

IAC Legislative Committee

February 5, 2020 | 7:00 am - 8:30 am

700 Washington | Boise, ID | Main Conference Room

Call-in Number 208-717-1950

MEETING AGENDA

Call to Order

Chair Baldwin called the meeting to order at 7:00 am.

The following committee members were present:

Chair: Justin Baldwin, Gooding Assessor
Vice Chair: Donna Peterson, Payette Treasurer
IACA: Brad Wills, Twin Falls Assessor
IACC: Doug Zenner, Nez Perce Commissioner
IACRC: Carrie Bird, Clearwater Clerk
IACT: Tracie Lloyd, Canyon Treasurer
IPAA: Bryan Taylor, Canyon Prosecutor
ISACC: Lucky Bourn, Minidoka Coroner

District 1: Dan Dinning, Boundary
Commissioner
District 2: James Zehner, Idaho Assessor
District 3: Tom Dale, Canyon Commissioner
District 4: Don Hall, Twin Falls Commissioner
District 6: Brent Mendenhall, Madison
Commissioner

The following guests were present:

Seth Grigg, IAC
Sara Westbrook, IAC
Kelli Brassfield, IAC
Tim Hibbard, IAC
Kristin Cundiff, IAC
Annette Dygert, Owyhee Treasurer

Angie Barkell, Owyhee Clerk
Vaughn Killeen, ISA
Chris Goetz, Clearwater Sheriff
Lorna Jorgensen, Ada Prosecutor's Office
Phil McGrane, Ada Clerk
Holly Koole, Ada Prosecutor's Office

Minutes Approval (Action Item)

Twin Falls County Assessor Brad Wills moved to approve the January 29, 2020 meeting minutes. Nez Perce County Commissioner Doug Zenner seconded the motion. The motion carried.

Legislative Priority Update

- IG-12 Whistleblower Act | To apply caps on non-economic damages
 - Will be introduced today at 1:30 pm by Chairmen Chaney.

- IG-06 APA | Standard of review for local government under Administrative Procedure Act
 - The legislation being introduced by Senator Burgoyne has no apparent effect on counties. IAC recommends tabling work on this resolution because it does not affect counties.
- JPS-03 Odyssey Fees | Collection of certain misc. fees in Odyssey including pre-trial juvenile supervision & JPS-04 Pretrial Release | Technical corrections of collection of fees for adult pretrial release
 - Representative Hartgen is introducing this on Friday afternoon.
- IG-08 [S1268](#) Write-in Deadline | Change write-in deadline to 7th Friday before election
 - There is a full hearing for this bill this morning in Senate State Affairs. There was a small grammatical error in the original draft. A request will be made to send the bill to the 14th Order for amending. Majority Leader Winder has assured IAC the bill will not die there.
- PL-01 IDL/County Roads | Maintenance of county roads w/easements on IDL Lands
 - IAC met with IDL and their DAG's on Friday to discuss non-legislative options. IDL assured IAC they are not discussing any action to force counties to purchase easements for roads counties have historically maintained. There was a discussion about creating a group consisting of IAC members, IDL and others to meet annually to discuss and collaborate on any issues. This discussion is still in the early stages and therefore no decisions have been made at the moment. IDL also committed to doing research into solutions to the issues to not harm counties but also not interfere with IDL's constitutional obligations.

Legislative Policy Update

- IG-10 [S1270](#) Uncontested City Elections
 - IAC sent a draft to the cities for review. Justen Ruin from AIC sent IAC an email including language cities could live with. The bill was already printed by the receipt of email. The bill will be reprinted on Friday morning to include the new language and receive a new bill number.
- IG-13 [H0349](#) Marriage License Clarification
 - This bill has turned into a major issue with the ACLU. Currently the statute cannot be complied with due to its current language. However, the draft language in the bill that fixes the issue now reads that individuals should provide proof of legal residency in the United States as is required. Federal case law states counties cannot preclude someone from getting married regardless of immigration status. Therefore, striking the entire section would be the only proper fix. However, this would lead to a political battle on immigration. IAC will seek feedback from the Clerks on Thursday. This issue will be put on hold until the Clerks decide how they prefer to proceed.
- IG-02 [S1269](#) Security of Ballots
 - This bill will also be given a full hearing this morning in Senate State Affairs. This should go to the floor with a do-pass recommendation.
- JPS-07 Public Defense
 - This will be introduced this afternoon in House Judiciary & Rules at 1:30 pm. There is growing legislative interest at looking for alternative models for public defense but it is unclear if that interest has reached a tipping point where the legislature will be supportive.
- JPS-06 Clerk on Magistrate Commission

- Senator Lakey has this resolution RS on his desk. The secretary has the SOP. When the Senator Lakey's secretary calls IAC then IAC will be on the calendar for a print hearing, hopefully in the next few days or early next week.

New Business

- [H0390](#) (Oppose) Assessed valuation appeals
 - This bill was introduced Monday morning. H0390 sets up a new process to allow individuals who disagree with the assessed valuation of their property to provide an arm's length transaction or appraisal within the previous 12 months to be considered the market value of the property. This bill has a myriad of issues. The bill would violate the board of equalization statute which states the Assessor is considered right unless there is a preponderance of evidence stating otherwise.
 - *Twin Falls County Commissioner Don Hall moved to oppose House Bill 390. Canyon County Commissioner Tom Dale seconded the motion. The motion carried.*
- [H0393](#) (Monitoring) Consolidation of election dates
 - This bill would eliminate the March and August election dates to unsure higher turnout for school bonds. This would not affect presidential primaries.
- H0XXX (Oppose) Waterway ordinances/wake zones
 - This bill does not have a bill number yet. This issue is being taken up on behalf of wake boat users to preempt local jurisdictions from passing no-wake-zone ordinances greater than 200 feet. Wakes have adverse effects on shorelines depending on their makeup (sandy, gravel, rocky, etc.). The eutrophication of the body of water itself is also affected by wakes which can have an adverse effect on the tourism and economy of local communities. Wake-zones should be specific to the body of water the ordinances effect. This bill would create a statewide standard to take away local control and could seriously damage local communities and waterbodies.
 - *Boundary County Commissioner Dan Dinning moved to oppose legislation preempting local jurisdictions from imposing local wake ordinances. Canyon County Treasurer Tracie Lloyd seconded the motion. The motion carried.*
- [S1265](#) (Monitoring) LSO Registry Changes
 - This bill was introduced by Senator Bair. It would cut back reporting requiring on counties to LSO to just county expenditures from the prior year as opposed to the current years approved proposed budget. IAC has had conversations with the State Controller's office to have counties submit their information to Transparent Idaho. There are currently 7 counties participating in this trial. If it is successful, the goal is to repeal the requirements of counties to submit their information to LSO altogether and submit to Transparent Idaho moving forward.
- [S1277](#) (Monitoring) Homestead Exemption Form
 - This bill was introduced by Senator Rice and would create one form for all homeowner's exemptions. The bill was passed with a do-pass recommendation as is. The Assessors do not have any issue with the bill, though they did suggest some additions that were not added.
- [S1280](#) (Support) Campaign finance reporting/judiciary
 - Phil McGrane: this bill is going to pass. It would allow candidates who spend less than \$500 to not report their campaign finances. It also extends this to the judiciary. A political treasurer would still have to be appointed and identified.
 - *Twin Falls County Assessor Brad Wills moved to support Senate Bill 1280. Canyon County Commissioner Tom Dale seconded the motion. The motion carried.*

Other Business

- The legislative committee worked to clarify IAC's property tax relief plan messaging:
 - Counties would be given one of two options annually:
 1. Increase property tax budget by up to 5% including any combination of new construction and the base budget. This is a cap. OR
 2. Allowed to budget new construction property taxes plus a base budget amount indexed to inflation:
 - 2017 inflation was 2.1%, so if a growing county has 4% new construction, the maximum property tax budget increase would be 6.1% instead of 7%.
 - When 63-602NN and Urban Renewal increment value return to the tax rolls the taxable value goes into new construction.
 - Additional Property Tax Relief Recommendations
 - Increasing by indexing the homeowner's exemption and expanding the property tax reduction program (circuit breaker).
 - Leverage online sales tax "tax relief" fund to provide additional property tax relief.
 - Broaden county authority to adopt impact fees to pay for county infrastructure expansion.

*Twin Falls County Assessor Brad Wills moved to adjourn the committee meeting at 9:29 am.
Canyon County Commissioner Tom Dale seconded the motion. The motion carried.*

The meeting was adjourned.

IAC Legislative Committee

MEMBERSHIP

CHAIR

Justin Baldwin
Gooding County Assessor

Brad Wills
IACA: Twin Falls Assessor

Tracie Lloyd
IACT: Canyon Treasurer

Lucky Bourn
ISACC: Minidoka Coroner

Tom Dale
District 3: Canyon Commissioner

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VICE CHAIR

Donna Peterson
Payette County Treasurer

Carrie Bird
IACRC: Clearwater Clerk

Kieran Donahue
ISA: Canyon Sheriff

James Zehner
District 2: Idaho Assessor

Craig Rowland
District 5: Bingham Sheriff