

IAC Legislative Committee

November 3, 2021 | 10:00 am - 12:00 pm

700 W. Washington Street

Boise, ID 83702

MEETING AGENDA

Call to Order | *Chair Justin Baldwin*

Chair Baldwin called the meeting to order at 1:30 pm.

The following committee members were present:

Chair: Justin Baldwin, Gooding Assessor
Vice Chair: Donna Peterson, Payette Treasurer
IACA: Josh Dison, Elmore Falls Assessor
IACC: Doug Zenner, Nez Perce Commissioner
IACRC: Angie Barkell, Owyhee Clerk
IACT: Annette Dygert, Owyhee Treasurer
IPPA: Danny Clark, Bonneville Prosecutor
ISACC: Scott Carver, Valley Coroner

District 1: Dan Dinning, Boundary
Commissioner
District 2: Justin McLeod, Lewis Commissioner
District 3: Phil McGrane, Ada Clerk
District 5: Terrell Tovey, Bannock
Commissioner
District 6: Brent Mendenhall, Madison
Commissioner

The following guests were present:

Seth Grigg, IAC
Sara Westbrook, IAC
Kelli D Brassfield, IAC
Tim Hibbard, IAC
Jessica Roth, IAC
Kathie LaFortune, Latah Commissioner

Carrie Bird, Owyhee Clerk
Sherry Maupin, Valley Commissioner
Wayne Schenk, Minidoka Commissioner
Kim Keely, Teton Clerk
Jack Johnson, Twin Falls Commissioner
John David Davidson, Blaine Treasurer

Minutes Approval (Action Item)

Nez Perce County Commissioner Doug Zenner moved to approve the September 28 meeting minutes. Bonneville County Prosecutor Daniel Clark seconded the motion. The motion carried.

Discussion Items

Bills have to be on a single subject or office. We can't combine Treasurer's proposals with Coroner's proposals.

- Legislative Prioritization

- IGA-01 Affordable Housing

Looking to have the state provide funding for the State Housing Fund. This will also require a legislative fix, which needs to be done, but there is a concern that nothing will be accomplished if we try to fix the funding piece and the legislative fix at the same time. The suggestion is to just fix the funding piece and work on the other next year.

The Governor's office stated we can't use ARPA dollars because they can't be put in a trust. They are looking at GAP financing. They are supportive of this issue though.

Buzz words to be cautious about. It is political season. We also need to start looking at development. Funding and development go hand in hand. We could look at a tax incentive to turn short term rentals into long term rentals.

- IGA-02 Court Fees Date Change

To align dates for transfer of funds to the state treasurer's office. This will allow us to be in compliance with the law as we are unable to comply at this point. Supreme Court is in support at this point (unofficially).

- IGA-03 Investment Options

This will allow the Treasurer to spend their idle funds in specific places. This will mirror the allowances that the state Treasurer has. This will give better guidelines.

- IGA-04 Vape Tax

Seth has met with tobacco and vaping lobbyists. They are interested in working together. The question is what should the level of tax be? We will need to be flexible and there will be a stakeholder group that forms to tackle this. The discussions have been positive. It is recognized that there will

eventually be a tax so more want to be involved. The vaping coalition has been working legislation in the past that the House killed. There is a need to work on House members more than the Senate.

- IGA-05 Property Tax Relief Fund
63-2306 - To have the state contribute more to counties through sales tax or allow counties to utilize local option tax. It is a dollar-for-dollar proposal that have needs to be used for property tax relief. The Governor's office as well as leadership want to make something happen on the property tax relief front and so now is the time. We will need to look at some sideboards such as not allowing counties to budget reserved forgone if the full 3% was taken. The legislature is starting to realize that if there is going to be real property tax relief, there needs to be an alternate funding source to cover county funding cuts.

There is potential for raising significant funding for counties but provide tax relief.

- JPS-02 State Based Public Defense
The proposal is to create a state based public defense system that is fully funded by the state. There is a commissioner group working on this. They are also working on the funding piece as well as looking at the rule making process.

Could we look at a pilot project? All options are going to have to be on the table. This could be a multiyear process. The PDC is creeping in on county authority and we need to keep moving forward. There are some logistical issues to be worked through such as facilities. Some counties have institutional offices and to have the state take this over, where/how/cost of that? Space/facilities can't just be transferred. It would be a major cost to the state to have to find facilities if they were to take over.

Bannock County is looking a regional system. This has a lot of logistical problems. There are some rules and laws in place that need to be looked at to see if this is possible. This may need some legislation to be able to create some sort of body or board to govern the region. This could be a possibility. We will need to look at an opt-out provision.

- JPS-03 Coroner Report to Treasurer's Office
Coroners would like to extend the timing for public administration cases to be transferred from Coroners to Treasurers from 48hrs. to 72hrs. Finding the next of kin (NOK) takes some time and they need the extra time.
- JPS-04 Indigent Cremation Change
Coroners are running out of space in their facilities and this would allow for cremation at 10 days instead of 14 days. This will help elevate pressure on capacity.

- Property Taxes

The interim committee has met. They haven't talked too much about tax relief but there are a few proposals.

Valuation Cap - Sen. Rice has a proposal about valuation. This would cap year over year valuations. You would take the average increase of residential and commercial values and that would be your cap. A complication is whether or not you own the property and for how long. Another challenge would be that ownership timing doesn't align with equalization. Same sort of issue that we have with the homeowners' exemption. May be too big of an issue to tackle this session.

A question is how to explain this to a homeowner. Does the realtor's association know about this? They aren't thrilled with this. It would encourage leasing and subleasing. It doesn't make sense to have your rural areas constrained where there isn't a lot of valuation movement as opposed to the commercial areas. What are the unintended consequences? You will see more blight and it incentivizes to not sell. It could "trap" people in their homes as well. People may want to sell but can't afford the property tax of a new home because the valuation could be much higher than where they currently live.

What about looking at a three- or five-year rolling average for home values? "It's too simple." (Sarcasm emphasized) This would help keep residential more level.

Supplemental Levies – Are there any unintended consequences? The sales tax "bucket" would be eliminated and go into the distribution formula. There is a possibility of a reduction in county revenue distribution because their funding would come off the top before counties.

Fund Balance Limitations – Cap unassigned funds at three months. Fremont County and Madison County are perfect example as to why counties need the flexibility of funds since they are sitting on a very large court case. This proposal being driven by the fact that Boise City is sitting on a very high fund balance. One entity is creating a problem for everyone else. The outside auditor would disagree with the proposal and would recommend 6-9 month in reserve.

- Special Session

We will see if the Senate actually comes back to town. The House needs to act on the Giddings ethics hearing recommendation and they want to take action on the federal vaccine mandate. They will get bogged down.

Prioritizing:

Phil:

Prop, Housing, PD, Court fees, coroner's bills (maybe the clerks could do the court fees on their own).

Don:

Prop, Housing, PD, Court fees, Vape tax

Annette:

Prop, PD, vape, housing, (Court fees/coroners/treasurers on their own with IAC staff help)

Bonneville County Prosecutor Daniel Clark moved to approve priorities (property tax, public defense, vape tax, and housing, and to have affiliate associations to work on their proposals with staff help). Ada County Clerk Phil McGrane seconded the motion. The motion carried.

- Legislative Messaging – Next meeting

Ada County Clerk Phil McGrane moved to oppose criminalizing officials for enforcing federal law. Madison County Commissioner Brent Mendenhall seconded. The motion carried.

Payette County Treasurer Donna Peterson moved to adjourn the meeting at 12:30 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 Assessor

Dan Dinning
District 1: Boundary Commissioner

Justin McLeod
District 2: Lewis Commissioner

Phil McGrane
District 3: Ada Clerk

District 4: TBD

VICE CHAIR

Don Hall
Twin Falls Commissioner

Annette Dygert
IAC: Owyhee Treasurer

Danny Clark
IPAA: Bonneville Prosecutor

Kieran Donahue
ISA: Canyon Sheriff

Scott Carver
ISACC: Valley Coroner

Carrie Bird
IACRC: Clearwater Clerk

ALTERNATES

Phil Lampert
District 1: Benewah Commissioner

Kathie LaFortune
District 2: Latah Commissioner

Sherry Maupin
District 3: Valley Commissioner

Wayne Schenk
District 4: Minidoka Commissioner

Jessica Lewis
District 5: Bingham Commissioner

Shayne Young
District 6: Jefferson Commissioner

Brad Wills
IACA: Twin Falls Assessor

IACC:

Angie Barkell
IACRC: Owyhee Clerk

John David Davidson
IAC: Blaine Treasurer

IPAA:

ISA:

Dotti Owens
ISACC: Ada Coroner