

**Idaho Association of Counties
Legislative Committee Meeting Minutes**

In-person| 700 W. Washington St., Boise, Idaho | February 20, 2019| 10:00 am
In-Person 208-717-1950

Members Present:

Chair: Chris Goetz, Clearwater Sheriff
Vice-Chair: Donna Peterson, Payette Treasurer
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: Kieran Donahue, Canyon Sheriff
ISACC: Lucky Bourn, Minidoka Coroner
District 1: Dan Dinning, Boundary Commissioner
District 4: Don Hall, Twin Falls Commissioner
District 5: Craig Rowland, Bingham Sheriff
District 6: Brent Mendenhall, Madison Commissioner

Members Not Present:

District 2: Dave McGraw, Latah Commissioner
District 3: Tom Dale, Canyon Commissioner

Other Guests:

Seth Grigg, Executive Director, IAC
Kelli Brassfield, IAC Staff
Kristin Cundiff, IAC Staff
Tim Hibbard, IAC Staff
Jeremy Chou, IAC Staff
Mike Kane, Idaho Sheriff's Association
Lorna Jorgensen, Ada County
Phil McGrane, Ada County
District 4 Alt.: Brad Wills, Twin Falls Assessor

10:00 am **I. Call to order** - Chair Chris Goetz
A. Roll Call
B. Minutes – February 13, 2019

*Bryan Taylor made a motion to approve the minutes from February 13, 2019. Doug Zenner seconded.
Motion carried.*

10:05 am **II. IAC Package (Update/Re-evaluate Priorities)**

HHS-02 Indigent Jail Medical S1074

The hearing will be next week in the Senate Judiciary and Rules Committee.

JPS-06 Justice Levy:

Medicaid Expansion

IAC staff sent out a fiscal impact on Rep. Wood's bill (spreadsheet). Rep. Wood is moving forward with a bill. His proposal diverts 33% of revenue sharing, which hurts most counties. The proposal would also suspend the CAT and indigent programs as of January 2020. JFAC has set the budgets and it appears the first six months of Medicaid will be covered. Rep. Wood is still looking at having counties help pay for the next full year. Counties would still have an indigent levy but you wouldn't have medical expenses. There is still a challenge because of levy caps and counties are not able to shift the savings into other levies. The spreadsheet shows the loss of tax dollars in the counties. The loss gets even worse when this proposal is combined with the revenue sharing proposal. If it looks like counties are going to have to pay this, the Legislative Committee and IAC staff will review other options for paying for Medicaid.

Intergovernmental Affairs

IG-04 Mail Ballot Threshold: H0173

- To increase mail ballot precinct thresholds from 125 to ~~190~~ 140 registered voters.

H0173 was in the House State Affairs Committee on Tuesday and passed out with a unanimous do pass recommendation.

IG-05 Flat Recording Fee: H0146

- To implement a flat fee for recording all documents.

H0146 is headed to the House floor.

IG-07 Electronic Notice:

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

IAC staff has met with the newspaper association and there is a commitment to work together over the interim.

Justice and Public Safety

JPS-03 Tax Intercept for Debts Owed: S1116

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

S1116 is on the Senate 3rd reading calendar.

JPS-04 Odyssey and County Fees:

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

S1093 Pretrial supervision and S1122 Juvenile probation have been introduced in the Senate.

JPS-07 Jail Capital Improvement Optional Sales Tax:

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

There has still been no movement with this proposal. The House chamber is on board with the constitutional amendment; however, Rep. Moyle is still not on board with the proposal and Rep. Collins will not give it a hearing until Rep. Moyle is on board. Rep. Moyle is willing to entertain this proposal if counties are willing to get rid of new construction.

IAC staff is working on some different concepts including the idea of adjusting the current expense levy to say it could be used for justice related items if that county has a justice levy. These would be a temporary fix. There is concern from the Legislative Committee that the legislature will say we fixed the problem and they won't want counties to come back for a different fix.

Transportation

T-02 Strategic Initiatives:

- To remove the sunset clause to create permanent funding.

There are multiple proposals. The proposals include the extension of the sunset clause for five years, another would extend the sunset but have a cap of \$100M.

10:25 am

III. Other Legislation (Update/Action)

A. H0118 Pretrial algorithms

This proposal tries to prevent bias in pretrial assessments. This is a product of the Bail Association. Some believe the courts are using programs to determine whether or not to release individuals on pretrial and some think the programs are racially biased. It is a trend across the nation to keep courts from using these programs. The bill intends to have the programs not used unless they are certified to not be biased. This bill was referred to the amending order without any suggestions for amendments. Counties need to have proposed amendments to keep us out of the hot water. We need to make sure how they define algorithms, doesn't include what we are doing now. The Sheriff's Association opposes H0118 because it is a solution with no problem.

Kieran Donahue made motion to oppose H0118. Bryan Taylor seconded. Motion carried.

B. [H0122](#) Hemp Research and Development

In the state of Idaho there is a problem with testing the THC levels. There isn't a place in Idaho to do this testing. Some of are confused about how the Governor asked Idaho State Police to take a neutral position on this. This is just another way of the marijuana industry to work around the state. Idaho is a High Drug Trafficking Area and some committee members feel that this is premature.

The House has show little for the concerns that have been expressed and have suggested that law enforcement put together a proposal of their own. The prosecutors have worked on a proposal that would allow licensing of growing of hemp. The Legislative Committee needs to help with a solution and simply opposing H0122 is not going to work.

Donna Peterson made a motion to oppose H0122. Bryan Taylor seconded. Motion carried.

C. [H0127](#) Land Use Planning

H0127 would make comprehensive planning optional. IAC staff has received support and opposition to this proposal from counties. The committee noted that counties are being given the option for local control and some have taken more of a neutral position. The committee discussed that if they oppose this bill, the legislature could hold it over their head at a later time because they didn't take the local option.

Don Hall made a motion to oppose H0127. Doug Zenner seconded. Motion carried.

D. [S1113](#) Campaign Finance

S1113 sets forth that any individual running for office is subject to reporting if they spend or receive \$500 or more. The clerk would be responsible for collecting the reports. The penalty for not reporting is \$50/day. This proposal comes from the interim committee. It also establishes the online reporting through the Secretary of State's office. This proposal appears to create paperwork for those that may not even spend or receive money.

E. [S1114](#) Campaign Finance Reporting

Next week.

F. [S1118](#) Justice Reinvestment

The Sheriffs were surprised by S1118 and don't know what the sponsors are trying to accomplish. The sentencing court parts of the bill are of concern. The Prosecutors have opposed.

G. [S1126](#) Surplus Eliminator w/ Cap

H. H0149 Self insured plans

There are a few counties that have self-insured plans for employees. This would require counties to register their plans with the state. They would have 5 years to come into compliance. Rep. Furniss is the sponsor of this bill. He feels that everyone should have to report their plans. This bill has been introduced but hasn't had a full hearing yet.

I. H0161 Political Subdivision, Purchasing

H0161 allows government entities going out for a contract to publish an advertisement online instead of in the newspaper. This is consistent with the IAC resolution.

Brent Mendenhall made a motion to support H0161. Don Hall seconded. Motion carried.

The committee will meet in person next week.

12:00 pm

IV. **Adjourn**