**Idaho Association of Counties**

**Legislative Committee Meeting Minutes**

Local Government Center| 3100 S. Vista Ave., Boise, Idaho | December 5, 2018| 4:00 pm

**Conference Call 208-717-1950**

Members Present:

Chair: Chris Goetz, Clearwater Sheriff

IACA: Justin Baldwin, Gooding Assessor

IACC: Doug Zenner, Nez Perce Commissioner

IACRC: Carrie Bird, Clearwater Clerk

IACT: Tracie Lloyd, Canyon Treasurer

IPAA: Bryan Taylor, Canyon Prosecutor

ISA Alt.: Vaughn Killeen, ISA Executive Director

ISACC: Lucky Bourn, Minidoka Coroner

District 1: Dan Dinning, Boundary Commissioner

District 2: Dave McGraw, Latah Commissioner

District 3: Tom Dale, Canyon Commissioner

District 4: Don Hall, Twin Falls Commissioner

District 6: Brent Mendenhall, Madison Commissioner

Members Not Present:

Vice- Chair: Donna Peterson, Payette Treasurer

IACT Alt.:

IPAA Alt.: Holly Koole, Ada Deputy Prosecutor

ISA: Kieran Donahue, Canyon Sheriff

ISACC Alt.: Dotti Owens, Ada Coroner

District 1 Alt.: Phil Lampert, Benewah Commissioner

District 2 Alt.: James Zehner, Idaho Assessor

District 3 Alt.: Pam White, Canyon Commissioner

District 4 Alt.: Brad Wills, Twin Falls Assessor

District 5: Craig Rowland, Bingham Sheriff

District 5 Alt.:

District 6 Alt.:

Other Guest:

Kelli Brassfield, IAC Staff

Seth Grigg, IAC Staff

Lorna Jorgensen, Ada County

Larry Maneely, Ada County

4:00 pm **I.** **Call to order** - Chair Chris Goetz

1. Roll Call

4:05 pm **II. IAC Package (Update/Re-evaluate Priorities)**

**Health and Human Services**

**HHS – 02 Jail medical**

**HHS-02** Indigent Jail Medical:

- To clarify that a Sheriff’s obligation to provide medical care is limited to those inmates in the Sheriff’s custody and then only for the duration of their incarceration.

Many legislators are saying proceed with caution as could get hung up with Medicaid Expansion also. The request is that the sheriff is not responsible for those individuals who end up injured or sick while on pre-trial release. The Ada county sheriff’s office has 7 cases right now that fall into this situation. Right now the county is on the hook for these cases.

**Intergovernmental Affairs**

**IG-01** Mail Ballot for Bond Election Dates:

- To change March and August bond elections all-mail ballots.

**IG-04** Mail Ballot Threshold:

- To increase mail ballot precinct thresholds from 125 to 190 registered voters.

Seth Grigg spoke with Tim Hurst and the SOS advised that they wouldn’t support IG-01 Bond Election Dates; however, they would consider IG-04 Mail Ballot Threshold. Seth recommended moving forward with IG-04.

**IG-05** Flat Recording Fee:

- To implement a flat fee for recording all documents.

Seth Grigg mentioned that there has been good discussion with stakeholders (land title, realtors, bankers) and they all seem to be on board. IAC staff is waiting to see who will chair the committees in the legislature. This resolution will probably go through the local government committee.

**IG-07** Electronic Notice:

- To give counties the option of posting public notices and agendas on their websites in lieu of the newspaper.

Seth Grigg has been working with the Idaho Freedom Foundation and Ada County Commissioner Rick Visser on this resolution. The IFF plans on moving forward with a draft and it might be in our best interest to let me carry this one. IAC staff is also waiting for a committee chairman and hope they are willing to hear this proposal.

This resolution is going to be hard but the committee will change so we may have a better shot even though the

Newspapers are opposed to this idea.

**Justice and Public Safety**

**JPS-03** Tax Intercept for Debts Owed:

- To allow tax intercept on debts owed to the County that is under $50.

The Idaho State Tax Commission is currently ok with this proposal if the courts cover the cost or it they are kept whole for that cost.

**JPS-04** Odyssey and County Fees:

- To clarify those fees for pre-trial release and misdemeanor probation can be assessed and collected in Odyssey.

The courts have told the counties that after June 2018 they will not longer let counties collect “other” fees through Odyssey. Counties would still be able to collect the fees but will need a separate system. The challenge is the pre-trial supervision fees and juvenile fees.

**JPS-05** Public Defense:

- To establish a state based public defender system and to cap county spending at the 2018 levels. This cap would be in place until there is a funding parity between counties and the state.

The Public Defenses Commission (PDC) has increased its request to JFAC this year for a total of $10M. This resolution is going to be battle because Medicaid Expansion is going to consume the session. Legislators have to figure out how they are going to fund expansion. This will create a competitive session for funding.

**JPS-06** Justice Levy:

- To increase the Justice Levy limit from .002 to .0025.

IAC staff will continue work this issue. There is more awareness of what the needs are at the county level and there appears to be a greater recognition this year. There are also some other groups that have been advocating on the counties behalf.

**JPS-07** Jail Capital Improvement Optional Sales Tax:

- To change the passing threshold to 60% on sales tax for Jail Capital Improvements.

A few proposals have surfaced. Some of them are have productive and some not so productive. IAC staff is going to meet with Senator Heider because he has a proposal also. Senator Rice is not very open to this idea; however, Rep. Anderst is open to the idea. Some cities will oppose us if we run this. Many cities have objected to stand alone local option bills. Concessions may need to be made including having a cap at .5¢ and have a voter threshold of 2/3%.

**Transportation**

**T-02** Strategic Initiatives:

- To remove the sunset clause to create permanent funding.

This proposal is becoming less clear-cut as the state is looking at a smaller revenue to work with. The state believes the money will be there in April; however, they may take the discussions off the table because they don’t know the surplus will be. If the legislators take a conservative approach, the door opens for bigger conversations next year with a possible surplus. It is possible that the sunset will be extended rather than eliminating it. This will at least give us more time to work on the issue.

4:45 pm **III. Other Legislation (Update)**

1. Prop 2 (Medicaid Expansion)

Some legislators are objecting to this. Some are going with the will of the people. There are many drafts that have surfaced. One proposal would repeal the CAT program but would leave the county indigent program. This would create a huge burden for counties. Some discussions have been to repeal both the CAT and the county indigent program. Others have said they want counties to pay for Medicaid with the savings. Lastly, some have said the people should pay by possibly raise the sales tax. This could lead to a repeal in the future. This may be the biggest issue this year.

1. Personal Property Tax

There is a working group of county officials, Seth Grigg, and the Idaho Association of Commerce and Industry. The group is in need of some feedback from the counties. They have requested that we work on what that actual impact would be to counties. IACI agreed to table the business personal property tax this year. IAC staff meets with IACI next week.

1. Agriculture Valuation

The Idaho State Tax Commission raised the value of Ag property this year and there has been much discussion on the issue. Senator Mortimer has a proposal that would require the tax commission to notify the counties if they believe they are out of compliance with Ag values. They would also be required to provide all the data to support the notice. Another proposal would subject the state Board of Equalization (BOE) to an appeal process.

1. Magistrate Court Funding

Seth – will need to run a clean up bill. The clerks still have not received their funds because the courts are waiting on some data from Ada county. The liquor division is ready to cut those checks and they should go out before the end of the year. We will be working on getting that funding moving sooner.

In October, Boise made a request to be relieved of their duty to pay their share. We have to wait and see what the courts do to fix this. It is pretty clear in the law that they need to pay this.

1. 129,000 Trucks

By rule locals have the authority to either opt in or out of the state permit system. Counties provide routes to ITD and they would issue the permits. Most counties have not opted in. This proposal would establish a law process for counties, by resolution, to allow these types of trucks on their roads. Counties would also need designate the routes. The authority would be in the hands of the locals but industry wants an appeal process if the roads are denied.

1. Public Defense

The PDC has finalized its rules and they will be taking them to the legislature. The PDC amended the rules to give counties an out if funding isn’t provided by the state. There is a hang up because if there isn’t funding the counties don’t have to comply if the hired attorney signs an affidavit that they are providing constitutional defense. The question lies in whether or not the attorneys will be willing to sign this affidavit.

5:45 pm I**V.** **Meeting Schedule**

Session starts January 7th. The tentative schedule will be as follows:

All meeting to start at 10 am MST

Jan. 16th /conference call,

Jan. 23rd/in-person,

Jan. 30th/conference call,

Feb. 4th/in-person,

Feb. 13th/conference call,

Feb. 20th/in-person,

Feb. 27th/conference call,

March 6th/conference,

March 13th/in-person,

March 20th/conference call.

6:00 pm **V.** **Adjourn**

***Tom Dale made a motion to adjourn. Dave McGraw seconded. Motion carried.***