

- **Challis/Salmon National Forest**, east-central Idaho, offices in Salmon. These two national forests have been administratively consolidated.

- **Payette National Forest**, southwest Idaho, offices in McCall.

- **Sawtooth National Forest**, south-central Idaho, offices in Twin Falls.

- **Targhee National Forest**, eastern Idaho, offices in St. Anthony.

NATIONAL GRASSLANDS (about four million acres nationally) also are administered by the Forest Service. Idaho has one grassland: the Curlew National Grassland, based in Malad (about 47,000 acres in Oneida County).

Natural Resources Conservation Service

Formerly the Soil Conservation Service, the NRCS has a long list of sub-programs. They include: Conservation Technical Assistance; Environmental Quality Incentives Program; Soil Survey Programs; Wetlands Reserve Program; Snow Survey and Water Supply Forecasting; Wildlife Habitat Incentives Program; Conservation Plant Materials Center; Forestry Incentives Program; Watershed Surveys and Planning; Farmland Protection Program; Watershed Protection and Flood Prevention Operations (including emergency operations); Conservation Farm Option; Rural Abandoned Mine Program; Resource Conservation and Development; Grazing Lands Conservation Program; Outreach for Socially Disadvantaged Farmers.

The state conservation office is located at Boise. Major programs there include:

- **Snow Survey**. This office looks at prospective water levels by checking snowpack levels (working with counterpart programs in other western states).

- **Land & Water Programs**. Conservation and farmland protection are provided as well.

There are NRCS district offices at the Bruneau River Soil Conservation District at Grand View, and at Burley, Twin Falls, and Coeur d'Alene.

Rural Development

Formerly called the Farmers Home Administration. Their self-description: "Our financial programs support such essential public facilities and services as water and sewer systems, housing, health clinics, emergency service facilities and electric and telephone service. We promote economic development by supporting loans to businesses through banks and community-managed lending pools. We offer technical assistance and information to help agricultural and other cooperatives get started and improve the effectiveness of their member services. And we provide technical assistance to help communities undertake community empowerment programs." The state director's office is in Boise.

- **Rural Utilities Service** provides infrastructure assistance; an Idaho staffer notes that "we can do projects involving water, sanitary wastewater, solid waste disposal and storm wastewater disposal programs out of the Boise office. The electrical and telecommunications programs, while RUS programs, are administered out of different offices than the Boise Rural Development office." And, he said, "We also have a community Facilities program which provides infrastructure financing for such things as streets, health care, fire

Finally, the governor (like the president on a national level) is the titular head of his political party within the state, and his word tends to carry great weight in developing strategy and making key decisions.

The governor's job is considered full time. His office is on the second floor of the Idaho State Capitol. (Within the Idaho Legislature, where proper names and even titles of some elected officials are not supposed to be mentioned directly in floor debate – in emphasis of the separation of powers – the governor is referred to as “the gentleman on the second floor. There's another meaning, too: Legislative rules provide that the governor is not supposed to physically walk up to the third or fourth floor of the Statehouse without specific legislative permission, something every other citizen of the state can do.)

Office of the Governor

The governor's office has staffers who field requests and comments from the public, communicate with state agencies, deal with the news media (this person usually is called the press secretary), and schedule appointments. The office's two dozen or so staffers are overseen by a chief of staff.

Division of Financial Management

Traditionally, the DFM (which has gone under other names in the past) is the governor's prime budget-development staff, his number crunchers and record keepers. Increasingly, it has become more as well. The agency is overseen by an administrator appointed by the governor. There are four bureaus in DFM.

BUDGET BUREAU: This bureau helps the governor research and develop his budget proposal, and review what the legislature has actually authorized. It is managed by a bureau chief.

ECONOMIC ANALYSIS: Because the governor has to develop a revenue estimate to go along with his budget proposal, there's also a small economic analysis bureau to keep tabs on the Idaho economy and consider what its changes will mean for income from taxes. It is managed by a bureau chief.

POLICY MANAGEMENT: A new bureau established in 1999, this section reviews the execution of policy in a number of the state agencies. Analysts in the bureau are assigned to specific agencies and subject areas.

MANAGEMENT SERVICES: Provides accounting services for the Executive Office of the Governor.

Division of Human Resources

Formerly known as the **Personnel Commission**. In 1999 its duties, which include managing the merit system for classified state employees, were transferred to the Office of the Governor. The administrator is appointed by the governor subject to confirmation by the state Senate.

Commission on Aging/Office on Aging

The office helps develop programs aimed at assisting the elderly. These range from working with and providing help for senior centers, to some in-home assistance. It also provides – through contract with six regional area

Department of Commerce

The Department of Commerce's most basic mission is to help foster the growth of Idaho commerce: that is, economic expansion. It has offices devoted to general economic development, tourism development (including the Idaho Travel Council which distributes grant money), a film bureau which encourages moviemakers to shoot their films in Idaho, community development (which also distributed grants for community projects, often including infrastructure improvement).

The department also works with a large informational database. Staffers there are the main state contact with the U.S. Bureau of the Census.

It also promotes international trade through offices in Washington, D.C. (established in 1999), Mexico and Japan.

Its director is appointed by the governor.

Department of Corrections

The department operates incarceration facilities (jails, prisons or other detention institutions) for adult felons sentenced by the courts; it also provides pre-sentence reports for courts, and supervision for probationers and parolees. The facilities include seven correctional institutions, five community work centers, and 23 probation/parole district and satellite offices. The department is overseen by a three-member Board of Corrections which is appointed by the governor, and in turn appoints the department's director; the members of the Commission for Pardons and Parole are appointed by the governor. The department is one of the fastest-growing in state government and one of the largest, with about 1,400 employees. Its headquarters are in Boise.

The largest section of the department is the **DIVISION OF PRISONS**, with institutions that each have slightly different roles.

- **Idaho Maximum Security Institution** – Boise. IMSI, opened in November 1989, holds the state's most violent prisoners. The compound is located inside a double perimeter fence reinforced with razor wire and an electronic detection system. Many of the prisoners here are mental health inmates, including civil commitments; there are 30 beds for the acute mentally ill. IMSI has areas for administrative segregation, disciplinary detention and Death Row. The rest of the population consists of close-custody general population inmates.

- **Idaho State Correctional Institution** – Boise. The oldest and largest state prison, and the main residence for long-term male, medium-custody convicts. It also has special quarters for infirmary, outpatient mental health and geriatric inmates. It is surrounded by a double fence, which is patrolled by sentry dogs; seven towers monitor security and inmate movement.

- **South Idaho Correctional Institution** – Boise. SICI houses male minimum-custody inmates in dormitories; inmates are assigned a job and work inside and outside the compound. SICI inmates work in the farming

The Public Debt / Michael C. Moore

Cities, counties, school districts and other governmental entities often borrow money to finance capital improvements, such as schools, fire stations, street construction, water and sewer system upgrades, and other capital costs, by the issuance of bonds, which are then repaid over a period of years. This is called “debt financing.”

There are several reasons why a governmental entity may choose to use debt financing as opposed to paying all the costs on a current basis. It may not have enough current funds on hand to pay the costs. Even if it does, it may actually be more cost-effective to borrow money at tax-exempt rates and keep its cash surpluses invested at higher rates. Borrowing over a term of years, as opposed to raising all the money in one year, reduces the financial impact on the taxpayers.

As a general rule, a governmental entity must have the approval of the voters to incur an indebtedness extending beyond the current fiscal year. (There are exceptions for “ordinary and necessary expenses,” and for “refunding” of existing indebtedness.) If the debt to be incurred is for “general obligation” debt payable from the levy of a special property tax, or if it is for revenue bonds for airports, recreational facilities or off-street parking facilities, then the approval of two-thirds of the qualified electors voting at a special bond election held for this purpose is required. In the case of revenue bonds for water or sewer improvements, however, the approval of a simple majority of those voting is sufficient to authorize the indebtedness. (Revenue bonds are payable solely from the revenues produced by the project being financed, not from property taxes.)

Once the required voter approval has been obtained, the governing body must determine how the bonds will be sold. Most general obligation bonds must be sold at public competitive sale, by sealed bid, with the bonds being sold to the bidder offering the lowest overall interest rate. Most revenue bonds may be sold either by sealed bid or by negotiated private sale. As a general rule, bonds which are sold to an agency of the federal government (such as the U.S. Department of Agriculture, which often finances local government projects in rural areas) may be sold without competitive bid.

Most Idaho local governmental bonds bear interest which is exempt from federal and state of Idaho income taxation. This makes the bonds attractive to investors and usually results in a lower interest rate on the bonds than would otherwise be available. The requirements which must be met for the tax exemption are very complex, however. It is usually prudent for the governmental entity to retain the services of a bond counsel (an attorney who specializes in the legal requirements applicable to government debt) and a financial advisor before commencing the bond election and bond issuance process.

Michael C. Moore, a founding partner of the Boise law firm *Moore & McFadden*, is a leading Idaho attorney on bonds and government finance.

beneficial use [n] *water* In **prior appropriations** states such as Idaho, water is deemed to be owned by the state but water users can obtain from the state a permit to use some of it (a water right). The permit allows the holder to put the water to “beneficial use,” a term with a rather broad definition including almost any intentional use short of waste. Agricultural purposes (including irrigation), domestic uses, hydropower, manufacturing and industrial uses are all among those specifically cited in the Idaho Constitution, and others are allowed as well. (One of the most interesting: **in-stream rights**, where the water is not diverted from a stream at all but is left there, often for specific environmental benefits such as fish habitat.)

benefit [n] *finance* In a public affairs context, this usually refers to the added costs paid by employers for employees apart from salary, especially insurance payments.

best management practice (BMP) [n] *environment* Practice, technique or measure developed, or identified, by the designated agency and identified in the state water quality management plan which are determined to be a cost-effective and practicable means of preventing or reducing pollutants generated from non-point sources to a level compatible with water quality goals.

bicameral [adj] *government* A two-house legislature. Idaho has a bicameral legislature (with 35 members in the Senate and 70 members in the House). All states except Nebraska have bicameral legislatures

bid (competitive bidding) [n] *finance* State and local government expenditures must comply with state competitive bid limits. If an expenditure exceeds a certain amount, the local government must contract, after a bidding process, with the lowest responsible bidder. There are certain exemptions to this requirement, particularly if the local government is in a rural area where there is only one provider of the good or service. Most professional services are also exempt. The threshold for bidding varies by government.

BIDCO/business and industrial development company [n] *organization* A creature of state law developed to assist in stimulating business activity.

Big Payette Lake Water Quality Act [n] *legislative, environment* This act is intended to establish a water quality council in the Payette Lake area that formulates a lake management plan to identify and address lake protection concerns on the lake and the surrounding water shed with respect to land use, scenic values, water uses, residential development, wild life habitat, fisheries, industries, commerce and other forms of human activity. The council is organized into various committees including a technical committee that takes advantage of the expertise of local governmental agencies and private parties.

bill [n] *legislative* Any legislation that adds to, subtracts from or changes Idaho law, that survives the initial scrutiny of what is commonly called “print hearing” (at which point it becomes a “bill” and receives a bill number). After an “RS” (a legislative jargon for “routing slip number”) becomes a bill, it becomes public record. The basement of the Idaho State Capital building has a distribution center where any citizen may obtain a copy of a bill. A bill originates as an idea that originates with a legislator or is presented to her by a constituent, interest group, state agency or others. Before the proposal can be considered it is put into proper format by the Office of Legislative Services. Then the proposal can either be introduced as a personal bill by the legislator

quorum [n] *legislative* The number of members, a majority, necessary to be present to allow a governing body to conduct its business. In the legislature, it is 18 out of the 35 Senate members and 36 out of the 70 members in the House. For county commissioners, it is 2 out of 3 and for 6 member city councils, it is 4.

Racing Commission [n] *government* State board which oversees horse racing in the state (and dog racing as well, when it was allowed).

RACT/reasonably achievable control technology [n]

railroad [n] *business* Once Idaho's principal means of distance transportation, increasingly a long-distance shipper of very large and heavy goods, stopping less and less frequently in Idaho. Few passenger rail services survive: a sliver of Amtrak rail service in the Panhandle and a tour train in Valley County are among the remnants. Railroads are regulated by the Public Utilities Commission; its permission is required for rail abandonment or station closures.

rainy day fund [n] *finance* A state set-aside fund, a pot of money added to in favorable economic years, and used in weak economic years as an alternative to raising taxes.

Rangeland Resources Advisory Council [n]

rangeland [n] *geography* Land considered usable for cattle grazing and certain types of hunting, but ordinarily has few other commercial uses. Much rangeland in Idaho is managed by the Bureau of Land Management, the U.S. Forest Service and state Department of Lands.

RARE [n] *acronym* Roadless Area Review and Evaluation. U.S. Forest Service study of the potential wilderness areas of 62 million acres of national forest roadless lands nationally.

rational nexus [n] *finance* Important term for impact fees, on the need to establish a link between the proportionate share of the impact of new development on off-site facilities and the amount the new development is required to pay. Impact fees are fees not taxes. Some relationship has to be established between the fee and the facility(ies) impacted, otherwise the fee becomes a tax which is prohibited.

ratite [n] *animals* Refers to a family of large, flightless birds (ostriches, rheas, emus). Little noted, a substantial Idaho industry has arisen around these birds, with more than 200 growers in the state. In 1994 the Idaho Legislature designated ratites as "livestock," a move requested by growers.

RDU (reception diagnostic unit) [n] *corrections* In the Department of Corrections, this is the first stop (typically lasting a couple of weeks) when a new inmate is brought into "the system." The inmate is evaluated according to various criteria (mental and physical condition, substance abuse problems and other considerations) and then assigned a category. The Department describes these: "The four inmate classifications are close (those serving long-term sentences, have an escape history or a disciplinary problem), medium (offenders who have demonstrated an ability to follow instructional rules and regulations, may have a considerable amount of prison time left to serve and who may be an escape risk at a lower custody level), minimum (those who have continually demonstrated the ability to follow instructions and are

1 Cast an intelligent vote

We may as well say this right now: People cast a lot of unintelligent, uninformed votes. (We don't exempt ourselves from that judgment, either.) Few people ever are told how to do it, and there are institutional obstacles to smart voting and informing the voter. In this section, we take a crack at it.

•**RS** To begin with, a lot of votes are cast for reasons that we in our humble opinion, really believe are not very good. They recognized the name from the billboard. A lot of the things the candidates do are harvesting votes for not very sound reasons ...

•**MS** A case in point – the name “Williams,” running for auditor.¹

•**RS** J.D. would be the first to acknowledge that's been an asset for him.

•**JW** Most ballots are very long, containing many offices and candidates. The further down the ballot the less familiar are the names. I know of very few, if any people, who can honestly say that they were not surprised when they opened their ballot to find offices or ballot propositions they knew little about.

•**MS** For the record, there was an election yesterday, a Twin Falls highway district election, in which an incumbent was defeated. So you're looking at maybe one legislative district's worth of voters, about 25,000 to 30,000 voters. Any guesses as to the number of voters? The vote in the main race was 211-187, *and* it was a case in which an incumbent was defeated. The challenger got his neighborhood, his family, his church probably, out to the polls; they were mad at the incumbent for some reason. There are roads in that district I drive on, I was affected by that, I live in that district, and I didn't even vote. I know the names of the people, that's all.

•**RS** If you know those names, you already know more than most of the people who live there do.

I covered the first election of the Ada County Rural Library District in the mid-80's, and I think the turnout was something like .07%. A few hundred out of about 60,000 people in the district. The new board decided they would raise property taxes, and *then* all hell broke loose. All these non-voters were asking, “Who elected these people?”

•**MS** Which indeed is the worst vote: One we don't cast, or one where we randomly select, vote for someone because the name sounds familiar?

•**RS** The second, by far. I once was in the crowd that says, go out and vote, its your civic responsibility. Period. I now say: What you *should* do is learn

¹ Joe Williams was elected state auditor from 1958 and five times subsequently. He retired in 1989 and was replaced by J.D. Williams, a relative, who ran and won the job in 1990.

8 | Influence your government

For many people, the word “lobbyist” carries a dirty, ugly connotation. In our view, while there are in fact some bad lobbyists, most are simply responsible advocates, and can be helpful to the process of making public policy. Our view actually goes a little further. The right to petition our government “for redress of grievances” is one of our basic rights, much fought for by the nation’s founders, and a central component of our system of government. There’s nothing wrong with lobbying – seeking to influence government – as such.

Having said that, the world of lobbying and influence of government obviously is a long way from perfect. Some people and groups lobby more, and better, than others. Money can grease the wheels (though rarely in the ways most people assume). The opportunity to influence government is broadly available, but for various reasons it is exploited by relatively few.

In Section 5, “Build an Influence Group,” we talked about forming your own organization. In this section, we discuss what to do when the time comes to take your act on the governmental road and influence a city council or state legislature.

- **RS** Some parts of government you don’t lobby at all: notably the judiciary, as far as individual cases are concerned.
- **MS** *Ex parte* contact¹ is prohibited. Of course, *in court*, lobbying the judge is in a sense what you do. But it has to be done in the confines of the rules.
- **JW** This prohibition applies to local government planning and zoning, too. The same language Mark has given, banning direct one-person contact, applies in local government decisions where the planning and zoning commission, council or county commission is acting in a quasi-judicial capacity – in other words, when they are acting on individual, specific cases.
- **RS** Or the Public Utilities Commission, or Industrial Commission, or Tax Commission.
- **MS** Right, every one of them. You don’t want to have them commit an ethical breach. It could be grounds for appeal. I know that contact occurs. You get somebody in Buhl who wants to rezone a corner and they know someone on the commission, and they go talk to the guy. And maybe nobody’s harmed. But the citizen using this guide needs to know they may draw someone into an ethical problem by doing this.

¹ In this context, a meeting with a judge or other judicial decision-maker about a case, in which only one party is present or has been notified.