

## IAC Legislative Committee

January 15, 2020 | 10:00 am -12:00 pm

Conference Call 208-717-1950

### MEETING MINUTES

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#### Call to Order

Chair Baldwin called the meeting to order at 10:00 am.

The following committee members were present:

Chair: Justin Baldwin, Gooding Assessor  
IACA: Brad Wills, Twin Falls Assessor  
IACC: Doug Zenner, Nez Perce Commissioner  
IACRC: Carrie Bird, Clearwater Clerk  
IPAA: Bryan Taylor, Canyon Prosecutor  
ISA: Kieran Donahue, Canyon Sheriff  
ISACC: Lucky Bourn, Minidoka Coroner

District 1: Dan Dinning, Boundary  
Commissioner  
District 2: James Zehner, Idaho Assessor  
District 3: Tom Dale, Canyon Commissioner  
District 4: Don Hall, Twin Falls Commissioner  
District 5: Craig Rowland, Bingham Sheriff  
District 6: Brent Mendenhall, Madison  
Commissioner

The following guests were present:

Seth Grigg, IAC  
Sara Westbrook, IAC  
Kelli Brassfield, IAC  
Tim Hibbard, IAC  
Vaughn Killeen, ISA

Dotti Owens, Ada Coroner  
Chris Goetz, Clearwater Sheriff  
Lorna Jorgensen, Ada Prosecutor Office  
Phil McGrane, Ada Clerk

#### Minutes Approval (Action Item)

*Canyon County Commissioner Tom Dale moved to approve the October 2019 meeting minutes. Idaho County Assessor James Zehner seconded the motion. The motion carried.*

#### Legislative Priority Update

- IG-12 Whistleblower Act | To apply tort caps
  - Working on a draft the Senate is comfortable with.
- IG-06 APA | Standard of review for local government under Administrative Procedure Act
  - APA legislation is dependent on whether or not Chairman Chaney moves forward with his legislative proposal to completely restructure the act. A meeting is scheduled for later

- in the day with Chairman Chaney. More information will be available at the next meeting.
- JPS-03 Odyssey Fees | Collection of certain misc. fees in Odyssey including pre-trial juvenile supervision & JPS-04 Pretrial Release | Technical corrections of collection of fees for adult pretrial release
    - Kelli Brassfield is working with Twin Falls County Clerk Kristina Glascock and Representative Hartgen. Purple slip is signed and ready to go to LSO. Judge Wood had some concerns with the draft legislation. Those concerns have been addressed in the current draft. Ada county is currently reviewing. It appears a few more sections may need to be added to be amended. The final draft is almost ready, and it is sitting in a good place.
  - IG-08 Write-in Deadline | Change write-in deadline to 7<sup>th</sup> Friday
    - Representative Troy and Senator Souza have agreed to sponsor and carry the bill in their respective chambers. There are some issues in the current draft that still need to be discussed such as Representative Troy's desire to add in individuals filing for state and county offices should pay a filing fee as other offices do. This Draft also includes special purpose districts; this concern has been addressed, however. Senator Souza does not want to go back as far as 7 weeks prior to the election but would prefer a shorter window. Representative Troy believes 7 weeks is the most appropriate timeframe given the way the schedule works for military and absentee ballots.
  - IG-14 Vehicle Titles | Increase county assessor share of title fees
    - IAC has been in close conversation with ITD. They have raised some concerns that there would be a steep cost to the DMV. ITD suggested the cost could be \$2.8 million. This legislation needs more vetting before it can move forward. A conference call with IAC, ITD and some Assessors representing IACA to be scheduled in the coming week. It is not likely this bill will advance without ITD support.
  - IG-04 Homeowners Exemption | Bring back indexed exemption
    - This will be a really tough sell. The house has laid down the law that they are not interested in anything that would create a tax shift. There is some discussion about capping market value increases for taxation purposes. This is being actively worked on by a number of people, but there isn't a clear path forward at this point in time. Circuit Breaker legislation is gaining some traction. A bipartisan group is looking to adjust the thresholds for the Circuit Breaker. There will likely be some progress there.
  - PL-01 IDL/County Roads | Maintenance of county roads w/easements on IDL Lands
    - This will likely be a non-legislative resolution. There may be a path forward working with IDL to potentially create an MOU to resolve the issue. The Governor's office is committed to finding a resolution. There may be Supreme Court case that could work against us. A meeting with IAC and IDL and their DAGs is being scheduled to discuss options. There is likely a path forward for existing roads. However, roads that need to be diverted or expanded into new areas may be an issue.

### Other Legislative Update

- IG-01 Local Option Tax
  - IAC has had several conversations with legislators. The Speaker of the House and Representative Moyle appear to be open to the possibility provided there are certain parameters in place. 1. A two thirds vote 2. Dedicated to specific infrastructure projects

- (in this case, it would be jails), 3. At least 50% of the proceeds would be dedicated to property tax relief, and 4. Require a constitutional amendment. The latter item would make passing a local option sales tax extremely difficult to pass. There is daylight, but it's an uphill battle. Senator Rice said he would not hear a local option tax bill this year. He wants to address property tax relief first before hearing anything regarding infrastructure needs.
- IG-10 Uncontested City Elections
    - A final draft has been sent to Nez Perce County Clerk Patty Weeks for review. Upon approval the purple slip can go to LSO. Senator Souza has agreed to carry the bill in the Senate.
  - IG-13 Marriage License Clarification
    - IAC has been in discussion with the Governor's office who have already written legislation and are taking the lead to remove "department" altogether so it will be entirely up to the counties; there will be no need to clarify any more.
  - IG-02 Security of Ballots
    - It is drafted in its final form. Senator Souza has agreed to carry this bill in the Senate. The purple slip ready to go to LSO this week with the others.
  - JPS-06 Clerk on Magistrate Commission
    - Chairman Lakey has draft in his possession. He is fine with the draft. If he doesn't carry it, Senator Lodge said she would. The purple slip is ready to go. Representative Troy has agreed to carry the bill in the House.
  - Transportation
    - H0308 Handheld devices, restriction ban | *Sara Westbrook, Policy Director*
      - This bill is sponsored by Representative Joe Palmer. It would revoke local authority from adopting ordinances from restricting or prohibiting hand held devices while driving. It would ban distracted driving. The definition of distracted driving is not in the statute and is very vague. He is open to discussion on the matter.
      - Vaughn Killeen: while the first part of the bill is a good idea, distracted driving is unenforceable and therefore not very practical. Senator Winder's bill is more pragmatic and more likely to prevail.
      - The legislative committee will continue to monitor House Bill 308. A position will be taken at a later meeting.
    - H0309 Budget stabilization fund | *Seth Grigg, Executive Director*
      - This is an effort to create a funding mechanism for state and local roads that would leverage excesses in the state general fund to help pay for projects. It would essentially create an economic recovery account, and use the interest proceeds from the account to fund state and local roads projects. It is estimated it would receive at least a 5% return on investment. If the fund grows to \$500 million, which would be equivalent to about \$25 million per year for projects. The money would be allocated 60% to state projects and 40% to local projects.
      - The problem is with the local fund distribution. ACHD would get 17.5% of the money. The rest would go to LHTAC for a competitive bid process. This bill has already passed through the House Transportation Committee. It will likely slowdown in the Senate where there will be a more deliberative conversation about how to allocate the money to locals.

- IAC believes a fair way to distribute the funds to locals would be to follow the Highway Distribution Account model: 30% would go to cities for a competitive grant program, 70% would go to counties and highway districts for a competitive grant program. IAC recommends supporting the bill, and working with the Senate to make sure the local distribution of the funds is fair to counties.
- *Canyon County Commissioner Tom Dale moved to support House Bill 309. Nez Perce County Commissioner Doug Zenner seconded the motion. The motion carried.*

## Other Business

Seth Grigg discussed Property Taxes and Medicaid Expansion.

- Legislators are adamant about providing meaningful property tax relief. IAC will have to be proactive in finding solutions that provide property tax relief, but also recognize local governments need to be able to fund their operations.
- The house focal point is on new construction. If Rep. Moyle were to have his way would eliminate new construction and foregone and operate year-to-year under a 3% cap. The rest of the body isn't quite there with the firm 3% cap, but there is interest in finding a way to restrict local government budget growth with the belief this would help provide property tax relief.
- There have been talks in both chambers that if there isn't any resolution that provides meaningful property tax relief, the legislature will freeze property tax increases for 1 year while an interim committee meets to develop a comprehensive package to bring to the legislature in 2021. It's in IAC's best interest to avoid an interim committee, and find a solution this session. IAC will likely create a working group of elected officials in the near future to discuss this issues and get answers on the table before February.
- Medicaid expansion is complicating the issue. The Governor said he would like the counties to forego \$8.5 million dollars to help pay for Medicaid expansion. The house is looking to take the money from revenue sharing. One option to promote: instead of losing those revenue sharing dollars, leverage any savings from Medicaid expansion for local tax relief, which is estimated to be about \$10 to \$12 million.
- Josh Tewalt, Director of IDOC, presented to JFAC yesterday that IDOC would like to flatten the fee IDOC pays to counties for housing inmates in county jails from \$55 for the first seven days, and \$75 days thereafter to a flat \$60 per day fee for FY2021 and then \$65 starting in FY2022. He appears to have the Governor's support. This will further impacts county budgets as IDOC continually leaves inmates in in county jails beyond 7 days.

*Nez Perce County Commissioner Doug Zenner moved to adjourn the committee meeting at 11:40 am. Idaho County Assessor James Zehner seconded the motion. The motion carried.*

The meeting was adjourned.

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# IAC Legislative Committee

## MEMBERSHIP

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### CHAIR

Justin Baldwin  
*Gooding County Assessor*

Brad Wills  
*IACA: Twin Falls Assessor*

Tracie Lloyd  
*IACT: Canyon Treasurer*

Lucky Bourn  
*ISACC: Minidoka Coroner*

Tom Dale  
*District 3: Canyon Commissioner*

Doug Zenner

*IACC: Nez Perce Commissioner*

Bryan Taylor  
*IPAA: Canyon Prosecutor*

Dan Dinning  
*District 1: Boundary Commissioner*

Don Hall  
*District 4: Twin Falls Commissioner*

Brent Mendenhall  
*District 6: Madison Commissioner*

### VICE CHAIR

Donna Peterson  
*Payette County Treasurer*

Carrie Bird  
*IACRC: Clearwater Clerk*

Kieran Donahue  
*ISA: Canyon Sheriff*

James Zehner  
*District 2: Idaho Assessor*

Craig Rowland  
*District 5: Bingham Sheriff*