

IAC Legislative Committee

February 12th, 2025 | 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 February 5th, 2025 minutes, seconded by Vice Chair Tom Dayley. Motion carried.

Priorities

H0166 | Public Notices

- A full hearing is scheduled for this Friday in House State Affairs. Members are encouraged to talk to legislators in order to voice support for this bill to cross the finish line. There are many counties who no longer have local papers, who are required to publish in papers in other counties, where citizens are not even receiving those notices because they don't live in areas where that paper services. Other counties may choose to continue to publish in their local papers because that is what their community is used to. The point is that this provides counties more options that work for them.

IGA-07 | Consolidated Elections

- Some amendments were made that alleviated some concerns of particular legislators and we are hoping to have an RS soon.

IGA-10 | Tourism Tax + H0211 | 911 Grant Fee

- Active discussions have taken place with the House leadership team, and they are focused on allocating mainly to public safety. They aren't super interested in the fee going to roads/solid waste allocation, etc. It was emphasized that the House leadership team isn't proposing lowering county property budgets to the point that it would become a net-zero for counties. Another idea mentioned to the Speaker of the House, was to see if he is willing to work with us during the interim on a broader discussion on how county services are funded, and what the appropriate revenue source is for funding those services, to which he showed willingness towards. For context, Seth mentioned that in Utah, the counties can do a general 0.25 cent local option for county services, an additional 0.25 cent for transportation, and up to a 4.5% tax (transient lodging tax), among other tax structures. Recommendations were made to continue with what the House leadership team is currently interested in to at least get something to supplement county budgets in the meantime, especially considering that next year is an election year. Post H0389, looking at county property tax budgets, over the last 3 years the average for property tax budget increases has been 3.4%.

IGA-11 | Procurement / Responsible Bidder

- These are going to be two different bills, both have been RS'd. The Chair of Local Gov & Tax is aware of these bills coming as well.

IGA-13 | Public Defense Reform

- Continuing to have conversations, but it currently feels like a stalemate. The legislative branch is more in line with county concerns, regarding how the rollout of the public defense reform has gone. The executive branch believes it is more of a funding issue. Two different frameworks have been set forth as discussed in prior weeks. In simple terms, if they believe it is a funding issue, pay for it so the counties can get out. If they believe it is not just a funding issue, but more of a structural and implementation issue, then we need to work on strengthening the statute.

Policies

IGA-01 | PTR Benefit Increase

- Nothing new to report. Hoping that it becomes part of a broader property tax relief package. Senate leadership is supportive of a PTR increase, but the Speaker of the House isn't so much. As things stand today, there will likely be a homeowners exemption increase, but what the increase may be is unknown. We'll have to see how things continue to pan out.

IGA-02 | Youth Vape Prevention

- More updates to come next week.

IGA-12 | Allow District Boards of Health to Set Food Establishment License Fees

- At the moment, it appears that it won't get a print hearing. Statewide, about \$2.1 million is collected by counties, and taxpayers subsidize another \$2.3 million, so counties are collecting less than 50% of these fees. The fee will not be any greater than what the service will cost to actually provide.

H0130 | Hospital Property Tax Exemption

- The bill has been introduced, and it looks like it may get a hearing this time. It will likely be a close vote if it is granted a hearing in committee. Realistically, the hearing will probably be next week.

H0206 | EMS

- Introduced earlier this week. There wasn't much discussion on the bill in the committee.

H0207 | EMS Trailer

- H0207 is together with H0206.

S1101 | Coroner Duties, Definitions, Standards

- Currently on a good track and was introduced earlier this week and will be heard on Monday in the Senate Jud and Rules committee.

H0143 | Solid Waste Disposal Responsibility

- This has a bill number, H0143, and has grabbed the attention of some folks. IACI opposed at Republic's request, but showed interest in visiting with us to find a way forward on this issue.

Updates

H0014 | Idaho Code Cleanup

- Will be pulled from the agenda. It has been passed.

H0018 | Electric Vehicle Building Code (SUPPORT)

- Awaiting a hearing, there is a newer version. Updates to come.

H0101 | Public Rights-of-Way (OPPOSE)

- Still awaiting a hearing. An official letter of opposition will be sent out to the committee from Owyhee county.

H0104 | Agricultural Buildings (OPPOSE)

- As is, they are unwilling to make any changes to it. This passed the House yesterday, and will likely move through the Senate. The argument is that agricultural buildings are currently exempt from permits. As discussed last week, certain barns or other ag buildings have been modified into residential buildings afterwards.

H0106 | County Fair Boards (OPPOSE)

- In the Agricultural committee, there wasn't too much agreement with IAC's position on it. For Canyon and Ada counties, it would be status quo unless the advisory board petitions to the BOCC saying they want to become a regular board rather than an advisory board, then there would be a hearing and it would be up to the BOCC whether or not they want to continue forward with that. If voted no, it would be required to go back to the advisory board for vote again.

H0114 | Elections Filing Vacancies

- Will be pulled from the agenda. It is currently on hold.

H0126 | Criminal History Records (OPPOSE)

- Awaiting a hearing. Going to monitor for future weeks.

H0172 | Consent Agenda

- This is a newer version of what was discussed in prior weeks. This has been changed so that if a member wants to remove a single item from the agenda, they can.

S1083 | Domestic Water

- This is the same bill that has been talked about in previous weeks, relating to domestic water and a few pieces on the planning and zoning. Includes the language that we requested when talking about compatibility of water systems and now is only required within the area of impact. The other piece to be mindful of, is new language within the comprehensive plan of LLUPA that would require that anytime a BOCC is in consideration of an amendment repeal or adoption for a new comprehensive plan, you would have to take a look at that change in the plan within the context of having sufficient water quantity and quality within the area.

S1089 | Waste Tire Recycling (SUPPORT)

- No new update, still awaiting a hearing.

Highway District Special Levy (SUPPORT)

- Discussed during the last meeting, being drafted by Senator Den Hertog. This bill is supported by all the users impacted by this bill.

Kilowatt Hour Tax

- Conversations are ongoing with this legislation. A draft should be available later this week. There is placeholder language for the rate, which is where the majority of the discussion would take place. A draft is not ready to be circulated at this time, but hopefully that will come soon to have a broader discussion with the committee.

New Legislation

H0171 | Intermodal Commerce Authority

- The intermodal commerce authority was set up to provide hubs for industrial areas to have rail access. There are some issues with certain counties needing to make improvements to sewer or water systems. This bill would expand things to include water and sewer.

H0180 | Broadband Permitting

- It would put a clock on permitting and if the permit isn't approved with modifications, approved at all, or denied, within a reasonable period of time, then the permit would be automatically approved. Members should consult with their counties planning and zoning and ensure that the timelines outlined in this bill are reasonable. In the statute, starting on line 13, they define 'reasonable time' as 60 days for a broadband permit. We'll need to consider how this affects cell towers as well.

H0184 | Domestic Terrorism Definition

- One section makes any violent felon a 'domestic terrorist', which could cause complications, and some members believe this needs additional work. The definitions need to be cleaned up and clarified.

H0185 | Search and Rescue Fund (SUPPORT)

- The current fund, created sometime in the 80's, causes issues with paying bills, so this bill seeks to double it (\$4000 - \$8000) to help take care of searches. The original money comes from a piece of the gas tax and fish and game license fees.

Owyhee Treasurer Annette Duygret motioned to support H0185, seconded by Valley Coroner Scott Carver. Motion carried.

H0210 | Boards of Commissioners (SUPPORT)

- The only piece that the public notices bill didn't address. It addresses the synopsis issue originally discussed before these few resolutions were combined. It makes it so that your agenda or website is easily accessible and has the information, you don't have to produce the synopsis and publish it in the newspaper.

H0213 | ID Requirement for Homestead Exemption

- Bill ran by Rep. Ehlers last year in cooperation with the assessors. The goal was to make it easier to deal with someone trying to claim more than one homestead exemption. Language was updated to include "Idaho" state ID, and the realtors appear to have an issue with that. This is an ongoing discussion.

S1062 | State Lands, LLUPA

- There could be benefits for counties if this bill moves forward. Essentially would require any commercial development on state lands to be subject to local land use planning ordinances. Cell towers, solar, wind towers, etc. In the coming years, there may be a push to maximize utility out of these lands, so this would subject those developments to LLUPA.

S1063 | Urban Ag, Livestock

- Impacts are largely going to be on cities, but it does relate to local land use planning. Would allow small scale livestock operations within subdivisions. Regulations set out public and safety measures included in the language.

S1075 | City Council Elections, Pop > 25,000

- Will impact clerks and their ability to conduct elections. Idaho law allows a city of 100,000 or greater, those cities must conduct city council elections by district. So it only impacts a few counties currently. This legislation would lower that threshold the population to those cities with 25,000 or greater. It would impact 14 cities, inherently impacting the following counties: Latah, Ada, Nez Perce, Madison, Kootenai, Twin Falls, Bannock, Bonneville, and Canyon counties.

S1081 | Public Contracts Fee Scheduling

- Would require fee scheduled pricing to be considered in RFQ's (Requests for Qualifications). The AGC are against this legislation, because sometimes the lowest bidder isn't always the best bid.

S1085 | Recreational/Off-Highway Vehicle Fees

- Sheriff's would get funds for the Off-Highway vehicles programs. This would raise the fee and add more money. The only concern is that it discusses inspections that Sheriff's have no legal authority to conduct these inspections. It would go from \$1 to \$3 dollars. Overall, there is more good than bad in this bill as drafted.

S1086 | Landowner Rules, Trespass

- Creates a violation for a government entity that states if a landowner says you can utilize their land with certain stipulations, they can charge for criminal trespass if a government entity breaks those stipulations. Concerns about the right of way bill and sheriff's legal ability to close, potentially creating obligation on the county side.

S1090 | Juvenile Proceedings

- Allows for review of juvenile cases on a more frequent basis. Clerks felt that it wouldn't put any more work on them, but rather the courts and guardian ad litem. Essentially helps more frequent checks to ensure the proceedings are going where they should.

Potential New Legislation

Agricultural Protection Areas (draft attached) (OPPOSE)

- The bill would do a number of things. The most controversial one would create an APA fund within counties. The purpose would be for private individuals to put money in that fund and the county would have to disburse it to those using the APA and the counties could use 5% of the fund for administrative costs associated.
- Another piece would implement a limitation on fees to cap the administrative fees for an APA at \$500. However, one size does not fit all as we know. Counties currently vary greatly in their application and administrative fee costs. The law currently requires a public hearing, but this language would remove that provision, therefore bringing costs down. So that portion could have some discussion.
- Would allow an APA to be established within an area of impact.

Minidoka Commissioner Jared Orton motioned to oppose the draft as written, seconded by Madison Commissioner Brent Mendenhall. Motion carried.

General Discussion

-

Adjournment @ 12:06pm

IAC Legislative Committee

MEMBERSHIP

*MEMBERS HIGHLIGHTED WERE IN ATTENDANCE

CHAIR Don Hall <i>Twin Falls Commissioner</i>		VICE CHAIR Tom Dayley <i>Ada Commissioner</i>	
Bruce Mattare <i>District 1: Kootenai Commissioner</i>	Donavan Harrington <i>District 5: Bingham Assessor</i>	Annette Dygert <i>LACT: Owyhee Treasurer</i>	
Chris Goetz <i>District 2: Clearwater Sheriff</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>	Andy Creech <i>ISA: Payette Sheriff</i>	
Ben Crouch <i>District 4: Jerome Commissioner</i>	Jared Orton <i>IACC: Minidoka Commissioner</i>	Scott Carver <i>ISACC: Valley Coroner</i>	
	Trent Tripple <i>IACRC: Ada Clerk</i>		

ALTERNATES

<p>Phil Lampert <i>District 1: Benewah Commissioner</i></p> <p>Brad Higgins <i>District 2: Idaho Commissioner</i></p> <p>Zach Brooks <i>District 3: Canyon Commissioner</i></p> <p>Vacant <i>District 4:</i></p>	<p>Eric Jackson <i>District 5: Bingham Commissioner</i></p> <p>Shayne Young <i>District 6: Jefferson Commissioner</i></p> <p>Josh Dison <i>IACA: Elmore Assessor</i></p> <p>Kim Keeley <i>IACRC: Teton Clerk</i></p>	<p>Elizabeth Mahn <i>IACT: Ada Treasurer</i></p> <p>Vacant <i>IPAA:</i></p> <p>Matt Clifford <i>ISA: Ada Sheriff</i></p> <p>Pam Garlock <i>ISACC: Boise Coroner</i></p>

***More attendees listed below**

IAC Staff

Seth Grigg

Sara Westbrook

Kelli Brassfield

Chase Christensen

Clay Boeckel

More

John David Davidson

Logan Weis-Hurzeler