

IAC Legislative Committee

February 10, 2021 | 10:00 am - 12:00 pm

Zoom Meeting

MEETING MINUTES

Call to Order

Chair Baldwin called the meeting to order at 10:00 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: Annette Dygert, Owyhee Treasurer
ISA: Kieran Donahue, Canyon Sheriff

District 1: Dan Dinning, Boundary
Commissioner
District 2: Justin McLeod, Lewis Commissioner
District 3: Phil McGrane, Ada Clerk
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
Angie Barkell, Owyhee Clerk
Jessica Lewis, Bingham Commissioner
Phil Lampert, Benewah Commissioner
Tracie Lloyd, Canyon Treasurer
Jack Johnson, Twin Falls Commissioner
Dotti Owens, Ada Coroner
Kathie LaFortune, Latah Commissioner

Craig Rowland, Bingham Sheriff
Tom Lamar, Latah Commissioner
Henrienne Westberg, Latah Clerk
Sherry Maupin, Valley Commissioner
Joe Merrick, Owyhee Commissioner
Brandon Woolf, State Controller
Josh Whitworth, State Controller's Office
Lorna Jorgensen, Ada Prosecutor's Office
Jeff Lavey, ISA

Minutes Approval (Action Item)

Nez Perce County Commissioner Doug Zenner moved to approve the February 3, 2021 meeting minutes. Twin Falls County Commissioner Don Hall seconded the motion. The motion carried.

Discussion Items

- [H0067](#) Public Health District Authority
 - HB67 would prohibit public health districts from closing schools or excluding pupils from school for preventing the spread of infectious diseases. This gives authority to the

Governor and to the school board of trustees based on the consultation of the public health district. In the last year during the pandemic, there haven't been any instances where a public health district has closed a school.

- [H0073](#) Transparency
 - State Controller Brandon Woolf & Chief of Staff Josh Whitworth gave a presentation on transparency.
 - H0073 passed through the committee this morning with little testimony. The Idaho Freedom Foundation opposed the bill because they don't support the Controller's office hiring more staff. There was only one no vote from the committee.
 - How will it be implemented? There are concerns around accounting systems.
 - Controller Woolf explained the Transparent Idaho website was implemented in 2013 to provide transparency regarding state funds. Counties already have to send audit reports to the Legislative Services Office. The Controller's office wants to know how they can help make this reporting easier. They want the counties to be able to keep their current accounting systems in place. They will take county data and cross walk it into their system. The Controller's office has requested additional staff to help take on the data burden. The legislation would create a uniform chart of accounts. Hopefully the manual will help. The new system will go through a pilot working with a limited number of counties first.
 - Counties don't want the responsibility of implementing this process for the smaller taxing districts within each county. If this law is implemented the state will need to make sure that the information, they are collecting, is not too cumbersome for smaller taxing districts and that they will assist those taxing districts with implementation of this process.
 - Controller Woolf requested input on how to help the smaller taxing districts.
 - The deadline for reporting will be moved from September to January. There is a concern about that deadline being firm. The Controller's office is looking at the penalty to be flexible and the decision being made by the Controller. The intent is to find out why compliance isn't happening and to help local governments become compliant, not to be punitive.
 - One suggestion is to review the audit statutes since if a taxing district is under a dollar threshold, they are not required to be audited. It will be important to keep those districts in mind as this moves forward. These statutes may need to be amended to remove the reporting requirement if they don't have to have an audit.
 - The manual will contain the chart of accounts that will be the guide of how counties will report data.

Ada County Clerk Phil McGrane moved to support House Bill 73. Twin Falls County Commissioner Don Hall seconded the motion. The motion carried.

- [H0088](#) Ballot Collections
 - H0088 would prohibit people from turning in another's ballot unless they are a family member and would limit it to two ballots. There are some exceptions for elected officials and postal workers. The penalty would be a felony. The clerks want to know how this would be enforced because most ballots are not observed as they are dropped into a drop box.
 - "Family" isn't defined. It wasn't defined to leave it vague so you could help out others if needed, like a cousin. There is concern around assisted living centers as sometimes

center staff deliver ballots to the county. This bill would require election staff to go pick up the ballots.

- Bannock Commissioner Terrel Tovey explained that he thinks the bill is flawed and needs to clarify that compensation for ballot pick-up and delivery should be illegal. There would need to be a lot of outreach and education to other facilities.

Ada County Clerk Phil McGrane moved to support House Bill 88. Twin Falls County Commissioner Don Hall seconded the motion. The motion carried.

- [H0095](#) District Magistrate Commission
 - H0095 clarifies that there will be a temporary replacement for the clerk in the event that there is a judge vacancy in the clerk's county. This will remove any conflict of interest in the appointment of a new judge in that county.
 - H0095 also changes the terms for each seat, to clarify when each vacancy needs to be filled.

Clearwater County Clerk Carrie Bird moved to support House Bill 95. Nez Perce County Commissioner Doug Zenner seconded the motion. The motion carried.

- [H0098](#) Disaster Emergency Powers
 - H0098 would allow the Governor to declare an emergency for 60 days instead of 30. The declarations would continue if there is funding attached to prevent jeopardizing that funding. There isn't a timeframe specified for the legislature to be reconvened. This bill protects the federal funding that counties often receive in the event of an emergency declaration.
 - Previous discussions were that IAC would not get in the middle of the power struggle between the governor and the legislature. Staff will continue to monitor.

Lewis County Commissioner Justin McLeod moved to remain neutral on House Bill 98. Madison County Commissioner Brent Mendenhall seconded the motion. The motion carried.

- [H0110](#) Impact Fees, Ambulance Districts
 - Ada county is working on H0110. It would allow the collection of impact fees for ambulance districts. This will allow for building facilities for parking ambulances.

Payette County Treasurer Donna Peterson moved to support House Bill 110. Ada County Clerk Phil McGrane seconded the motion. The motion carried.

- [S1042](#) Public Contracts
 - S1042 changes some of the procurement laws. Some counties like it and others don't like some of it. Twin Falls County has some minor concerns. Concern that it removes county's ability to use multipliers and other tools.
 - The Ada county commissioners have concerns that this makes the county renegotiate in certain instances and if there isn't a decision the county has to cancel the procurement. There are other options instead of this language.
 - There should be a safety valve to be able to go out to the open market. Staff will bring this concern up to the bill sponsor.

Twin Falls County Commissioner Don Hall moved get concerns addressed and then support Senate Bill 1042. Nez Perce County Commissioner Doug Zenner seconded the motion. The motion carried.

- [S1048](#) Property Tax Budget Caps
 - S1048 is evolving. It is going to be withdrawn. Sen. Rice stated this will not get a hearing. He is working on a new proposal. The idea is to allow 3% and new construction at 75% of value outside of revenue allocation areas. The remaining 25% would not go into the budget. It would be used to buy down the base.
 - It is unknown how this will impact URAs and 63-602NN exemptions. It is a work in process.
 - IAC staff is looking to see how much increment is out there in regards to URAs. Forgone would not be able to be utilized if you took the 3% and 75% of new construction. If you don't have new construction you would be able to use forgone to back fill budget up to 4%. They are looking at 50% for URAs.
 - IAC will work to get them closer to 75%. Overall, this is better than the previous approach.
- [S1060](#) Public Health Orders
 - S1060 proposed by Senator Vick would make the Board of County Commissioners either approve or deny a county-wide or district-wide order made by a public health district. The BOCC would have 7 days to make a determination. Lastly, the bill reduces the penalty for violations of these orders to an infraction with a \$50 fine.
 - The committee acknowledged that enforcement is unlikely. The infraction is better but the enforcement is going to be a battle. This needs more work and time to determine the path forward.
 - Some committee members believe that there is a need to have commissioners on the public health boards. This is being turned into a political response. There is going to be more confusion.

Canyon County Sheriff Kieran Donahue moved to take no action on Senate Bill 1060. Boundary County Commissioner Dan Dinning seconded the motion. The motion carried.

- Medicaid Expansion Funding
 - The Governor's office has reached out to discuss Medicaid Expansion and has expressed the intent to have \$12.5M from counties. There are three options: mandate property tax relief, pay for public health districts (\$10M), or divert revenue sharing for the funding obligation.
 - Some legislators are looking at either repealing or really modifying the program and so the question becomes: "What do we do with the savings?" The members have always opposed diverting revenue sharing so the other two options are in play.
 - Some public health districts are nervous about having counties take over but some have expressed that it would be nice to have the state out of public health and leave policy up to the health districts. There are questions of who would be in charge of the administration role (payroll, etc.) if counties take over the funding aspect.
 - Sheriff Donahue stated that the sheriffs have sponsors for the driver's license fee bill. It has been RSed. ISA is looking forward to it moving forward with a hearing. Counties are Subsidizing \$3.3M for driver's licenses.
 - Commissioner Zenner expressed his frustration with Congressman Simpson's new position supporting the breach of 4 dams on the lower Snake River.

Nez Perce County Commissioner Doug Zenner moved to send a recommendation to the IAC membership to send a letter from IAC in opposition to Dam Breaching to Congressman Mike Simpson. Lewis County Commissioner Justin McLeod seconded the motion. The motion carried.

- IAC will work on a letter for elected officials to sign on and not have it come from the legislative committee.

Payette County Treasurer Donna Peterson moved to adjourn the committee meeting at 12:18 pm. Nez Perce County Commissioner Doug Zenner seconded the motion. The motion carried.

The meeting was adjourned.

IAC Legislative Committee

MEMBERSHIP

CHAIR

Justin Baldwin
Gooding County Assessor

Brad Wills
LACA: Twin Falls Assessor

Annette Dygert
LACT: Onyhee Treasurer

Scott Carver
ISACC: Valley Coroner

Phil McGrane
District 3: Ada Clerk

VICE CHAIR

Donna Peterson
Payette County Treasurer

Doug Zenner
LACC: Nez Perce Commissioner

Danny Clark
IPAA: Bonneville Prosecutor

Dan Dinning
District 1: Boundary Commissioner

Don Hall
District 4: Twin Falls Commissioner

Brent Mendenhall
District 6: Madison Commissioner

Carrie Bird
LACRC: Clearwater Clerk

Kieran Donahue
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Terrel Tovey
District 5: Bannock Commissioner