

IAC Legislative Committee

February 16, 2022 | 10:00 am – 12:00 pm

Virtual Meeting

[ZOOM LINK](#)

MEETING AGENDA

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: Vic Pearson, Franklin Prosecutor
ISA: Kieran Donahue, Canyon Sheriff

ISACC: Scott Carver, Valley Coroner
District 1: Dan Dinning, Boundary Commissioner
District 2: Kathie LaFortune, Latah Commissioner
District 3: Sherry Maupin, Valley Commissioner
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
Kim Keely, Teton Clerk
John David Davidson, Blaine Treasurer
Lorna Jorgensen, Ada Prosecutor

Nez Perce County Commissioner Doug Zenner made a motion to approve the minutes from February 9th, Latah County Commissioner Kathie LaFortune seconded. Motion carried.

Update on IAC Priority Legislation

- Public defense funding
There hasn't been a lot of movement since the last time we met. It is getting later in the session which makes it difficult to get something moving. Trying to get a meeting with the Governor's office. The challenge is that everything has been tied together. We need to have the charity levy/indigent/CAT repeal continue.
- Property tax relief fund
This is losing steam. There is growing momentum in raising the sales tax. The Senate wants to raise it 1.75% and the House wants to raise it 2%. The House wants to use part for increasing the grocery tax credit. The first quarter of collection would be held in a budget stabilization account. Then anyone who has applied for homestead exemption would receive an additional exemption to cover tax except for school funding and any voter approved bonds. The sales tax would be a quarterly distribution to the counties. The distribution would increase by 3% each year. What will inflation do to sales with this proposal?

What about certificates of participation? There shouldn't be any impact. There could be an impact if there are multiple years of down turn and the stabilization fund was low, there could be less funding.

Update on IAC Affiliate Legislation

- H0542: Court fees remittance date change
It is on the 2nd reading calendar in the Senate.
- S1266: Coroner notification timelines, Cremation timelines
Headed to the House

Other Legislation Impacting Counties (Action)

- [H0474](#) / [H0575](#)– Limitation on county leases without a vote **OPPOSED**
There is a hearing today in House Local Government. It will likely pass. Need to work the Senate.

- [H0481](#) – Increases threshold of PTR to \$300,000 or 150% of median assessed valuation
This made it through the House and is waiting for a hearing in the Senate. There have been discussions about which proposal IAC membership prefers.
- [H0531](#) – Requires 2/3 Approval from State Historical Society prior to removal of monuments & memorials (Rep. Doug Okuniewicz)
This passed off the House floor yesterday. Need to work in the Senate. Senator Lodge is feeling pressure and might let it have a hearing. The historical society is not an elected board that is making the decisions.

Bannock County Commissioner Terrel Tovey made motion to oppose HB531, Minidoka County Commissioner Wayne Schenk seconded. Motion carried.
- [H0548](#) – Requires STC to maintain homestead exemption database, with Clerk & SOS access.
On the House 2nd reading calendar. Helps to determine residency when someone is running for office. There may not be enough funding to cover what they want to build. The clerks and the SOS will be able to use this to determine whether someone is able to run for a certain office. The information could be used in a challenge.
- [H0564](#) – Allows County Assessor to investigate person’s entitlement to the homestead exemption (Rep. Moyle & Sen. Stennett)
There are a couple of assessors that are not in favor of this. There could always be a way to have two or more homeowners’ exemptions with the current processes. The counties could ask if the taxes are filed separately or jointly to help determine in their investigations. They could also look at whether or not the deeds state “sole and separate.”
- [H0565](#) – Definitions of transient personal property (Rep. Moyle)
Passed out of committee and is headed to the House floor. Staff testified about the negative effect this would have in regards to mining. The mining association is starting to have discussions about this. Looking to be able to fix the definition.
- [H0568](#) – Increases fees on various IDPR registrations & increases vendor (including assessors) amount received from \$1.50 to \$3 (Rep. Gestrin)
Introduced in House transportation. Some vendors have expressed that they did not want to process these registrations. The increase would be distributed to vendors and to the assessors.

- [H0585](#) – Charges separate annual fee for nonresident motorboats, counties would receive their apportionment quarterly (Rep. Okuniewicz)
This would be an annual fee for out of state motor boats. The funding would go through the current formula. Would this give the funding to be required to stop and check boats? This would have the funds go into the state vessel account. This seems difficult to enforce.
- [H0592](#) – Establishes Idaho Workforce Housing Fund & Advisory Commission (Rep. Scott Syme)
This is the policy side of the workforce housing proposal. This is in House Commerce waiting for a hearing.
- [H0621](#) – Exempts certain cybersecurity records from disclosure & allows for BOCC Executive Session on cybersecurity (Rep. Dustin Manwaring & Sen. Jim Woodward)
Allows cybersecurity records to be exempt from public records requests and protects those discussions in executive session.

Bannock County Commissioner Terrel Tovey made a motion to support HB621, Owyhee County Clerk Angie Barkell seconded. Motion carried.

- [H0635](#) – Cities, annexation, area of impact (Rep. Doug Okuniewicz)
Allows land owners to consent to annexation. A developer could basically choose which city they want to be annexed into. Bannock County had an issue similar to this where Chubbuck couldn't provide services and now there is a lawsuit. This is where comprehensive plans come in. This is also why areas of city impact are set. We need to strengthen relationships with cities so they come to the county when there are proposals for areas of city impact.

Wait and monitor.

- [H0636](#) – Accessory dwelling units, county ordinance prohibition (Rep. Colin Nash)
The committee opposed the draft prior to introduction.
- [H0643](#) – Requires counties to exempt certain land divisions from county subdivision regulations (Rep. Terry Gestrin)
This is directly in regards to the ordinance that Valley County passed. The Wilks brothers didn't like it. This proposal would prohibit counties from placing ordinances on plats/subdivision on anything over 80 acres. No zoning restrictions. Valley County was hit hard from FEMA and NFIP. The flood plain issue is big. How would this affect CAFOs? Wouldn't apply to CAFOs.

Minidoka County Commissioner Wayne Schenk made a motion to oppose HB643, Bannock County Commissioner Terrel Tovey seconded. Motion carried.

- [S1249](#) – H0389 urban renewal and forgone clean up (Sen. Rice & Rep. Moyle)
This is waiting on the House floor. Not sure it is going to pass.
- [S1283](#) – Allows ground emergency transportation access to supplemental Medicaid reimbursement (Sen. Riggs)
This would help fund the actual costs of the services.
- [S1301](#) – Self-service storage facilities assessment (Robert Anderst, Risch Pisca)
This would cap the valuation of these types of facilities. You could still use the income approach but you would have to cap at the cost approach. Most of the assessors are opposed. This is going to lead to having to really know which facilities have which types of valuation approach. This could also lead to having a new business type hiring a lobbyist each year to change their valuation. This might be unconstitutional.

Elmore County Assessor Josh Dison made a motion to oppose SB1301, Minidoka County Commissioner Wayne Schenk seconded. Motion carried.

- [S1303](#) – Urban renewal w/ 5% increment value added to the base for taxing districts (Sen. Guthrie)
He is trying to find a way to get more of the increment to the taxing districts early. He's looking at adding the increased increment to the tax rolls.

Bannock County Commissioner Terrel Tovey made a motion to support SB1303, Madison County Commissioner Brent Mendenhall seconded. Motion withdrawn as the committee is split during discussion. IAC staff will monitor.

- [S1312](#) – Changes penalties for careless barbed wire fencing (Sen. Harris)
This proposal is aimed at those that are not taking care of their fence and there is barbed wire just lying around. The sheriff could give a warning and if there was no remedy there could be a bigger penalty. How does this affect herd districts and open range? Need a position from the sheriff's association. The Prosecutors support this.

Wait and monitor.

- [S1327](#) – Involuntary commitment costs **SUPPORTED DRAFT CONCEPT**
The draft concept that was introduced was supported by the committee in a prior meeting.

- KMF284 – Amends 63-602NN to allow housing and multi-family dwellings to qualify (Rep. Burns) (see attachment)
This would include residential development. It isn't a requirement but does give the BOCC the ability to grant this. The committee might want to consider if there were parameters for maybe keeping rent lower but not just for single family dwellings. Others expressed that this is not the correct mechanism for this. Suggestion for the sponsor to look at a different section or create a new section for this.

SB1293 in regards electronic payment transactions. IAC staff to review.

Bannock County Commissioner Terrel Tovey made a motion to adjourn, Owyhee County Treasurer Annette Dygert seconded. Motion carried.

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

Wayne Schenk
District 4: Minidoka Commissioner

VICE CHAIR

Don Hall
Twin Falls Commissioner

Annette Dygert
IAC: Owyhee Treasurer

Vic Pearson
IPAA: Franklin Prosecutor

Kieran Donahue
ISA: Canyon Sheriff

Scott Carver
ISACC: Valley Coroner

Angie Barkell
IACRC: Owyhee Clerk

ALTERNATES

Phil Lampert
District 1: Benewah Commissioner

Kathie LaFortune
District 2: Latah Commissioner

Sherry Maupin
District 3: Valley Commissioner

Ben Crouch
District 4: Jerome Commissioner

Jessica Lewis
District 5: Bingham Commissioner

Shayne Young
District 6: Jefferson Commissioner

Brad Wills
IACA: Twin Falls Assessor

IACC:
Kim Keeley
IACRC: Teton Clerk

John David Davidson
IAC: Blaine Treasurer

IPAA:

ISA:

Dotti Owens
ISACC: Ada Coroner

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