

# IAC Legislative Committee

February 9, 2022 | 10:00 am – 12:00 pm

Virtual Meeting

[ZOOM LINK](#)

## MEETING MINUTES

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The following committee members were present:

Chair: Justin Baldwin, Gooding Assessor  
Vice Chair: Don Hall, Twin Falls Commissioner  
IACA: Josh Dison, Elmore Falls Assessor  
IACC: Doug Zenner, Nez Perce Commissioner  
IACRC: Angie Barkell, Owyhee Clerk  
IACT: Annette Dygert, Owyhee Treasurer  
IPPA:  
ISA: Kieran Donahue, Canyon Sheriff

ISACC: Scott Carver, Valley Coroner  
District 1: Dan Dinning, Boundary Commissioner  
District 2:  
District 3: Phil McGrane, Ada Clerk  
District 4: Wayne Schenk, Minidoka Commissioner  
District 5: Terrel Tovey, Bannock Commissioner  
District 6: Brent Mendenhall, Madison  
Commissioner

The following guests were present:

Seth Grigg, IAC  
Sara Westbrook, IAC  
Kelli D Brassfield, IAC  
Brad Wills, Twin Falls Commissioner  
Lorna Jorgensen, Ada Prosecutor  
Jessica Lewis, Bingham Commissioner  
Sherry Maupin, Valley Commissioner  
Kim Keely, Teton Clerk  
Kathie LaFortune, Latah Commissioner  
Ernie Moser, Bannock Commissioner  
Robin Monahan, Owyhee Assessor  
Jeff Hough, Bannock Commissioners  
Braden Clasen, Bannock County  
Chris Goetz, Clearwater Sheriff  
Tom Lamar, Latah Commissioner

Call to Order | *Chair Justin Baldwin*

Madison County Commissioner Brent Mendenhall made a motion to approved the minutes from January 31, 2021, and Minidoka County Commissioner Wayne Schenk seconded. Motion carried.

Update on IAC Priority Legislation

- Public defense funding  
Still progressing. We are working with the House and Senate to negotiate what should be in the bill. The Governor's office says it is ok to use Wayfair and the House agrees. The Senate is not on board with using Wayfair.
- Property tax relief fund  
Local option is off the table. Some legislators are looking at raising the sales tax this year and using the increase revenue for property tax relief. The idea is to expand the homestead exemption. Owner occupied would be fully exempt. In 2021 there would be \$1.5B that homeowners would no longer pay. About 42% is from owner occupied property. There will be an annexation component.

Will this cause a problem with those that border states that don't have sales tax? It may affect the grocery stores but other stores may not see a big difference.

Update on IAC Affiliate Legislation

- H0542: Court fees paid to state treasurer  
Headed to the House floor with a due pass.
- IGA-03: Investment of idle county funds  
Decided to table this year.
- S1266: Coroner notification timelines, Cremation timelines  
Headed to the Senate floor with a due pass.

Other Legislation Impacting Counties (Action)

- [H0474](#) – Limitation on county leases without a vote **OPPOSED**  
House local government had a new proposal yesterday and the hearing will be soon. The implementation date is January 1, 2023. It also clarified which type of building this

would affect. The realtors are opposed to this as well. Have the financial institutions weighed in? They are not going to engage.

- [H0442](#) –Rental fee regulation preemption (Rep. Palmer)  
Passed the House and is headed to the Senate.
- [H0481](#) – Increases threshold of PTR to \$300,000 or 150% of median assessed valuation  
On the House floor.
- [H0499](#) – Dispatch officers qualify PERSI Rule 80 (Rep. Furniss)  
Has been introduced and is waiting for a hearing date.
- [H0500](#) –Repeal of juvenile corrections fees (Rep. Erickson) **OPPOSED**  
The sponsor decided to hold this.
- [H0511](#) – Candidate names for all offices rotate on ballot (Rep. Nash)  
Rotates local districts for those with population over 100,000.
- [H0512](#) – Prohibit holding another bond election within 11 months of failed bond (Rep. Scott & Sen. Den Hartog)  
This would make those running bond elections wait 11 months for those elections that fail. The clerks are neutral.
- [H0514](#) – Mask Mandates (Rep. Kari Hanks)  
This prohibits any state agency, local, or officer to mandate someone to wear a mask. It would apply not just to COVID but to all infectious diseases.
- [H0515](#) – Public health district employees not part of state personnel  
Removes the requirement for public health to utilized the state personnel system and allows for them to regulate pay at the local level.
- [H0516](#) – Power to district health director to establish personnel system  
This would allow public health to establish their own personnel system and does not require them to participate in the state merit system.
- [H0527](#) – Addition of “USA” citizenship designation on D.L. & ID cards (Rep. Mitchell)  
Would require D.L. and ID cards to have a citizen designation on them. This card would be similar to the star card. It has been introduced but has not had a full hearing yet.

- [H0531](#) – Requires 2/3 Approval from State Historical Society prior to removal of monuments & memorials (Rep. Doug Okuniewicz)  
The hearing was today. It was sent to the House floor. If a county wanted to change the name of a bridge, they would have to submit a request to the change to the historical society. House and Senate leadership would also have to be involved. What about right of ways? If someone hits one, what would we do? You would be able to repair any damages. If they want to pass this bill, the historical society board should be elected.

*Nez Perce County Commissioner Doug Zenner made a motion to oppose HB531, and Bannock County Commissioner Terrel Tovey seconded. Motion carried.*

- [H0532](#) – SOS or county clerk petition for judicial review of an election (Rep. Skaug, Sen. Lodge & Phil McGrane)  
This would allow the SOS or the county clerks to request judicial review of an election. If the clerks are ok with this, the committee should support them.

*Bannock County Commissioner Terrel Tovey made a motion to support HB532, and Owyhee County Clerk Angie Barkell seconded. Motion carried.*

- [H0546](#) – Prohibits local governments from adopting more extensive energy codes (Rep. Dixon)  
This moves the energy codes to a different section. There will be a new draft introduced. The new language will grandfather counties in and also update the codes to the 2018 codes.

- [H0561](#) – Allows Broader use of emergency medical services fund III  
This expands the use of EMS III funds.

- [H0564](#) – Allows County Assessor to investigate person's entitlement to the homestead exemption (Rep. Moyle & Sen. Stennett)  
Allows the STC with the assessors, to investigate whether or not individuals already have the homestead exemption somewhere else in the state. There is also an appeals process. Suggestion to include the income tax side.

- [H0565](#) - Definitions of transient personal property  
This is supposed to clarify the definition that was granted last year. It removes the reporting requirement and adds to the definition. There is a problem with the new language as it adds in mining equipment but it doesn't specify traveling only within a county. Caribou County is where this is a big issue in regards to their mining. It is a \$2M county shift. Need to work on the definition. We supported HB389 last year but just need some clarification.

*Nez Perce County Commissioner Doug Zenner made a motion to oppose HB565, and Elmore County Assessor Josh Dison seconded. Motion carried.*

- [S1241](#) – Increases PTR eligibility to 200% of median value (Sen. Bayer) **SUPPORT**  
Headed to the House. It is a matter of whether or not the House will hear it.
- [S1249](#) – H0389 urban renewal and forgone clean up (Sen. Rice & Rep. Moyle)  
This has already gone through the Senate. Staff will monitor.
- [S1251](#) – State lands exchange (Sen. Harris)  
No exchanges involving federal lands will be allowed unless there is permission from all parties involved. The land board would be liable for all damages if this process isn't followed. Will this impact cooperation agreements?
- [S1259](#) – Exclusion of certain Medicaid income for PTR (Sen. Wintrow & Rep. Adams)  
This would allow for the income that Certified Medical Homes receive from the state to be deducted in the calculation for the PTR.
- [S1274](#) – Postelection Audits (Jason Hancock, SOS Deputy)  
Just had a hearing. It was sent to the Senate floor. The clerks understand the need to get something in place but there may be some changes next year for clarification. The clerks support it.
- Involuntary commitment costs (Civil Commitments Final Draft 1\_14\_22) **SUPPORT**  
Staff is following this and we are just waiting on LSO to finish the draft for a print hearing.
- Five year rolling average property assessments (see attachment)  
Assessors have mixed feelings on this. Sen. Rice is having it drafted and intends on introducing it but with the sales tax increase proposal, it may not move forward.
- Local government purchasing, responsible bidder **SUPPORT CONCEPT**  
Bob Perkins added a definition of responsible bidder. It was pulled from the rule. Committee still supports.
- Additional homestead exemptions for senior citizens age 70 and older (see attachment)  
HB649 was drafted last year. Rep. VandeWoude amended the language to make it for those that are 70 or older. There isn't an income cap and could apply to those that are millionaires. This would be difficult to administer since the county doesn't know everyone's birthday. Would the individual have to come to the county for verification? We would need a base and increment for after they turn 70. Does it address spouses? Could see people opposing this as it is a tax shift. Monitor.

- Virtual Newspaper Notices (see attachment)  
The cities and newspapers have been working together. Some papers will miss publishing notices or they are not correct. The newspapers have an online repository and you could post online as long as you pay for it. We have always advocated for online notice but as a way to reduce costs.

*Bannock County Commissioner Terrel Tovey made a motion to oppose this proposal, and Owyhee County Treasurer Annette Dygert seconded. Motion carried.*

- Accessory Dwelling Units (DRKMF275 see attachment)  
Redrafted that would allow you to regulate but you can't prohibit where they are going to be located. Needs to be a local decision.

*Bannock County Commissioner Terrel Tovey made a motion to oppose this proposal, and Lewis County Commissioner Justin McCloud. Motion carried.*

Sen. Rice has been working with Ada County in regards to the homeowners' exemption. There is a draft to fix the date issue? Counties are having to cancel high amounts of property tax value.

There was a bill introduced on Monday that removes same day registration... Sponsor is Rep. Moon. It would also have Idaho adopt some federal laws. Clerks oppose this.

HB576 allows for abatement district to have 3 board members instead of 5, if they want.

*Owyhee County Treasurer Annette Dygert made a motion adjourn, and Elmore County Assessor Josh Dison seconded. Motion carried.*

# IAC Legislative Committee

## MEMBERSHIP

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### CHAIR

Justin Baldwin  
*Gooding Assessor*

Dan Dinning  
*District 1: Boundary Commissioner*

Justin McLeod  
*District 2: Lewis Commissioner*

Phil McGrane  
*District 3: Ada Clerk*

Wayne Schenk  
*District 4: Minidoka Commissioner*

### VICE CHAIR

Don Hall  
*Twin Falls Commissioner*

Annette Dygert  
*IAC: Owyhee Treasurer*

Brent Mendenhall  
*District 6: Madison Commissioner*

*IPAA: Vacant*

Josh Dison  
*IACA: Elmore Assessor*

Kieran Donahue  
*ISA: Canyon Sheriff*

Doug Zenner  
*IACC: Nez Perce Commissioner*

Scott Carver  
*ISACC: Valley Coroner*

Angie Barkell  
*IACRC: Owyhee Clerk*

## ALTERNATES

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Phil Lampert  
*District 1: Benewah Commissioner*

Jessica Lewis  
*District 5: Bingham Commissioner*

John David Davidson  
*IAC: Blaine Treasurer*

Kathie LaFortune  
*District 2: Latah Commissioner*

Shayne Young  
*District 6: Jefferson Commissioner*

*IPAA:*

Sherry Maupin  
*District 3: Valley Commissioner*

Brad Wills  
*IACA: Twin Falls Assessor*

*ISA:*

Ben Crouch  
*District 4: Jerome Commissioner*

*IACC:*  
Kim Keeley  
*IACRC: Teton Clerk*

Dotti Owens  
*ISACC: Ada Coroner*