

IAC Legislative Committee

March 6, 2024 | 10:00 am – 12:00 pm MST
700 W. Washington St. Boise, ID

MEETING MINUTES

Call to Order | *Chair Don Hall*

Gem Assessor Hollie Ann Strang motioned to approve February 28, 2024 Minutes. Owyhee Treasurer Anette Dygert seconded. Motion passed.

Prioritize Resolutions

- **H0658 Hospital Property Tax Exemption:** Bill has been introduced, but there continues to be strong objection to it. Path forward is to try and get a hearing scheduled on the current bill, but also prepare another RS for introduction at the same time to advance. Probably will attempt to go back to the 1988 definition of hospital and what the original exemption was intended for, and move forward from there.
- **S1403 Area of Impact Agreements:** Introduced earlier this week. Our priority is to update the area of impact statute to reflect what case law has established. Hopefully it's going to get scheduled tomorrow, but if not, a hearing early next week. Appears to be a path forward to advance legislation should it get out of the Senate.
- **JPS-02 Essential Emergency Medical Services:** Hoping to get it introduced by this week, but if not, early next week.
- **H0530 Emergency Communications Fee (no update needed):**

IAC Policies

- **County Travel + Convention Tax:** Senator Harris really seems to like the idea, but feels that it is getting late in the session and would like to pursue it next year. Solidifying legislation and getting it out next year is the goal.

Updates

- **H0506 Short Term Rentals (OPPOSITION):** Scheduled for a hearing tomorrow afternoon (March 7, 2024). An alert was sent out asking members to weigh in with the committee and engage on H0506. Concern that another bill was going to be introduced in another committee to bypass the current blockade H0506 faces, so it will be heard in the current committee in hopes of deterring a new bill.

- **H0508 PERSI, Rule of 80 (SUPPORT):** Cleanup bill by Sheriffs. It is through the House, and through the Senate committee. Sitting on the third reading calendar waiting for a full vote.
- **H0517 Freedom of Religion, Speech, and Action (OPPOSITION):** Senator sponsor does not seem to have the bandwidth to prioritize it this year and doesn't think it will continue moving this year.
- **H0521 Taxation, School Facilities, and Funds (SUPPORT):** Heard in committee and was sent out of committee with a 'do pass'. It seems there is a clear path to get to the governor's desk, despite probable debate on the floor.
- **H0571 Public Works Exemptions (SUPPORT):** Seems to be doing well and doesn't appear to face any issues at the moment.
- **H0588 Public Records Request Deadlines (SUPPORT):** Moving ahead through committee and not anticipating any issues at the moment.
- **H0593 PTO for Employees Hired by State Public Defender (SUPPORT):** Cleared the House yesterday, and should be taken up next week on the Senate side. Would allow the county to transfer up to 40 hours of PTO to the state for employees that transfer from an institutional office to a state office.
- **H0608 Agricultural Protection Areas:** Cleared the House floor and has been referred to the Local Government Committee. Anticipating a hearing next week in that committee. Generally, people are supportive of the overall concept, but currently trying to get a concern addressed that is related to condemnation authority over rights-of-way.
- **H0609 Workers Compensation:** Bill failed on the House floor. Would have opened up workers comp to the local market. Concerns on the floor about the fiscal impact of bigger entities leaving.
- **H0620 Knives Pre-emption (OPPOSITION):** Referred to general orders in the House because of elements that it left out, such as allowing counties to regulate knives in jails, etc.
- **H0624 Commercial Property Assessed Capital:** Cleared the House floor and has been referred to the local government committee in the Senate. Will continue to watch this bill and monitor it until next week.
- **H0625 Equalization of Assessments (OPPOSITION):** This bill was shifting the burden of proof from the property owner to the assessor. Had a hearing in the revenue and tax committee on Monday, and failed on a 9-7 vote. Bill sponsor was reaching out this morning figuring out how to mitigate it.
- **H0638 Strategic Initiative Grants, LHTAC (SUPPORT):** Being held on the legislative calendar. Appropriation for transportation has been unveiled, and funds for the program are being held off until they know whether or not there are funds for the strategic initiatives grant.
- **H0646 Counties, Boundaries (SUPPORT):** Been introduced, but hasn't gone anywhere at the moment. Going to reach out and see what can be done.
- **H0651 Sheriff Reimbursement (SUPPORT):** Waiting on an update from the sheriff's association lobbyist. Introduced, but also is waiting for a full hearing.

- **H0652 Signatures for Initiative Petitions:** Will be removed from the agenda. Passed out of committee from yesterday.
- **H0662 Electrical Code:** Will also be removed from the agenda. Hasn't gone anywhere at the moment, but a new RS has been introduced.
- **S1258 Public Rights-of-Way (OPPOSITION):** Scheduled for a hearing this afternoon, and the momentum appears to be in its favor. Some commissioners are coming to testify.
- **S1304 Open Meetings Law (OPPOSITION):** Bill can be pulled from the agenda, it will not be moving forward.
- **S1349 Guardianship, Conservatorship & Protective Arrangements Act (OPPOSITION):** Will be pulled from agenda. It is a repeal and rewrite of current statutes. Some opposition to it when it was heard, and seems that it will not be brought back this session.
- **S1365 Next of Kin Database (SUPPORT):** Passed unanimously off the Senate floor. Senator Harris is working on getting a hearing in transportation and not anticipating any troubles moving this bill forward.
- **S1367 Public Defense Guardian Ad Litem Fund (SUPPORT):** Intent of legislation is to continue allowing the local level government to still do the work, but then counties will pay for guardian ad litem with reimbursement from the state public defender office. If actual costs exceed \$500,000, there is no cap, and counties can still receive reimbursements for over that amount.
- **S1370 Domestic Water:** Not a lot of confidence that this is moving forward this year. Can be removed from the agenda.
- **S1371 Elections Filing Dates:** Being held on the Senate floor. This bill's goal is the moving of the primary election from the third (3rd) Tuesday in May to the third (3rd) Tuesday in April. Support to get it off the floor in the Senate, but unsure if there is support in the House. Senator Guthrie is currently holding it himself.

New Legislation

- **S1393 Waste Tire Recycling:** Addresses issues around the state on what to do with waste tires. This is a proposal from a recycler who feels they have a solution. Lots of engagement and participation from surrounding organizations to get information around this issue. Some counties have seen issues of tire waste, particularly in forest service areas. Work to be done during the interim.
- **H0697 Public Defender, Sick Time (SUPPORT):** Allows counties who offer sick time and vacation to transfer up to 40 hours over to the state if they are transitioning work to the state. Goal of the bill is to make it easier for institutional public defenders to transfer to state employment.

Minidoka Commissioner Wayne Schenk motioned to support H0697. Nez-Perce Commissioner Doug Zenner seconded. Motion passed.

- **H0701 Homestead Exemption Status (SUPPORT):** Meetings with Rep. Burns and the State Tax Commission allowed for this bill to become more workable. Had a hearing on Tuesday and the committee recommended it be sent to the second reading calendar.

Gem Assessor Hollie Ann Strang motioned to support H0701. Owyhee Treasurer Anette Dygert seconded the motion. Motion passed.

Open Discussion

- New bill introduced this morning in rev and tax, to exempt rate regulated utilities from paying a property tax. In lieu, they would pay a kilowatt hour tax. It would be based on the number of kilowatt hours sold from a utility company to a resident in Idaho. The three companies involved are Idaho Power, Avista Utilities, and Rocky Mountain Power. Tax will be tiered based on the amount of kilowatts you are selling (they are tiered because there are a lot of variations between companies) so if it is tiered based on the volume of kilowatt hours sold, it alleviates a lack of uniformity as far as generating revenues. Idaho Power, Avista & Rocky Mountain Power, will report how many kWh were sold, and it will be multiplied by the rate to create a kilowatt tax. The proceeds will be allocated in a similar manner to property taxes. Contention is inevitable, simply because of the rates being involved in the new process along with other elements, but legislators are motivated to get it done. May impact some counties that have gas-fired power plants, and are not included in the line-mile distribution. Tax commission comes up with a value for the property, but it is considered locally assessed. Those properties will be continually assessed and taxed with a property tax.
- H0701 Homestead Exemption - State Tax Commission court decision disallowed the commission to have control over what the counties do. Prevailing sentiment among tax commission members was that deference was a bigger issue than the pro-ration aspect.

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>	
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

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

- Lorna Jorgensen
- Brad Willis