

## IAC Legislative Committee

February 28, 2024 | 10:00 am – 12:00 pm MST

700 W. Washington St. Boise, ID

### MEETING MINUTES

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#### **Call to Order** | *Chair Don Hall*

*Minidoka Commissioner Wayne Schenk motioned to approve the February 21, 2024 minutes. Madison Commissioner Brent Mendenhall seconded. Motion passed.*

#### **Prioritize Resolutions**

- **H0658 Hospital Property Tax Exemption:** Lots of opposition after it has been printed, and some entities believe they may be included in the hospital definition now, when they were not before and have raised concerns about this changing their current process too much. The New Chairman is not keen to hear this bill either, and has issues with it as well.
- **IGA-07 Area of Impact Agreements:** The cities were possibly going to give in on a few things, and if they do, there could be a path forward this year, but confirmation has not been officially received yet. Optimism is growing though.
- **JPS-02 Essential Emergency Medical Services:** Updated draft sent out in the committee materials on Tuesday. Only a handful of sections affect counties, and feedback has been given to the bill sponsors. For counties, a July 1st, 2024 implementation date is currently what is stated in the bill. If money does not get allotted to the fund this year, then there has been a request to delay until money can be allotted into it.
- **H0530 Emergency Communications Fee:** Been working with Andy Creech and others with 911 fee. Meeting with providers who oppose our bill as written (see the fee as too steep). Decided to hold off on this bill for this year until more details can become ironed out. A presentation is planned for the judicial and rules committees to show the impacts across the state and why the increase is going to be necessary in the future. Also going to create a working group over the interim with the individuals involved so far. Efforts will be made to drill down into audits and ensure that each county is receiving the amount that they are supposed to be. According to the 34 counties that have responded to the survey, \$20,000,000 are being received (in reality it should be approx. double this amount).

#### **IAC Policies**

- **County Travel + Convention Tax:** Not a whole lot of movement since last week. Total travel and convention collected in 2018 was \$13 million, and in 2023 it was \$21+ million. The tiered approach is still the current idea to eventually reach a 50/50 split over time.

## Updates

- **H0406 Fentanyl Mandatory Minimums:** Governor signed this bill and Fentanyl is now under mandatory minimums. It goes into effect July 1st.
- **H0508 PERSI, Rule of 80 (SUPPORT):** Currently being run by the sheriffs. It passed the House, with a 70-0 unanimous vote. It will be heard in the Senate commerce committee either Thursday or Tuesday, and currently see no reason why it won't continue to move through.
- **H0517 Freedom of Religion, Speech, and Action (OPPOSITION):** Met with bill sponsors, both of whom were open to amendments. ICRMP is concerned about any sort of amendments at this point and about it moving forward, so trying to navigate a path forward is still in the works. Strategizing will continue.
- **H0519 Critical Infrastructure (monitor):** This bill is not going anywhere, so we don't need to worry about it.
- **H0521 Taxation, School Facilities, and Funds (SUPPORT):** Has passed the House. Probably will see this in the Senate next week.
- **H0571 Public Works Exemptions (SUPPORT):** Passed the House yesterday, and is on to the Senate and appears to be doing well. It will likely be moved to monitor for now. 67-0-3 vote (3 absent).
- **H0588 Public Records Request Deadlines (SUPPORT):** It passed 66-2-2, in the House and will be moving on to the Senate.
- **H0593 PTO for Employees Hired by State Public Defender (SUPPORT):** Rep. Weber and Eric Fredericksen meeting introduced no issues with the vacation component of it, but there are issues with the sick leave component, since the counties and the state differ in how they do a vacation and sick leave system. Will continue navigating, and it will likely be heard at the end of this week or early next week.
- **H0608 Agricultural Protection Areas:** Working to get an amendment to the bill to allow for limited use of condemnation in the event that you would have to expand an existing right-of-way, and other than that, it seems like there is broad support for the idea of this bill.
- **H0624 Commercial Property Assessed Capital:** After further research, this bill doesn't appear to be unconstitutional, because it doesn't rely on bonding on county or city. This bill doesn't really affect any other taxpayers, and it has actually proven to be a really effective tool all over Idaho upon further investigation. Overall seen as a benefit of the counties. Up to the county to be the tax collecting entity, or it can either be done through a third party. Regardless, the county doesn't have to do this, the choice exists. If a county opts in, it goes on the tax-notices for just that particular property (as a special), not on a general tax notice.
  1. *Valley Commissioner Sherry Maupin motioned to support H0624. Valley Coroner Scott Carver seconded. Motion failed.*
  2. *Gem Assessor Holly Ann Strang motioned to remove the opposition stance from H0624, and move it to monitor. Owyhee Treasurer Annette Dygert seconded. Motion passed.*
- **S1258 Public Rights-of-Way (OPPOSITION):** Passed the Senate, but it is waiting on the House side.

- **S1304 Open Meetings Law (OPPOSITION):** Still no movement on this bill at the moment.
- **S1365 Next of Kin Database (SUPPORT):** Senator Harris has stated they are going to the amending order today. Language was updated to ensure that only law enforcement and coroners can only access next of kin database under specific circumstances, and not just under any investigation. Also added a “next of kin” definition in the language to provide clarity on what this means and who it entails. After amendments are made today, it will move to the 3rd reading calendar and there shouldn’t be any issues from there. There is an ‘opt-out’ provision, so it is optional.
- **S1367 Public Defense Guardian Ad Litem Fund (SUPPORT):** Senator Lee has brought forward this bill. This bill is moving through committee and further updates to come.

### New Legislation

- **H0564 Homestead Exemption Status Change:** Meeting with Rep. Burns, the sponsor, along with other members of the legislative committee. He is open to changes (not everything), but open nonetheless. New language has been added in section C, and put together this morning. Majority of the amendments Rep. Burns was open to changing, which has been very encouraging as this bill moves forward.
- **H0609 Workers Compensation:** Still assessing whether or not it is going to move forward. This bill would open up the workers compensation insurance market. At the moment, you are required to go with the State insurance fund, but this bill would allow the ability to go with private insurance. If bigger entities were to pull out, insurance would go up for everybody else who remained, so this would definitely impact smaller, rural counties. Further clarification to mitigate small counties moving forward.

*Minidoka Commissioner Wayne Schenk motioned to monitor H0609 and bring it back next week to discuss. Madison Commissioner Brent Mendenhall seconded. Motion passed.*

- **H0620 Knives Pre-emption (OPPOSITION):** Model legislation being used in other states. It was sent to the amending order due to concerns of how broad it was. It allows for courts to be in exception, but not jails, etc. This bill appears to be far-reaching in terms of rules and ordinances.

*Nez-Perce Commissioner Doug Zenner motioned to oppose H0620. Minidoka Commissioner Wayne Schenk seconded. Motion passed.*

- **H0625 Equalization of Assessments (OPPOSITION):** Rep. Eilers has heard the concerns and messages from county assessors. Confusion around redundancies in this bill are of main concern, along with conflicts between assessors, board of equalization, and state tax commission.

*Gem Assessor Holly Ann Strang motioned to oppose H0625. Minidoka Commissioner Wayne Schenk seconded. Motion passed.*

- **H0638 Strategic Initiative Grants, LHTAC (SUPPORT):** Strategic Initiatives Grant Programs that ITD was administering, which proved to be a lot for ITD, so this would move the grant program to LHTAC. The bill sets up the program, but it doesn’t provide funding for the program. This will set up the system for money to be allotted through LHTAC, rather than ITD.

*Nez-Perce Commissioner Doug Zenner motioned to support H0638. Minidoka Commissioner Wayne Schenk seconded. Motion passed.*

- **H0646 Counties, Boundaries (SUPPORT):** Readjusting the boundary lines for District 1 counties. Counties that are involved support this bill.

*Bonner Commissioner Luke Omodt motioned to support H0646. Minidoka Commissioner Wayne Schenk seconded. Motion passed.*

- **H0651 Sheriff Reimbursement (SUPPORT):** Would allow reimbursement to county sheriffs if they have to get parolee and return them to respective custodies. Counties currently carry the burden of payment, but this would have the State reimburse the Sheriff's. Discussion has been largely focused on out-of-state situations, rather than in-state situations.

*Payette Sheriff Andy Creech motioned to support H0651. Bonner Commissioner Luke Omodt seconded. Motion passed.*

- **H0652 Signatures for Initiative Petitions:** Would change signature verification process for referendums and initiatives, and have them submit on a monthly basis, rather than all together at the end. Would allow clerks to verify along the way, rather than all at once.

*Bonner Commissioner Luke Omodt motioned to monitor H0652. Madison Commissioner Brent Mendenhall seconded. Motion passed.*

- **H0655 Illicit Substance Tracking Portal:** Establishes that the Department of Health and Welfare provides a tracking portal for illicit drugs. Department will create a process for logins, and counties can contract with the state and provide information on illicit drugs and have a centralized database. Mentions that there could be a high potential of the duplication of data since some counties already report this data within.

- **H0662 Electrical Code:** Small pre-emption bill. Adopts the 2023 national electrical code, with some exceptions. One exception being that no city, county, special use district, or local government entity should require an electrical car charging station.

*Bonner Commissioner Luke Omodt motioned to monitor H0662. Owyhee Treasurer Annette Dygert seconded. Motion passed.*

- **S1349 Guardianship, Conservatorship, & Protective Arrangements Act (OPPOSITION):** A 'repeal and replace' of the conservatorship and guardianship code. Concerns with the bill is that it doesn't mention anything about child protective cases, or new public defender acts (no reference to any statutes). Need to ensure that counties aren't put on the hook for payments in CPC cases, etc.

*Vice Chair Tom Dayley motioned to oppose S1349. Minidoka Commissioner Wayne Schenk seconded. Motion passed.*

- **S1370 Domestic Water:** Unsure about the prospects of this bill moving forward. Lot of concern raised by realtors, well drillers, developers, etc., around development outside city limits. Primary concern they raised was on a provision in a bill that would require a rural subdivision outside city limits of ten (10) homes or greater to have a community well, and what effect that would have on the cost of the homes in development. Increasingly appears that this bill won't have the support necessary to move successfully through this session.

- **S1371 Elections Filing Dates:** Would move primary election dates and candidate filing dates. Clerks don't appear to have any major issues with this bill, besides a small tweak that has already been discussed with Senator Guthrie.

*Madison Commissioner Brent Mendenhall motioned to remain neutral and monitor S1371. Bonner Commissioner Luke Omodt seconded. Motion passed.*

- **S1374 Concealed Weapons on State-Owned Property:** Would establish that private events, or events where an entrance fee is charged would allow those private venues to place restrictions in that particular area (concert, festival, etc). Otherwise, it remains that organizers could not restrict the carry of firearms if it is an area that is perpetually open or accessible to the public, if it doesn't require admission fees or cannot demonstrate that it is a private event. It appears that admission fees are used to indicate a private event in the language of the bill. Overall targeted towards events held on public property and the organizers ability to restrict firearms. Will monitor this bill.
- **S1377 Ballot Measures/Disclose Paid Signatures:** A bit of an 'FYI' bill. Ensures that potential signers of an initiative or referendum must disclose paid signatures. Clerks don't believe it will impact the way that they function. Monitor this bill.
- **HJR002 - Indebtedness Limits:** Not sure there is a path forward this year, but the fact that it is being printed is a big deal so we wanted to bring it to the attention of the committee. It would change indebtedness in the constitution from two thirds, to a lower rate. For a constitutional amendment, two thirds of the House and Senate body must pass in order to get it onto the ballot.

**Open Discussion**

- Hospital exemption: The New Chairman currently is not inclined to give it a hearing, but would like to see it simplified and changes made.
- Area of Impact: Senator Lakey drafting up a revised area of impact bill and it should be clear to get moving next week.
- Urban Renewal: Bill is being drafted and developed. Some concerns were raised and so the draft is to address those accordingly.

## IAC Legislative Committee

### MEMBERSHIP

\*MEMBERS HIGHLIGHTED WERE IN ATTENDANCE

CHAIR <b>Don Hall</b> <i>Twin Falls Commissioner</i>		VICE CHAIR <b>Tom Dayley</b> <i>Ada Commissioner</i>	
<b>Luke Omodt</b> <i>District 1: Bonner Commissioner</i>	Mark Bair <i>District 5: Bingham Commissioner</i>	<b>Annette Dygert</b> <i>LACT: Owyhee Treasurer</i>	
<b>Tom Lamar</b> <i>District 2: Latah Commissioner</i>	<b>Brent Mendenhall</b> <i>District 6: Madison Commissioner</i>	Vic Pearson <i>IPAA: Franklin Prosecutor</i>	
<b>Sherry Maupin</b> <i>District 3: Valley Commissioner</i>	<b>Hollie Ann Strang</b> <i>IACA: Gem Assessor</i>	Kieran Donahue <i>ISA: Canyon Sheriff</i>	

<p><b>Wayne Schenk</b> <i>District 4: Minidoka Commissioner</i></p>	<p><b>Doug Zenner</b> <i>IACC: Nez Perce Commissioner</i></p> <p><b>Kim Keeley</b> <i>IACRC: Teton Clerk</i></p>	<p><b>Scott Carver</b> <i>ISACC: Valley Coroner</i></p>

**ALTERNATES**

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

**IAC Staff**

- Seth Grigg
- Sara Westbrook
- Kelli Brassfield
- Chase Christensen

**More**

- Robert Berry
- Brad Willis