 113% average tax increase in 2005 with a 12.5% UI rate increase, raising rates instead by \$72 million over 6 years. H4 also will <i>reduce benefit payouts</i> by about \$72 million over 6 years, balancing out the rate increase. In addition, H4 will reduce fraud and waste by providing additional tools to collect delinquent UI taxes and increasing penalties for UI fraud. Finally, H4 caps the unencumbered balance of the Workforce Development Training Fund at \$6 million. Has emergency clause retroactive to Jan. 1, 2005; no impact on state general fund.	Passed 65-0	Passed 35-0	To Gov.
H10 (+)	(By State Tax Commission) This is the annual bill to conform Idaho's tax code to recent changes in the federal Internal Revenue Code (IRC). This bill also makes two changes that affect Idaho taxpayers: (1) Requires that any deduction for general state sales taxes allowed by the American Jobs Creation Act of 2004 be added back when computing Idaho taxable income, and (2) Allows Idaho taxpayers to deduct charitable contributions made in January 2005 for relief of the Indian Ocean tsunami victims on their 2004 tax returns. The bill would be effective retroactive to Jan. 1, 2005. Fiscal impact: An increase of \$1.1 million to the state's General Fund in FY2005, and \$800,000 in FY06.	Passed 70-0	Local Government & Taxation	
H57 (+)	(By QWEST) Authorizes Qwest to elect to have part or all of its telecommunications services excluded from Public Utilities Commission regulation, allowing retail price-regulated companies to elect to have their prices determined by the competitive market; includes several protections for consumers, including capping retail stand-alone telephone service prices, protecting customers of rural companies, and guaranteeing that consumers will continue to have the option of basic telephone service without having to take package plans or unwanted services.	State Affairs		
H65 (-)	(By Rep. Tom Trail) “Idaho Economic Recovery and Sales Tax Reform Act of 2005” – Reduces sales/use tax from 6% to 4%, saving \$180 million; Raises \$61.3 million in new re-venue by repealing certain sales/use tax exemptions (\$49.8 million), and imposing sales/use tax on many services (\$191.5 million).	Revenue & Taxation		

H69 (-)	(By Reps. Julie Ellsworth, Wendy Jaquet, JoAn Wood) Puts price caps on telephone rates charged by rate-regulated telephone corporations to provide stability and predictability of pricing for consumers.	State Affairs		
S1012 (-)	(By Sen. Gary Schroeder) "Revolving door" legislation that would prevent public officers and employees - for one year after they leave public office or service - from representing an entity in the private sector before a public agency by which they had been employed.		State Affairs	
S1092 (+)	(By Sen. John Goedde) Clarifies the impact and meaning of Idaho Code section 72-706 (5) as it was amended in 1991, and has been subsequently interpreted by the Idaho Industrial Commission. The amendment removes concerns over the absence of a statute of limitations on medical benefits in denied worker's compensation claims.		Commerce & Human Resources	
S1093 (+)	(By Sen. John Goedde) Specifies that evaluations of permanent physical impairment in the workers' compensation system are to be prepared only by competent individuals, namely qualified physicians. It reinforces the Legislature's intention that impairment evaluations are to be medical evaluations. Due to the wide variety of industrial injuries and occupational exposures that Idaho's workers face, the growing complexity of the medical factors that must be considered, and the increasing specialization of the medical field, the law should assure that evaluations or "ratings" of permanent physical impairment are performed only by individuals with appropriate medical training, background and expertise. (NOTE: The term "Physician" is already defined in Idaho Code Section 72-102(24). The term "qualified physician" also appears in Idaho Code Sections 72-102(18) and 72-433(1).		Commerce & Human Resources	
H14 (M)	(By State Tax Commission) This bill clarifies whether a State Tax Commission decision should be appealed to a District Court or to the Board of Tax Appeals. The bill also changes the requirement for the deposit a taxpayer must make when appealing a decision when tax, penalty and interest are more than \$25,000; the appeals amount under H14 would be 20% of the amount asserted when the State Tax Commission issues its decision, instead of when the Commission issues the original notice of deficiency.	Passed 70-0	Local Government & Taxation	
H29 (M)	(By State Tax Commission) This bill would allow the State Tax Commission authority to contract with commercial collection agencies for collection of assessments (tax liabilities on which all appeals have expired) from in-state taxpayers for all taxes administered by the Commission. Fiscal impact: An additional \$1 million in collection of taxes due, but unpaid.	Passed 69-0	Local Government & Taxation	
H30 (M)	(By Reps. George Eskridge and Dell Raybould, and Sens. Bart Davis and Brent Hill) – Energy Resources Authority Act: Creates an independent Idaho Energy Resources Authority; authorizes the Authority to issue revenue bonds for construction of transmission facilities, for energy conservation measures and alternative energy generation.	Environment, Energy & Technology		
H33 (M)	(By Dept. of Agriculture) Smoke management/crop residue disposal - Amends law relating to smoke management and crop residue disposal to define "economically viable alternative."	Agricultural Affairs		
H35 (M)	(By Dept. of Agriculture) Smoke management/crop residue disposal - Removes language referencing specified counties; provides that the Department of Agriculture shall investigate complaints lodged against persons conducting burning in the state of Idaho; and requires persons registering a field for agricultural burning in the state of Idaho to pay a specified fee.	Agricultural Affairs		
H76 (M)	(By Reps. Lenore Barrett and Lawrence Denney) Allows any donor who pays an Idaho state income tax to receive a credit against income taxes due when the donor donates money directly to the parent(s) for the purpose of educating their student.	Revenue & Taxation		

H88 (M)	(By Dept. of Finance) The Department is proposing the Financial Fraud Prevention Act to authorize the Department to investigate and bring civil enforcement actions against persons who perpetrate fraud against financial institutions, including non-depository institutions, and their customers.	Business		
H99 (M)	(By Rep. Mike Moyle) Any taxing district may call an election for the purpose of asking the voters to approve, by a two-thirds or more, a budget increase from property tax revenues beyond the amount authorized by statute.	Revenue & Taxation		
H103 (M)	(By Sen. Shawn Keough & Rep. George Eskridge and Idaho Association of Counties) Currently Idaho Code allows that counties pay a portion of a resident student's community college tuition not to exceed \$500 each semester for a two-semester year for a full-time student up to six semesters which would be a total of \$3,000; this bill would allow a longer period of time for students to complete their community college courses, thus deleting the six-semester cap.	Local Government		
H104 (M)	(By Rep. Bert Stevenson) Allows the boundaries of highway districts, cemetery districts, fire protection districts and flood control districts to be adjusted if a property used to produce electricity utilizing wind contains more than five electrical generating towers and is located within five miles of the boundary of the respective districts.	Local Government		
H105 (M)	(By Rep. Jim Clark & Sen. Mike Jorgenson) Amends existing law relating to hazardous waste management to revise disposal requirements for certain manifested waste; imposes specified fees relating to state manifested waste disposed of in a certain manner; and provides for the Solid Waste Facility Grand Fund; produces \$500,000 for state general fund.	Environment, Energy & Technology		
H106 (M)	(By Reps. George Eskridge and Dell Raybould & Sens. Brent Hill and Bart Davis; Ron Williams and Ken Harward) Creates an Idaho Energy Resources Authority as an independent body; authorizes the Authority to issue revenue bonds for construction of transmission facilities.	Environment, Energy & Technology		
H107 (M)	(By Rep. Wendy Jaquet) Amends Idaho Code to provide for selection of presidential and vice-presidential electors and to issue certificates of selection. It designates that at-large electors shall cast their ballot for the candidates who received the highest number of votes in the state, and that each congressional district presidential elector shall cast his/her ballot for the candidates who received the highest number of votes in that congressional district.	State Affairs		
H109 (M)	(By Rep. Leon Smith) Would allow a home occupied by a 65-year-old resident to receive a deferment of annual tax increases above 2% until that resident moves out, dies or rents the residence. At that time, the deferred taxes would become due and payable within six months of vacating the premises. The deferred taxes would be a lien upon the premises. Fraudulent use of this statute to escape payment of taxes would be punishable by civil penalty up to \$10,000 per year, in addition to recovery of the deferred taxes.	Revenue & Taxation		
H124 (M)	(By Rep. Shirley McKague) Allows a property tax exemption for a residential property owner/resident at least 70 years old; Exemption must be applied for.	Revenue & Taxation		
H126 (M)	(By Intermountain Forest Association, Idaho Association of Counties, & Idaho Forest Owners Association) Implements a new method of valuing forest land. The new method, as outlined in the 2005 Users Guide developed by the statutorily-designated Committee on Forestland Taxation Methodologies (CFTM), uses the soil expectation/net present value approach to value forest lands in category 6. Passage of the legislation will require the adoption of rules necessary for implementing the new methodology. This legislation is intended to encourage private forest land owners in taxation category 6 to retain and improve their holdings of forest lands and to promote better forest management by putting in place a new method of valuing forest land.	Revenue & Taxation		

H142 (M)	<p>(By Governor Dirk Kempthorne) Corporate Headquarters Incentive Act This bill provides tax incentives for location or expansion of corporate headquarters in Idaho. To qualify for the incentives, a company must:</p> <ul style="list-style-type: none"> • Create at least 500 new jobs in Idaho; • Jobs must have a starting annual salary of at least \$50,000 per year, plus benefits; • Invest at least \$50 million in new headquarters and administrative buildings; and • Accomplish this within a five-year period. <p>Qualifying companies would receive these <u>income tax</u> credits:</p> <ul style="list-style-type: none"> • A 6% investment tax credit with no credit limitation. • An additional new jobs tax credit with a graduated scale starting at \$1,000 per job and climbing to \$3,000 per job. • A 10% real property improvement tax credit for investment in headquarters and administrative buildings of up to \$500,000 in any one year. <p>Qualifying companies would receive these <u>property tax</u> benefits: A temporary property tax abatement for new headquarters and administrative buildings of up to \$2 million in any year. The state, not local governments, pays the abatement.</p> <p>Qualifying companies would also receive a <u>temporary sales tax</u> abatement for materials used in new headquarters and administrative buildings.</p> <p>If a corporation fails to maintain adherence to these criteria, the state will recapture all of the tax benefits that have been granted.</p>	Revenue & Taxation		
S1004 (M)	(By Sens. Stan Williams, John Andreason and Curt McKenzie, and Reps. JoAn Wood, Ann Rydalch and Gary Collins) Requires that, beginning on April 1, 2010, all gasoline sold for motor vehicle use in Idaho must be blended with at least 10% by volume agriculturally derived denatured ethanol. Companion legislation will, on April 1, 2010, repeal the current fuel tax deduction for ethanol-blended fuels, resulting in no fiscal impact on state general fund from passage of S1004.		Hearing in Transportation 1:30 p.m. 2/10	
S1017 S1020- S1022 S1028 (M)	(By Sen. Gary Schroeder) Various legislation relating to Idaho law governing public charter schools.		Education	
S1018 (M)	(By Sen. Gary Schroeder) Would increase the number of signatures required on a charter petition; would require that the proposed charter be attached to the petition.	—	Held in Education	—
S1019 (M)	(By Sen. Gary Schroeder) Adds to existing charter school legislation to clarify that the Public Charter School Commission is an authorized chartering entity.	Education	Passed 33-0	
S1041 (M)	(By Sen. Bart Davis) This bill would repeal Idaho's current version of the Uniform Limited Partnership Act and replace it with adoption of the Uniform Limited Partnership Act promulgated by the National Conference of Commissioners on Uniform State Laws (NCCUSL). No fiscal impact.		Judiciary & Rules	
S1042 (M)	(By Sen. Gary Schroeder and Rep. Tom Trail) Provides that when testimony is provided by, or documentary evidence submitted by, a witness that has misrepresented their pro-fessional qualifications statutorily required by the State of Idaho, the testimony shall be disregarded. If the misrepresentation is determined subsequent to the issuance of an order, the order shall be vacated.		State Affairs	

S1044 (M)	(By Sen. Gary Schroeder) This proposal consolidates two sections of Idaho Code into Title 18, where the general ethics in government provisions are contained for the convenience and clarity of those seeking guidance. It also clarifies that provisions of 67-5726 and 67-5734 extend to local governments, as well as state government.		State Affairs	
S1045-1047 (M)	(By Sen. Gary Schroeder) Various legislation relating to Idaho law governing public charter schools.		Education	
S1049 (M)	(By Sen. Gary Schroeder) Requires that charter schools shall be organized as general business corporations.		Education	
S1050 (M)	(By Sen. Monty Pearce & Rep. Lawrence Denney) Authorizes a school district Board of Trustees to apply for an exemption to any portion of a tuition rate calculated pursuant to law to be charged for attendance in the schools within the district.		Education	
S1051 (M)	(By Sen. Gary Schroeder) Authorizes a private action under the Consumer Protection Act if a person has been aggrieved by a telephone company, telephone carrier or cellular phone, for the practice commonly known as "slamming;" provides a telephone customer action and relief for venue, court costs and attorney's fees		Judiciary & Rules	
S1089 (M)	(By AARP) Creates a prescription purchase program known as Affordable Rx Idaho. This program is available to Idaho residents who do not qualify for Medicaid, and who have an income level equal to or less than 250% of federal poverty level. It does not apply to Idaho residents who are currently covered by a health insurance prescription drug benefit plan, or who have voluntarily terminated coverage from such a plan within 90 days of application for the Affordable Rx Idaho purchase card. Applicants will be required to pay for prescription medications but will be able to purchase the medications at a reduced price. This program should reduce visits to the hospital emergency rooms and utilization of other more costly health care resources for this part of Idaho's population.		Health & Welfare	
S1095 (M)	(By Idaho Mining Association) Amends the Surface Mining Act to transfer responsibility for financial assurance for closure of cyanide facilities from DEQ to the Idaho Department of Lands (IDL). It requires cyanide facilities to submit a closure plan for approval and requires financial assurance to cover 110% of the estimated cost of closure. There would be no upper limit on the amount of financial assurance required. Existing authority for DEQ to regulate all other aspects of a cyanide operation, including water quality impacts, would remain the same as current law.		Resources & Environment	
SCR 101 (M)	(By Legislative Services) Capital Annex – Authorizes the Department of Administration to enter into agreements with the Idaho State Building Authority to finance construction of a new office building at 514 W. Jefferson, to be known as the Capitol Annex, including demolition of any existing structures or improvements on the property, and construction of an access tunnel; the new building would be used to house legislative committee hearing rooms and offices, as well as other executive and judicial branch offices, and as temporary housing during the Capitol restoration; expresses legislative intent; and constitutes authorization required by Section 67-6410, Idaho Code.		10 th Order	
SCR 102 (M)	(By Legislative Services) Capitol Annex – Authorizes the Department of Administration to enter into agreements with the Idaho State Building Authority to finance the remodel and construction of an addition to the former Ada County Courthouse, at 514 W. Jefferson, including construction of an access tunnel; the remodeled/expanded building would be used to house legislative committee hearing rooms and offices, as well as other executive and judicial branch offices; expresses legislative intent; and constitutes authorization required by Section 67-6410, Idaho Code.	—	Failed 16-18	—

SCR 103 (M)	(By Sen. Gary Schroeder) Public Charter Schools Study Authorizes the Legislative Council to appoint a committee to undertake and complete a study of the public charter school statutes and systems.		State Affairs	
SJM 101 (M)	(By Sens. Gary Schroeder & Monte Pearce) Exemption from No Child Left Behind (NCLB) – Memorial to the U.S. Senate and House of Representatives, and to Idaho's Congressional Delegation, demanding an exemption from No Child Left Behind requirements, without loss of funding, for all states that don't have at least one city of 1 million people or more (i.e., Idaho).		Education	
SR 104 (M)	(By Sen. Bart Davis) Upon a two-thirds vote recorded in the minutes of the meeting of the committee, the committee may hold an executive session during any meeting, at which time persons who are not members of the Legislature may be excluded, provided, however, that during such executive session, no votes or official action may be taken.	—	Passed 26-9	—