

IAC Legislative Committee

February 7th, 2024 | 10:00 am – 12:00 pm MST
700 W. Washington St. Boise, ID

MEETING MINUTES

Call to Order | *Chair Don Hall*

Madison Commissioner Brent Mendenhall motioned to approve the January 29th, 2024 minutes. Vice Chair Tom Dailey seconded the motion. Motion passed, none opposed.

Prioritize Resolutions

- **IGA-05 Hospital Property Tax Exemption:** Bill has been drafted by legislative services. Currently in the midst of conversations with the hospital association. Hospital committee has had the draft shared with them and were asked to provide feedback and comments (reasonable changes and requests, followed with good rationale). Conversations have been held with the Executive director of the hospital association and have stated that they are having a hard time getting through the first few changes of the bill. Definition of what a hospital is, what constitutes improvements, construction changes, etc., and concerns that these definition changes will affect their exemption status. Follow-up with Chairman Monks later this week to discuss changes and timeline of the introduction of the bill.
- **IGA-07 Area of Impact Agreements:** Trying to work over some disagreements at the Capitol surrounding the process of annexation into a city where there may be an overlapping area of impact. No new updates other than that.
- **JPS-02 Emergency Medical Services:** New draft included in this week's materials. Removes EMS bureau from under DHW to OEM and establishes EMS as an essential service. It also states that the county be responsible for coordinating that EMS services are available and also establishes a medical services fund, but funding must be appropriated through JFAC. The purpose of the established fund is to help the counties provide necessary services required (minimum amount for each county \$200,000), and depending on a formula that the bureau comes up with, it could ramp up.
- **JPS-04 Increase 911 Fee:** On schedule tomorrow to have a print hearing and finalizing a sponsor for the bill today. Still need information from some counties, so the quicker that information is received, the better (911 fee survey sent out last week is the best way to get the information to IAC).

IAC Policies

- **County Travel + Convention Tax:** Increasing travel tax on visitors from 2% to 4% and giving that extra 2% back to counties to mitigate effects of tourism and travel on counties. Hospitality Association has been clear that they don't want to open up the statute to the tax and are concerned that if it is opened up to the legislature, they will try to decrease the tax rather than increase it. Rep. Blanksma has been clear that she will not bring a bill to the floor that raises a tax during election year, but is open to adjusting existing tax structure to divert more funds to counties to help mitigate (separate the existing fee, i.e. 1% to state and 1% to counties). Likely to see opposition from the Hospitality Association and cities. If a compromise is made this year, then chances of opening this back up in the future become slim. Changing or pivoting for a different approach in the future may also present other challenges and actors. Sentiment to focus on this in the interim, and come back next year, as so to give the 911 fee a greater chance to see success this year.

Owyhee Treasurer Annette Dygert motioned to keep County Travel and Convention Tax as an IAC policy, and not move it up to a priority. Nez-Perce Commissioner Doug Zenner seconded the motion. Motion passed.

- **H0406 Fentanyl Mandatory Minimums:** Quick update. It has cleared the House and appears to be on an easy path as of right now.

Updates

- **Public Defense/Child Protection:** Positive news. The Tucker lawsuit was dismissed yesterday by the district judge in Ada county who was overseeing the case. Essentially, the argument was made that the State has charted a new path and the State should be allowed to go down this new path. Judge also issued a decree from the bench which establishes that the State can never give public defense back to counties. A copy of the decree will be available to members. This strengthens the ability to move forward with this. Necessary language still remains included in the bill, and new conversations around guardian ad litem are being had. This is a priority for Senator Abby Lee. Currently a matter of creating a statutory framework to get this administered. The problem of salaries, employee leave, etc. are in discussion and being navigated. This is due to the discrepancy between an employee from elsewhere becoming an employee for the state and essentially starting from "ground zero" and cuts in pay and leave, etc.
- **HB292 Cleanup:** No new update from last week.
- **H0413 License Plates Expiration:** Concerns about 10 year licenses plates going away as well as county designators on plates, however, after robust discussion with ITD shared that a robust joint making discussion would be had before any of these things were moved forward. Regardless, there are good checks and balances to protect county designators status.
- **H0425 Flood Plain/State Disaster Preparedness (SUPPORT):** Awaiting committee. After this meeting, we may move this to a monitor status to see how things are proceeding.
- **H0440 Tobacco Products and Electronic Smoking Devices/Vape (SUPPORT):** Rep. Raymond, who is the sponsor, stated that he is working on a new version of this bill. It has not been seen yet, but the language is being worked on.
- **Domestic Water:** There was a lot of activity last week on this, but a bill still has not been introduced. Currently in Rep. Blanksma's hands. Opposition from well drillers and builders. There are a wide variety of actors that can make this issue difficult to compromise on. Strong, opposing opinions bring a lack of advancement on this bill.

New Legislation

- **H0414 Motor Vehicles Driver's Licenses:** Sheriffs have taken an opposed stance on this and they are expecting a revenue impact. This bill would allow CDL renewals to happen online and in doing so, it is \$5 cheaper. Counties still have to maintain offices staffed and opened, but there is a growing movement to move renewal processes online. However, this presents barriers to rural communities and counties that may lack internet access and it may introduce lengthy travel for those individuals. Counties also highly value gaining and sustaining CDL drivers.
- **H0443 Division of Occupational and Professional Licenses:** Establishes a threshold of up to \$100,000 and can do the work without licensed contractor doing work, but remains needing a licensed supervisor if the threshold is past \$100,000.
- **H0444 County Property:** Heard in the House Local Government Committee yesterday. U.S. Supreme Court Case last spring that had some counties, when a home went into a tax deed property, the counties were keeping the additional property funds after it sold the property. Idaho does not allow this, but they feel they found a loophole in current Idaho statute that could potentially allow this to happen. This is meant to address and insert language to clean up this loophole.
*This would not impact FEMA mitigation land. This language would not apply 'retroactively' either, so counties can still transition those lands as needed.
- **H0449 Property Taxes Government Entities:** On homestead exemptions. Makes it so that when someone is claiming more than one homeowners exemption, they can be penalized. Newer language offers an appeal process if that is necessary. This does not address the issue of multiple homes being in separate names (i.e. spouses owning homes in two different counties and each home being under a different name). Enforcement is via a fine paid through notice sent out by the assessor. If it happens again within 7 years, the Assessor goes to the County prosecutor and it is taken from there.
- **H0470 Office of Elections Crimes and Security:** Would create a new office under the Attorney General. It would focus on monitoring election code violations, it would oversee a voter fraud hotline, etc.
- **H0473 Ag-Protection Area Update:** This is the Farm Bureau bill discussed since the beginning of the session. Braden Jenson, Farm Bureau lobbyist, has committed to not advancing the bill until the issues that have been discussed in previous meetings are worked through with us. The Farm Bureau has pulled any reference to taxation from the bill. The current bill is focused on preserving land via voluntary process. Some provisions need to be worked through, such as county regulations (i.e. change in land use), that doesn't allow the county to become involved in those land changes and those are being addressed.
- **S1244 Electioneering Activities:** Secretary of State's office has worked with clerks to get the language right on this bill. Would make electioneering only possible from, at minimum, 250 feet from a polling place. If there is a violation, the first two are infractions and a \$300 fine. A third violation would become a misdemeanor (no timeline given on violations).
- **S1247 Crisis Response Holds:** In regard to individuals' with neurocognitive disorders (dementia, alzheimers, etc.). Allows peace officers to take these individuals experiencing a crisis to a hospital to receive treatment. Sheriffs support this bill, but prosecutors do not because of concerns around 'due process'.
- **S1256 Elected Officials:** Establishes that if you are an elected official, you cannot have been convicted of a crime or serve jail time. Simple straightforward bill, but could potentially have broader implications. The

language specifies that it doesn't stop someone from running the 'first' time, it is when they run for 'reelection'. It applies to an elected official in a governmental entity.

- **S1258 Public Rights-of-Way:** This bill will get out soon to Road and Bridge in counties. Administrative challenges in dealing with this bill. Process of vacating rights-of-way. This is a reprint of S1217, with new language. Bill essentially states that if a county vacates a public land or water way, you must provide similar access to that public land or water way. Law doesn't address federal ownership. There are a wide-variety of implications for counties.

Owyhee Treasurer Annette Dygert motioned to oppose S1258. Nez-Perce Doug Zenner seconded the motion. Motion passed, none opposed.

- **S1264 Annexation by Cities:** Annexation issues are typically very city-centric, but wanted to flag this so counties would be aware of a provision in the bill that relates to 'notice to counties'. This bill includes language to notify the board of county commissioners as part of the process of annexation. The crux of the bill basically amends the entire process for annexations to occur.
- **S1265 Local Government Audit Requirements:** Increases minimum audit requirements. Currently, less than \$150,000 does not require an audit. This bumps thresholds to under \$200,000 and bumps threshold for bi-annual \$250,000-\$300,000.
- **MDD356 Next of Kin Database (SUPPORT):** Allows individuals who go in to get a new driver's license, to provide voluntary information for who is 'next of kin' in the case of an emergency. There will be the creation of a procedure to opt-out if an individual originally opted in. Definitions around 'next of kin' to be refined.

Madison Commissioner Brent Mendenhall motioned to support MDD356 'Next of Kin Database'. Nez-Perce Doug Zenner seconded motion. Motion passed, none opposed.

- **RCB238 Local Economic Development:** Big topic to address over the next few weeks. Lots of actors have been involved in this discussion. Gives local governing body ability to dissolve an urban renewal agency at any time provided that there aren't any outstanding bonds to be paid. Issues begin in page 5 of the draft, a provision that grandfather's original urban renewal districts in Boise that have no provision for expiration. Another issue emphasized is in page 7 of the draft, agricultural or single family residence to be included in a revenue allocation area. Another issue is in regard to some language on page 16 of the draft, which essentially allows for new revenue allocation areas after July 1st, 2024 in relation to tax districts.

Monitoring

- **RS30848 County Option Electrical/Plumbing (SUPPORT):** No updates.
- **Homeowners Exemption:** No updates.

Open Discussion

- No further discussion this week.

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>IACC: 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

More

Brad Willis

Lorna Jorgensen

Jeff Lavey

