

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 417

BY AGRICULTURAL AFFAIRS COMMITTEE

AN ACT

1 RELATING TO THE IDAHO RURAL DEVELOPMENT PARTNERSHIP ACT; AMENDING SECTION  
2 67-9003, IDAHO CODE, TO DEFINE A TERM AND TO PROVIDE A CORRECT CODE REF-  
3 ERENCE; AMENDING SECTION 67-9005, IDAHO CODE, TO REVISE RESPONSIBILI-  
4 TIES OF THE PARTNERSHIP AND TO PROVIDE FOR AN ANNUAL REPORT TO THE GOV-  
5 ERNOR; AMENDING SECTION 67-9006, IDAHO CODE, TO REVISE BOARD OF DIREC-  
6 TOR MEMBERSHIP PROVISIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING  
7 SECTION 67-9007, IDAHO CODE, TO REVISE COCHAIR APPOINTMENT PROVISIONS  
8 AND TO PROVIDE THAT THE COCHAIRS SHALL MANAGE THE PARTNERSHIP BUDGET AND  
9 STAFF SUBJECT TO APPROVAL BY THE BOARD OF DIRECTORS; AND AMENDING SEC-  
10 TION 67-9008, IDAHO CODE, TO REMOVE A PROVISION THAT THE EXECUTIVE DI-  
11 RECTOR BE AN EXEMPT, FULL-TIME POSITION WITHIN A DEPARTMENT OF THE EXEC-  
12 UTIVE BRANCH.  
13

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

15 SECTION 1. That Section 67-9003, Idaho Code, be, and the same is hereby  
16 amended to read as follows:

17 67-9003. DEFINITIONS. As used in this chapter:

18 (1) "Agency with rural responsibilities" means any public entity of the  
19 state of Idaho that:

20 (a) Implements a provision of law targeted at rural areas; or

21 (b) Administers a program that has a significant impact on rural areas.

22 (2) "Community" means a group of people linked by common policy, common  
23 social interests and interaction with one another.

24 (3) "National rural development partnership" means the organization  
25 created by the national rural development partnership act (7 U.S.C. 2008m).

26 (34) "Partnership" means the Idaho rural development partnership es-  
27 tablished by section 67-9004, Idaho Code.

28 (45) "Rural area" means:

29 (a) All the territory of the state of Idaho that is not within the bound-  
30 ary of any standard metropolitan statistical area as defined by the  
31 United States office of management and budget;

32 (b) All territory within any standard metropolitan statistical area  
33 described in ~~subsection (4) paragraph~~ (a) of this subsection within a  
34 census tract having a population density of less than twenty (20) per-  
35 sons per square mile, as determined according to the most recent census  
36 of the United States as of any date; and

37 (c) Such areas as the partnership may identify as rural.

38 SECTION 2. That Section 67-9005, Idaho Code, be, and the same is hereby  
39 amended to read as follows:

1           67-9005. RESPONSIBILITIES. The partnership's responsibilities shall  
2 be to:

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

4           (2) Advise the governor and the legislature on public policy and  
5 strategies to ~~improve~~ identify the quality of life community and economic  
6 development opportunities in rural Idaho;

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

9           (4) Conduct outreach to rural communities and facilitate communication  
10 between rural residents and public and private organizations that provide  
11 services to rural communities;

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

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

16           (7) Improve intergovernmental coordination, private and public coop-  
17 eration, and to seek out opportunities for new partnerships to achieve rural  
18 development goals within existing governmental and community structures;

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

22           (9) Seek solutions to unnecessary impediments to rural development,  
23 ~~first within Idaho and then through the national rural development partner-~~  
24 ~~ship; and~~

25           (10) Work cooperatively and seek solutions to impediments with the  
26 national rural development partnership and other state rural development  
27 councils; and

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

30           SECTION 3. That Section 67-9006, Idaho Code, be, and the same is hereby  
31 amended to read as follows:

32           67-9006. BOARD OF DIRECTORS. (1) The partnership shall be managed by a  
33 board of directors that shall include the following members:

34           (a) A representative ~~from the executive office of~~ appointed by the gov-  
35 ernor;

36           (b) The directors from not more than five (5) agencies ~~with rural re-~~  
37 ~~sponsibilities, these being, unless otherwise seated by the balance of~~  
38 ~~the board of directors, the Idaho departments of agriculture, commerce,~~  
39 ~~environmental quality, labor, and transportation~~ as appointed by the  
40 governor;

41           (c) The director of the cooperative extension service in the state of  
42 Idaho;

43           (d) Representatives from the following federal agencies: the United  
44 States department of agriculture's rural development, farm service  
45 agency and forest service, the United States department of the in-  
46 terior's bureau of land management, the United States department of  
47 commerce's economic development administration, the United States  
48 environmental protection agency, and the United States department of  
49 housing and urban development;

1 (e) Four (4) state legislators consisting of one (1) member appointed  
 2 by the president pro tempore of the senate, one (1) member appointed  
 3 by the minority leader of the senate, one (1) member appointed by the  
 4 speaker of the house of representatives and one (1) member appointed by  
 5 the minority leader of the house of representatives;

6 (f) A representative chosen by each of the federally recognized Indian  
 7 tribes in the state of Idaho;

8 (g) Four (4) representatives from organizations of local government in  
 9 the state of Idaho, as appointed by the governor, one (1) each repre-  
 10 senting cities, counties, economic development agencies, and resource  
 11 conservation and development organizations;

12 (h) Two (2) representatives, as appointed by the governor, from for-  
 13 profit business organizations, to include agribusiness and other busi-  
 14 nesses operating with special emphasis on rural areas of the state of  
 15 Idaho;

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

18 (j) Five (5) rural leaders chosen by the governor representing private  
 19 entrepreneurs, chambers of commerce, nonprofit and community-based or-  
 20 ganizations, living in rural Idaho and representing a geographic bal-  
 21 ance across the state.

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

24 (3) Except for appointments by the governor under ~~subsection (1)(j)~~  
 25 ~~of~~ this section, members of the board of directors shall serve at the plea-  
 26 sure of the organization or entity the member represents. Board members  
 27 appointed under subsection (1)(j) of this section shall serve four (4) year  
 28 terms concurrent with the governor's term, ~~though lagging behind by three~~  
 29 ~~(3) months the governor's term.~~

30 (4) The duties of the board of directors shall be to:

31 (a) Elect a cochair as provided in section 67-9007, Idaho Code;

32 (b) ~~To a~~Appoint and employ, and at its pleasure discharge, an executive  
 33 director and to prescribe the duties and fix the compensation of the ex-  
 34 ecutive director; and

35 (c) ~~To e~~Establish offices, to incur expenses, to enter into contracts  
 36 and to create such liabilities as may be reasonable for the proper ad-  
 37 ministration and enforcement of this chapter.

38 (5) The board of directors shall hold a meeting at least annually. A  
 39 majority of the members of the board of directors shall constitute a quorum.

40 SECTION 4. That Section 67-9007, Idaho Code, be, and the same is hereby  
 41 amended to read as follows:

42 67-9007. COCHAIRS. (1) The board of directors of the partnership shall  
 43 have two (2) cochairs, one (1) elected by the partnership's board of direc-  
 44 tors from among the board's membership, and the other appointed by the gov-  
 45 ernor ~~from among the state agency directors appointed pursuant to subsection~~  
 46 ~~(1)(b) of section 67-9006, Idaho Code.~~ The cochair elected by the board of  
 47 directors shall serve a two (2) year term, and may be reelected until a total  
 48 of four (4) consecutive years have been served, following which that indi-

1     vidual will be disqualified for election to the position of cochair until at  
2     least one (1) term of office has intervened.

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

4             (a) Set operating policies; and

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

7             SECTION 5. That Section 67-9008, Idaho Code, be, and the same is hereby  
8     amended to read as follows:

9             67-9008. EXECUTIVE DIRECTOR. The executive director of the partner-  
10     ship shall:

11             (1) ~~Be an exempt, full-time position within a department of the execu-~~  
12     ~~tive branch of Idaho state government as designated by the governor;~~

13             ~~(2)~~ Manage the day-to-day operations of the partnership as directed by  
14     the board of directors and the cochairs;

15             (3) Be a person with the skills necessary to manage a diverse public  
16     organization effectively and with broad experience in building and sustain-  
17     ing networks and partnerships; and shall be hired through an open and com-  
18     petitive process when a vacancy occurs, after a broad, statewide advertising  
19     campaign without any preselection;

20             (4) Hire an assistant, and such temporary or part-time employees as  
21     may be necessary to achieve the partnership's purposes, provided approved by  
22     the cochairs of the board of directors and the availability of funding.