

IAC Legislative Committee

January 17, 2024 | 10:00 am – 12:00 pm MST

700 W. Washington St. Boise, ID

MEETING MINUTES

Call to Order | *Chair Don Hall*

Nez Perce County Commissioner Doug Zenner motions to approve minutes, Valley County Commissioner Sherry Maupin seconded. Motion is carried.

Prioritize Resolutions (Action)

- **IGA-05:** Hospital Exemption Proposal. Been looking at the Utah model that has a lot of promising language that emphasizes the community benefit. Hopefully by the next meeting, there will be updated language. Other legislators are very interested in this particular issue so there should be some strong support.
- **IGA-07:** Disagreement from legislative stakeholders of what should be in the bill. Conversations being had to address those disagreements. A modified version of last year's bill by Rep. Young is going to be brought forward. Hoping to compromise between multiple proposals.
- **EMS:** Lots of meetings with panel that are doing the EMS presentation. Monday, Jan 22nd from 3:30-4:30 in Lincoln Auditorium. Panel is made up of a group of EMS folks and a county commissioner. Funding needs to be discussed. The biggest ask is for funding, and the funds have not yet been solved. Potential to tax ski resorts in order to provide funding for EMS. Counties have jurisdiction on impact fees, and they have one included for EMS. There is \$1 added onto vehicle registrations that goes to EMS, but doesn't provide enough for services (user fee).
- **JPS-04:** Conversation to increase 911 fee from \$1 to \$3. The Communications Commission tried to do something similar for a while and it never happened. At the moment, no plan for spending the money as no conversations have been had around it. Need to come up with a plan on how to spend the money after the fee increase. It has been suggested that a review of Washington's communications systems could be beneficial. A draft was done by LSO to increase the fee to \$2. \$1 would go to the county, and the other \$1 would go to the commission. IIAC has a plan on spending in the draft. Lots of work to be done on it, but more information is coming in. Big question is, what will it cost? Originally communications commission efforts were turned down by the Governor so it never happened. Mentions that a new 911 system would cost a lot of money, so emphasizing that cost can help clarify why a fee increase of at least \$1 is necessary. Mentions being able to do this in conjunction with the broadband expansion would prove to be very efficient. County's need money to improve these communications to improve old technology. The \$1 has been in place since 1988 and hasn't been adjusted since.

- **PL-02: Energy Sighting.** The updated draft will be scaled back significantly, as adjustments are made. Federal government has been willing to work with counties to help on this issue. Updated draft will help bring together and reference other statutes. Hope to accomplish the permit side of things is that the developers will at least be involved if the federal government won't be. Twin Falls county among others in that area have a solid and robust approach with their ordinances. Feds have worked with Wyoming under their ordinance, so that relationship between the federal, state, and county governments could also be a good model to analyze. Disadvantage in Idaho because the State of Idaho doesn't seem to have that relationship with the counties and feds. Working to try and get in with the new director of BLM to build a relationship. New developers wanting to develop in Idaho see that it is important to collaborate with local governments so that is beneficial as well.

Updates

- **Public Defense/Child Protection:** Statute has that counties take care of this issue, but collaborating to find out where the funding is going to come from. Half of the funds can come through federal grants, but where does the other half come from? Taking a look at discretionary funding in the department of health and welfare could be beneficial. Navigating with stakeholders to find a solution.
- **HB292:** Trying to identify language to advance 292. Two ideas that could remedy administrative problems if a consensus is made. Homeowner tax relief, additional tax relief, school district fund. \$50 million can be split between school district funds and homeowner tax relief. Amount of tax relief can't be calculated until all tax levy's have been made. No change to the taxpayer, but it will make the administrative side of things easier. Goal is to try and have something introduced before the end of the month.
- **Homeowner Exemption:** No update as of now. May be pulled or put to the side until new language from realtors.
- **Vape Tax:** No update except that some legislators are still very passionate about moving forward with this Vape Tax. They understand that it may need to wait until next year. Mentions that pushing hard on this vape tax is important and not giving up because it is an election year. Advocation will continue, but limiting factors of no bill introduction creates a large barrier, regardless of discussion and pushing for this tax. Pushing it too hard this year could maybe prove to be detrimental to the future success of this Vape Tax. Homework to be done in the meantime.
- **Agland Preservation:** No update on this. Waiting for a new draft from the Farm Bureau as they are adjusting draft to the concerns that were brought up. Big concern surrounding 'hobby farms' and that they should not be included in this. Minimum acreage proposal is important to include. Mentions that the term "hobby farm" should not be used for small farmers as there are small acreage farms performing real agricultural efforts. The Farm Bureau is sensitive to this issue and is trying to address it. Specifications and definitions around what farms can qualify for ag-land preservation need to be thorough and detailed. Agland exemption and Agland preservation are two different things. Draft circulated last week sets up a process that makes it easier for lands to set up a preservation area but also incentivises farmers to do this. Some farm owners want to preserve their land in the short term, but don't want to commit to long term preservation, so this is providing an in-between. Big exemptions already given to farmers that get shifted on residential areas, so there is concern around shifting and preventing taxes even more-so. Consensus for Agland preservation is important, but may prove to be too much for this session in particular, but remain to stay engaged as it will be in discussion.
- **Public Works Contractor License:** \$50,000 or less to hire an unlicensed contractor. Proposal to raise this to \$100,000. Language is being adjusted to conform to a resolution.

- **County Travel Tax:** Reallocate 2% but this has run into some strong headwinds. How do we leverage existing revenue to mitigate impacts of tourism in Idaho. Continue to work with Senator Harris on this issue.

New Legislation

S1217 – Vacated Road/Right of Way

- Litigation in Bonner county about vacation of a right of way. Bill establishes that you can't vacate a right of way to access state or federal land without establishing another access point to that land. Mitigating this particular proposal to try and not introduce additional responsibility for road and bridge is important.

S1227 – Patient Medical Rights Act

- Pull for now. Personal bill (bills that legislators want to introduce on behalf of constituents to show they are working on a particular issue. Done as a courtesy to legislators).

HO390 – City and County Officers

- Bill that recently was introduced related to statute investigation of county officials. Pre-existing statute that authorizes attorney general when a complaint is made against a county official to investigate. Three changes that want to be made. Biggest change would bring city officials under the same umbrella. The second change would be on page 1, lines 29-30, language has been stricken; under existing statutes allegations of open meetings are exempt, allegations can't be made. This would give the attorney general jurisdiction over open meetings. Looking for feedback on this, and what position to take. Mentions that Bonner County has a lot of complaints at the attorney general office. Fair to ask AG if this is something they want to deal with (lots of complaints are made about meetings). Better understanding of why the open meeting law is being brought in. Mentions that current open meeting law is convoluted and there is confusion about what is trying to be accomplished. Page 4 of the bill an issue has been flagged at subsection 17, starting on lines 16-20, it broadens the authority of attorney general. Mentions that local people deal with this rather than it be turned over to attorney generals. Some perspectives highly emphasize that keeping it within local control would be better. Further discussion to be had for more clarity.

Minidoka Commissioner Wayne Schenk makes motion to oppose 2 sections of bill HO390 that relate to counties. Nez Perce County Commissioner Doug Zenner seconds the motion. Motion passes, none opposed.

HO392 – Health Districts

- No official motion to oppose, although there is opposition discussed. Vagueness is an issue. It is being left alone for now, and will take on things that may prove to be more important. Executive council of some counties may weigh in because of a particular language that was stricken out (*The word "All" replaced with "necessary and reasonable"*). Awaiting to see what exactly may happen, but keep eyes out for progress being made forward. Mentions that some bills like this are a fallout of COVID-19.

H0396 – Prohibition/Mask Mandates

- Pull for now. Personal bill (bills that legislators want to introduce on behalf of constituents to show they are working on a particular issue. Done as a courtesy to legislators).

SCR110 – COVID19 Study Committee

- Pull for now. Personal bill (bills that legislators want to introduce on behalf of constituents to show they are working on a particular issue. Done as a courtesy to legislators).

Domestic Water

- Most recent draft was sent out. There is still a lot to work through and some of the issues raised by county commissioners relate to what the appropriate threshold is to require a subdivision to implement

a community well. Does the cost outweigh the benefits at a certain point? Bigger issue yet to be resolved is over mitigation. Framework must be in place to mitigate. Language specifies that within 1 mile there must be compatibility upon annexation. Grandfathering in existing development. Cities do not force annexation currently. Complex issue and resolution is unsure to be made. Conversation about annexation needs to be had in the future. This is also surrounding community wells. Much more to come on this, but there is concern surrounding this.

RS30848 County Option Electrical Plumbing

- Inspections on electrical and plumbing. Counties in Idaho are not authorized to perform inspection of electrical and plumbing. This proposal would grant counties the authority to do these inspections. It is optional, so counties can choose whether or not they want to do this. Awaiting introduction.
Chairman Don Hall motions to support the county option electrical and plumbing draft as presented, Brent Mendenhall seconds. The motion passed, none opposed.

Idaho Launch

- Potential impacts on counties that were unanticipated due to Idaho Launch being more popular than anticipated. Significant impact in added district tuition expenses. Legislators are looking for a path forward, and is being flagged going forward. The Governor's office is aware of it and Lt. Governor wants to find a solution for this. Concern for counties that are currently funding this via taxpayer money. Potentially \$500 a semester up to 4 semester financial responsibility for every county outside of community college areas.

Open Discussion

- Bill introduced this morning (Jan 17, 2024). Idea is to help crack down on people claiming multiple homeowner exemptions. Penalty is to pay tax and also pay a fine. Second offense is misdemeanor. Language has not been seen yet. Bill # is not known yet.
- Request made for IGA-06 to become a priority. To do this, we would have to pull another priority. Reprioritize discussion to take place.
- District 1 meeting mentioned that Kootenai county lost a recent lawsuit. This will go to the IAC board.
- Interesting conversations around regulating cell phone towers and some opposition to it. Cell towers are a hot button issue at the moment, especially around 5G towers. The 1966 Federal Communication Act still ties hands for counties on this issue.
- Ongoing discussion around homeowners exemptions and prorating. Essentially what was talked about last legislative session.
- Establishing a mandatory minimum for fentanyl. Expecting to be heard in committee on Friday at 1:30.

IAC Legislative Committee

MEMBERSHIP

***MEMBERS HIGHLIGHTED WERE IN ATTENDANCE**

CHAIR Don Hall <i>Twin Falls Commissioner</i>	VICE CHAIR Tom Dailey <i>Ada Commissioner</i>	
Luke Omodt <i>District 1: Bonner Commissioner</i>	Mark Bair <i>District 5: Bingham Commissioner</i>	Annette Dygert <i>LACT: Owyhee Treasurer</i>
Tom Lamar <i>District 2: Latah Commissioner</i>	Brent Mendenhall <i>District 6: Madison Commissioner</i>	Vic Pearson <i>IPAA: Franklin Prosecutor</i>
Sherry Maupin <i>District 3: Valley Commissioner</i>	Hollie Ann Strang <i>IACA: Gem Assessor</i>	Kieran Donahue <i>ISA: Canyon Sheriff</i>
Wayne Schenk <i>District 4: Minidoka Commissioner</i>	Doug Zenner <i>LACC: Nez Perce Commissioner</i>	Scott Carver <i>ISACC: Valley Coroner</i>
	Kim Keeley <i>IACRC: Teton Clerk</i>	

ALTERNATES

Phil Lampert <i>District 1: Benewah Commissioner</i>	Donavan Harrington <i>District 5: Bingham Assessor</i>	Tracie Lloyd <i>LACT: Canyon Treasurer</i>
Justin McCleod <i>District 2: Lewis Commissioner</i>	Shayne Young <i>District 6: Jefferson Commissioner</i>	Vacant <i>IPAA:</i>
Zachary Brooks <i>District 3: Canyon Assessor</i>	Josh Dison <i>IACA: Elmore Assessor</i>	Andy Creech <i>ISA: Payette Sheriff</i>
Ben Crouch <i>District 4: Jerome Commissioner</i>	Angie Barkell <i>IACRC: Owyhee Clerk</i>	Pam Garlock <i>ISACC: Boise Coroner</i>

***More attendees listed below**

IAC Staff

Seth Grigg
Sara Westbrook
Kelli Brassfield
Chase Christensen

Others

Lorna Jorgensen
Brad Willis
J Locke