

IAC Legislative Committee

January 29, 2024 | 1:00 pm – 3:00 pm MST
Boise Centre Room 140, Boise, ID

MEETING MINUTES

Call to Order | *Chair Don Hall*

Motion by Bingham County Commissioner Mark Bair to approve Jan 24, 2024 Minutes. Motion seconded by Franklin County Prosecutor Vic Pearson. Motion is carried.

Prioritize Resolutions

- **IGA-05:** Hospital Exemption. Really close on language, it is just about there. Working on getting it to RS to get an introductory hearing. Simplified changes, and overall shorter. Makes it clear that non-profit hospitals would need to go to board of equalization to get exemption approved each year. New and existing language emphasizes specifics on what would qualify as exemption.
- **IGA-07:** Area of impact agreements. Trying to find a path forward that addresses concerns of all the stakeholders. One provision in the package causing holdup. One piece relates to the ability of a landowner to annex to a city of their choice. Current draft requires annexation into the city of which the area of impact is located unless you go through a process with the board of county commissioners to change that. Some in the legislature are concerned it alters the status-quo too much. Potentially looking at a similar fate to last year. Senator Lakey, as the sponsor of the bill, wants to see complete agreement on language.
- **JPS-02 Emergency Medical Services:** Meeting last week with the bill sponsors and with the director of EMS Bureau. Talking about the feasibility and how to get something through. Overwhelming consensus is that the only way to get something through the House is if the EMS bureau is moved to the Office of Emergency Management.
- **JPS-04:** 911 fees. Draft started for the 911 fee increase. Starting high, knowing that there will be pushback and negotiating it out. Pushing to increase \$1 fee to \$3 and add inflation CPI indexing to account for growth. Survey sent out to both clerks and sheriffs who can collaborate on this survey to provide information to tell the story on what the need is for a stable system and an estimate to get emergency communications systems stable. Some of the most expensive equipment is the computers and software required to efficiently run an emergency communications system without risk of failure. Many current systems are extremely out of date. Counties in Idaho where current outages are causing 911 lines to fail and it endangers public and community safety. Towers, batteries, generators, software, computers and other technology all are kept up by these funds and for many counties in Idaho, they are not properly supported and lack proper technology to sustain an effective and reliable emergency communications system with a major lack of funding to improve them. No

structure of how money flows will be changed in the current draft. It increases the fee that goes directly to the counties. Starting conversations with NACo to address residents who move in and out of Idaho who fail to update addresses. No official sponsor for this bill yet, but making an effort to get the bill through with minimal negotiations, however, getting the bill through in some form is a priority.

- **PL-02 (monitor):** Large-scale solar and wind siting. 5th version of this draft language currently, and there was a meeting with Rich Stover where it was explained that there are existing statutes for States to provide assistance on this through various state agencies, when counties request assistance for energy facilities (ref. Title 67, Chapter 23, Section 53; there is language that defines the relationship between states and counties in evaluation of energy facilities.) How does this help counties when it is on BLM ground? Unfortunately, this is something that could remain in power of the Federal government and will persist currently. If there are solid energy plans and resolutions for this particular issue from existing counties, then potential to create and put together a template to provide that resource to other Idaho counties who may not already have one could prove beneficial. Issue of permitting on federal lands still is very unclear (hard to know exactly what this entails). Counties can choose how to handle particular ordinances using their discretion and how to develop and place those particular energy ordinances. Communication and transparency between counties' plans, ordinances, and plans could be very helpful to help other counties develop their own.
- Discussion: Stakeholders group to provide for resource management plans in a broad range of issues.
- Put together a model as an organization to use as a platform to develop energy ordinance in regard to these issues.

Motion from Valley County Commissioner Sherry Maupin to move PL-02 to a monitor status from priority. Nez-Perce County Commissioner Doug Zenner seconded the motion. Sherry amended the motion to include further comments by Seth Griggs. Motion passed, none opposed.

IAC Policies

- **Public Works Contractor Licenses:** Still a work in progress. There is a bill in draft that accomplishes half of what is desired, but still working on getting the rest. Idea was to increase the threshold for those who aren't supervised by a licensed public works contractor from 50,000 dollars to 100,000 dollars for needing a licensed contractor, as costs are going up and this threshold is becoming too difficult to sustain.
- **County Travel + Convention Tax:** Meetings and conversations held around this topic. Helping find a solution that will get through the legislature, to operate within the realm that includes no tax increases. Idea of diverting existing tax to counties to mitigate effects of tourism is in discussion, but some want to find another way because lodging associations are opposed to tapping into the existing 2%. Pushing for a local option lodging tax was brought up in these meetings, but it was emphasized that there are administrative challenges that present themselves. Discussion surrounding Airbnb's, and what can be done in relation to them. A Public Policy survey that BSU put out asked "what should be top priority of the Idaho legislature budget?" Top answers were - workforce and affordable housing. Legislation out there in opposition, so potentially needs to be addressed if this becomes official or drafts are officially sent out at some point. Discussion to take a look at Airbnb's that can't be regulated in counties, and present that the county implement a tax on short term rentals to mitigate these impacts. Mention to provide opportunities for communities to voice where they want the money to go (put all as a local option). Assessing the Airbnb's, presents problem #1 - discovering them. Lodging tax source of money has grown so much that a lot of that money has gone into advertising more tourism and not to the counties themselves. Maintain awareness around not trying to pass legislation too early and potentially closing doors around future discussions on the broader impact this issue presents.
- **HO406 Fentanyl Mandatory Minimums:** Heard on House floor today. Passed the House 55-13-2 count. Heading to the Senate where Senator Lakey (sponsor) will have it in his committee.

Updates

- **Public Defense/Child Protection:** Furthering discussions. Met with the new State PD and Governor's Office a couple times. Some softening views from the new State PD on whether or not CP cases will be taken. There is a willingness to listen and there will be more discussion Friday. Fiscal impact on the State between \$2-3 million. Still pushing for the State to pay for these, but ideas thrown around about a joint venture for funding (not ideal). Preference is to have the State pay for it and lots of legislator support on this. Fleshing out framework and language, and it is getting close.
- **HB292 Cleanup:** Language has been drafted that would 1) eliminate the ATR and roll money into HTR. 2) calculate homeowner tax relief. Homeowner tax relief roll produced by assessor provided to clerk and take last year's levy rate for current levy and apply it to current value. Will be attached to a broader bill and the path remains clear (knock on wood).
- **HO390 City and County Officer Investigations (ACTION/move to monitor):** Proposal that would expand oversight from Attorney General to Cities as well. The sponsor of the bill included amendments to only apply to criminal actions. IPA remains neutral on this particular issue.

Bonner County Commissioner Luke Omodt motioned to move position on HO390 from oppose to neutral. Franklin Prosecutor Vic Pearson seconded motion. Motion passed, none opposed.

- **HO392 Health Districts (ACTION/OPPOSITION):** Has been monitored over the last week. Doesn't directly impact counties, but changes how health districts do their jobs.

Madison County Commissioner Brent Mendenhall motioned to oppose HO392, Nez-Perce County Commissioner Doug Zenner seconded this motion. Motion passed, none opposed.

- **HO396 Prohibition/Mask Mandates (ACTION/move to monitor):** Currently going through house-state affairs. Directly impacts counties. Does not apply to private businesses.

Canyon County Sheriff Kieran Donahue motioned to monitor HO396. Seconded by Valley County Commissioner Sherry Maupin. Motion passed, none opposed.

- **Ag-Land Preservation/Farm Bureau:** New draft includes language that changes to a cap based on an assessed value as long as it remains in ag-land preservation (assessed value cannot go up, but can go down). Opt out provision exists but locks property in for at least 10 years. Issues flagged in the newest draft on what counties have control over.

Reasonable suggestions discussion: Number of tools that exist for Ag-land preservation, but they all require money. Other States have created a fund where federal money is matched and then is put into ag-land preservation ground. Concrete ideas that can be taken to the Farm Bureau are needed.

- **Domestic Water:** Sizeable piece of legislation that has had extensive work done to it by a board stakeholder group. Believe to be close to a final draft and concessions from all stakeholders have been made on this. High level key points: There is a change in the diversion volume to 2.88 acre feet per year that was negotiated. Exclusion in domestic uses are included in the draft. Subdivision piece has been the hardest and most complex piece to address. Framework for mitigation is still being worked out. On the local side: subdivisions and home count (10 lots), and land use planning act that would add language when going through the planning process

to ensure that there is water evaluation. Concern surrounding this implementation increasing the cost of already unaffordable housing (wells cost a significant amount).

New Legislation

- **HO425 Floodplain/State Disaster Preparedness (ACTION/SUPPORT):** Proposal to recommend a support stance legislation. Positive potential impacts on availability of floodplain insurance in Idaho. This does not address counties that have updated floodplain maps already.

Owyhee Treasurer Annette Dygert motioned to support HO425, Gem County Assessor Hollie Strang seconded. Motion passed, none opposed.

Monitoring

- **RCB129 Vape Enforcement (SUPPORT):** Monitor/no updates
- **RS30848 County Option Electrical / Plumbing (SUPPORT):** Monitor/no updates.
- **Homeowners Exemption:** Monitor/no updates.

Open Discussion

- *Latah County Commissioner Tom Lamar motioned to move IGA-06 (travel and convention tax) to a priority, Valley County Commissioner Sherry Maupin seconded. Motion is opposed, IGA-06 will not be moved to priority.*

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

<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

Others