**Idaho Association of Counties**

**Legislative Committee Meeting Minutes**

IAC Vista Office, Conference Call| 3100 S. Vista Ave., Boise, Idaho | February 5, 2018| 3:00 pm

**Call In: 208-717-1950**

Members Present:

Chair: Chris Goetz, Clearwater Sheriff

Vice-Chair: Pat Vaughan, Latah Assessor

IACA: Justin Baldwin, Gooding Assessor

IACC: Terry Kramer, Twin Falls Commissioner

IACRC: Carrie Bird, Clearwater Clerk

IACT: Donna Peterson, Payette Treasurer

IPAA: Bryan Taylor, Canyon Prosecutor

ISA Alt.: Vaughn Killeen, ISA Executive Director

ISACC: Dotti Owens, Ada Coroner

District 1: Dan Dinning, Boundary Commissioner

District 3: Gordon Cruickshank, Valley Commissioner

District 3 Alt.: Vicky McIntyre, Ada Treasurer

District 4: Helen Edwards, Gooding Commissioner

District 4 Alt.: Larry Schoen, Blaine Commissioner

District 5: Craig Rowland, Bingham Sheriff

District 6: Abbie Mace, Fremont Clerk

Members Not Present:

IACT Alt.: Tracie Lloyd

IPAA Alt.: Holly Koole, Ada Deputy Prosecutor

ISA: Kieran Donahue, Canyon Sheriff

ISACC Alt.: Pam Garlock, Boise Coroner

District 1 Alt.: Phil Lampert, Benewah Commissioner

District 2:

District 2 Alt.:

District 5 Alt.: Ladd Carter, Bingham Commissioner

District 6 Alt.: Shelly Shaffer, Butte Clerk

Guests:

Seth Grigg, Executive Director, Idaho Association of Counties

Kristin Cundiff, Idaho Association of Counties

Kelli Brassfield, Idaho Association of Counties

Mike Kane, Idaho Sheriff’s Association

Erica White, Ada County

Ax Yewer, Ada County

Phil McGrane, Ada County

3:00 pm **I.** **Call to order** - Chair Chris Goetz

1. Roll Call
2. Approval of January 31, 2018 Minutes.

***Donna Peterson made a motion to approve the January 31, 2018 minutes. Carrie Bird seconded. Motion carried.***

3:05 pm **II. IAC Package (Update)**

1. Justice Levy #14
   * Increase levy from .02% to .025%
2. Records Retention for LE #15 – Representative Malek – Introduced in committee
   * Update required retention timeframes
3. Delinquent Tax Payments #11 – Senator Hagedorn – Senate floor
   * Clean up requirement payment of delinquent taxes
4. Electronic Notice #1
   * Option to post public notices on county websites
5. Interest for Supplemental and Missed Property Rolls #10 - Representative Kauffman – Senate floor
   * Apply interest to sup. and missed property rolls the same as all other taxes
6. Early Voting Plan #5 - Senator Lakey
   * Allow for annual plans unless plan is modified
7. Election Age #6 – Senator Hagedorn
   * Reduce student poll worker age from 17 to 16
8. Federal Lands – Conservation #13
   * Provides a yearly payment of a fee in lieu of taxes for property that is accepted as a donation

3:10 pm **III. Update and Monitor**

1. Magistrate Court Funding

Seth Grigg mentioned that the legislators are giving some pushback because they don’t want to see any money come from the General Fund. They want to see the cities put in more.

1. Forest Land – H462

Seth Grigg stated the House will probably pass this legislation and so work on the Senate has started. IAC is working with Senator Johnson to slow this process down and suggest an amendment that will work for the assessors.

1. Lobbyist – H418

Seth Grigg stated that this is a proposal from Rep. Giddings that would disallow state agencies from hiring contract lobbyists. There have been discussions about adding in all political subdivisions. The intent is not to go after associations but entities themselves.

Larry Schoen stated that this proposal raises constitutional issues as well. It feels like this says we can’t talk to the legislature at all. Mike Kane mentioned that maybe perhaps the school boards can ask a legislature for an AG opinion.

3:40 pm I**V.** **New Legislative Items (Action)**

1. Priority of Payments – Courts

Seth Grigg stated that the draft before the committee is the proposal that the courts will be moving forward with. Priority of payments will be: #1 will be district court fees. #2 fines for crime victim’s accounts and #3 is misdemeanor probation (MP).

Abbie Mace asked Seth if the courts have considered moving a prorated approach to these fees. Seth Grigg stated that the courts are resistant to use a prorated system because they have a base that needs to be funded.

Helen Edwards asked how Marcy’s Law would fit into this proposal. Seth Grigg stated that Marcy’s Law is an issue that is yet to be resolved. There are no drafts available yet but we have been told that it would put victims to the top of the list. Mike Kane stated that it is unknown where the Prosecuting Attorneys (PA) is going to land on the issue of where the victims should be. Vaughn Killeen mentioned that he asked if there was an analysis on how this is going to affect everyone and the sponsors said they haven’t done one yet.

Committee will wait to vote.

1. Misdemeanor Probation – Ada County

Erica White stated that Ada County’s revenue has reduced about $250,000 with the implementation of Odyssey. Ada County is proposing taking the MP fees out of the priority of payments and instead of paying the clerk of the court; the payment would go directly to the Board of County Commissioners (BOCC). Erica stated that the courts bill would help with this issue a little bit but would not cover the total amount lost.

Ada County’s proposal would also address some accounting issues. Dan Dinning asked Erica if this is a programming error in Odyssey or if the priority of payments is the problem. Erica White stated that it is a little bit of both. Vaughn Killeen asked if this proposal would only be for Ada County or if it will be available to all counties. Erica mentioned that this proposal is a statewide option.

Abbie Mace mentioned that a concern would be that this system is not strict enough and puts clerks in a situation to decide where money is applied. Most people don’t know how much they have to pay and for what categories.

***Terry Kramer made a motion to support Ada County’s MP proposal. Donna Peterson seconded. Motion carried.***

1. Initiative/Referendum – Ada County

Ax Yewer reviewed the proposal. Gordon Cruickshank asked if there has been any opposition. Ax mentioned that some citizens have given some pushback but they still have the LLUPA process.

***Pat Vaughn made a motion to support Ada County’s Initiative/Referendum proposal. Carrie Bird seconded. Motion carried.***

1. Pre-trial Release

Seth Grigg stated that some counties charge just for the cover the services and some counties are charging more. This would cap the charge for pretrial release to $30. The challenge is that the courts want legislation that gives them the authority to receive those funds. We could propose an amendment that would allow counties to charge enough to cover the costs.

Terry Kramer mentioned that the courts wrote the law so they can collect the fees but maybe we do look at something like Ada County and create a separate fund. Terry also mentioned that not having the counties at the table for this discussion was wrong.

***Gordon Cruickshank made a motion to recommend an amendment up to $75, to cover county costs. Dan Dinning seconded. Motion carried.***

1. Forgone – H450

Seth Grigg stated that this proposal would remove the requirement to have resolution process during the budget hearing. This would allow for this process to happen anytime.

1. Short Term Vacation Rentals – H452

Seth Grigg stated that the intent of last year’s legislation was to not allow cities to prohibit short term vacation rentals. Some cities have found a work around and this is intended to make sure they don’t.

1. Idaho Health Care Plan – H338 & H464

Seth Grigg stated that this is the healthcare proposal. There was a new version of the bill that would implement a work requirement for those already enrolled in Medicaid.

1. POST Funding - S1259

Seth Grigg recommended a support on this. POST funding has been going down. This proposal would allow $2,000,000 (out of the state insurance fund) be allocated to POST.

***Gordon Cruickshank made a motion to support S1259. Vaughn Killeen seconded. Motion carried.***

1. Bond/Levy Elections – Scott

Seth Grigg stated that this proposal is in regards to how many often you can put an initiative on the ballot. It would only allow for an initiative every 12 months if it fails. The question is whether or not we want to limit allowing jurisdictions of going to their constituents.

1. Veterans Homeowner’s Deduction – RS

Seth Grigg stated that Rep. Giddings has a proposal that would allow for Veterans that are 100% service related disabled, apply for a reduction in personal property taxes. The amount is up to $1320. This money would come from the General Fund.

1. Federal Lands Rights of Way – RS

Seth Grigg stated that this proposal would only allow federal land rights of way to be closed by specific means to include eminent domain.

Gordon Cruickshank mentioned that this issue is trying to protect access to private land that is surrounded by public land. There was a concern if it includes conveyances (water, power, etc.). Larry Schoen mentioned that there is a question if these rights of way are being maintained.

Gordon Cruickshank stated that Valley County has encountered these types of issues. State law says that the only people that can close a road are the highway jurisdiction or the BOCC. I don’t see that this is going to harm us.

***Dan Dinning made a motion to support this Federal Lands Rights of Way proposal. Gordon Cruickshank seconded. Motion carried. Pat Vaughn abstained.***

1. School District Trustee Elections – Souza

Seth – This would move the school board trustee elections from May of the odd year to November of the odd year. This would also require the school zones be as closely aligned as possible with election precinct boundaries.

Abbie Mace mentioned that there are still going to be multiple ballots because the cities are not aligned with county boundaries. Phil McGrane mentioned that this will reduce the number of ballots. We would like to see language that specifies whether or not the change will be immediate or delayed. Ada County would like to see this because we have so many splits. The school boards made a deal to try and get this done. We need to move away from this and put the attention back on the schools.

1. Special Levy Transportation

Seth Grigg mentioned that Nick Veldhouse approached IAC about finding a solution to our SRS funding problem. This legislation would create a new special levy for highways and bridges. The current levy is split with the cities and this would allow counties/highway districts to keep it. There wouldn’t be a split. IAC and the Idaho Association of Highway Districts want to throw this out there to open the discussion about this SRS revenue lost issue.

Gordon – cities only have to have 60% approval, so we should be ok there.

***Gordon Cruickshank made a motion to support the special levy for transportation concept. Carrie Bird seconded. Motion carried.***

Mike Kane mentioned he is working on a proposal that take the whistleblower act and place it into the tort claims act so that it gives a cap on the claims. We need to have some way to get a handle on this situation. Counties are spending too much money. This proposal came as a recommendation/suggestion from ICRMP.

***Donna Peterson made a motion to support the concept of this proposal. Terry Kramer seconded. Motion carried. Pat Vaughn abstained.***

4:30ish pm **V. Adjourn**