

## IAC Legislative Committee

January 25, 2023 | 10:00 am – 12:00 pm

IAC Washington Office

[Zoom](#)

### MEETING MINUTES

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#### Call to Order | *Chair Don Hall*

*Valley County Commissioner Sherry Maupin made a motion to approve the minutes from January 18, 2023. Mark Bair Seconded. Motion carried.*

#### Update on 2023 Legislative Package - Reprioritize (Action)

- IGA-06 Preliminary levy rate  
Have wrapped this with lodging and tourism. Have had mixed conversations over the last week. There may be some wiggle room with the pre-levy rate but not sure how to approach yet. Speaker is not supportive of the lodging and tourism tax but he said it needs to be worked out in the committee process. It will be brought into the property tax relief discussion. These discussions will always lead back to how will this provide property tax relief. We are talking about how we could use this for revenue for law enforcement. County LE is really struggling. We can't compete with ISP and IDOC. Still in conversations with key legislators.

ISP is so underfunded that there will be no ISP in Valley County, even for the weekend of Winter Carnival. How do we address that we are covering the state highways when they are supposed to be doing this? This issue is on the radar of the legislators. Talk to your local legislators.

We want to be careful about giving up too much with the multiplier for new construction since the change in use is going to come out this year. We will need to review how stable values are. Values in Canyon County are stabilizing a little bit. Elmore County is just about flat. Twin Falls is about the same but city of Twin Falls single family dwellings permit requests has decreased a lot. There won't be the same amount of new construction. Clerks may want to keep the pre-levy rate the same to not lose anymore new construction.

- IGA-07 HB735 clean up  
RS is being created and will probably have an introductory hearing in House Health and Welfare next Wednesday during the conference.

- IGA-11 Vape tax  
Haven't had a lot of practice. Will try to schedule a meeting with Rep. Monks while members are in town next week.
- IGA-16 DMV Title Fees  
Would allow for commissioners to set this fee. Hoping to have an introductory hearing next week.
- IGA-17 Lodging and Tourism  
See above.

### **New Business (Action)**

- [H0022](#) Sales and Use Tax Withholding  
This replaces the bill that would have withheld sales and use revenue sharing for not enforcing the abortion laws. This would apply to any felony. This is very concerning. Revenue sharing is the way the legislature is trying to make locals enforce laws. This is stemming from the City of Boise where they had a directive for the city police to not investigate any illegal abortions. The counties are a little different since the sheriff is an independently elected officer. Some of this is out of the BOCC's control. The PA gets to decide when they will prosecute and the BOCC can't tell them otherwise. This sounds like extortion.

*Nez Perce County Commissioner Doug Zenner motion to oppose H0022. Latah County Commissioner Tom Lamar seconded. Motion carried.*

- [S1004](#) Self Defense, Immunity  
This is an expansion of the Stand your Ground bill from a couple of years ago. PAs will oppose. Sheriffs will likely oppose. There is a fiscal impact with this. If a PA moves forward with charges and the individual is found innocent, the county will have to reimburse/compensate those individuals. The big issue is the fiscal impact to counties. It gives individuals an "out" by claiming self-defense and this could really have an impact on prosecutions. The fiscal impact on SOP states there would not be an impact to counties but that isn't true. The committee will wait to see if the sheriffs oppose this.
- [S1006](#) Immigration Laws  
This seeks to withhold revenue sharing and is more broadly drafted than the H0022. It would penalize locals if they don't enforce immigration laws. This bill is problematic because it combines the BOCC and the sheriff. The BOCC could not be involved, and the sheriff decides one way or the other and this could put the county in hot water. This proposal doesn't have a provision to reverse a decision like H0022 which gives 180 days for remedy.

*Owyhee County Treasurer Annette Dygert made a motion to oppose S1006. Nez Perce County Commissioner Doug Zenner seconded. Motion carried.*

- Contracting – Treasurer Ellsworth

This proposal would prohibit governmental entities from entering a contract with anyone/businesses that has the policy that boycotts the exploration, production, utilization, transportation, sale or manufacturing of fossil fuel-based energy, timber, minerals, hydroelectric power, nuclear, or agriculture and/or manufacturing, distribution, sale, or use of firearms.

How would it interface with our current procurement laws? We don't know why counties would have to put this on their agendas and have to police other political subdivisions for their procurement processes. This would give recourse for those that are denied being the selected contractor.

How would this impact counties that bank with an institution that won't bank with companies that don't support or manufacture firearms? This could impact the county.

How would this impact firearm manufacturers? They are being singled out. What brought this up? It is a social issue. The treasurer had issue with a contract that was awarded at BSU. There was a contractor that was not scored very high because "the organization did not have enough diversity." Which that doesn't even go with this proposal.

- Annexation – Rep. Young

This is a rewrite of the annexation statute. Counties really only care about notification. We don't really get into the weeds on annexation. It's hard to see where the changes are since it is a rewrite. The biggest changes are in the categories. This would change the thresholds in certain categories. The cities will more than likely oppose this. We don't know how the developers will feel about it.

Is there language that requires cities to notify counties of annexation? It would be nice to know before it happens. This bill would change that so counties would know.

- Property Tax

We still don't have drafts from the other proposals that have been discussed. The house has a proposal that focuses on school funding. It would dedicate a portion of sales tax for bonding and supplemental levies. It would be based off of average daily attendance. The funding would first be used to buy down the bond levy. If there are any funds left, they would go to plant facility levies and then supplemental levies. If the school doesn't have bonds or supplemental levies, the funds would be used for facility upgrades. The idea is to see how this works and then come back and review for a possibility of allowing the schools to bond off these funds. The legislators are hesitant to do this from the beginning.

They are also looking at adjusting the circuit breaker threshold and looking at the homeowner's exemption. We don't know what that looks like yet. They also want to review the online sales tax funds. We have stressed to them that those funds are already obligated for public defense. They also want to review TECM. They would like to institute a cap on TECM. Possibly a cap of \$140M. We have asked that this be indexed if they include the cap. There are some that disagree with having a cap.

- Area of City Impact – Sen. Lakey  
Received comments from Ada and Latah County. Seth will be meeting with Sen. Lakey on Friday. There should be an updated draft by the end of next week.
- Public Defense  
We are continuing to discuss public defense with the Governor's office. Public defenders are still concerned. We want to make sure there is efficient communication between the district defenders and the chief public defender.

**Other business:**

Domestic well issue: The water users have put together a workgroup to discuss this. In some areas of the state where there is a negative impact on aquifers because there are so many wells being done on individual properties. We will be looking into community wells. There are some rules in place that we need to work through. There may be an ask from counties at the end of these discussions as well as some changes to LLUPA. There is a hang up for community wells because they must have a water right. The aquifers across the state are very different. This should be a local issue.

The meeting adjourned at 11:30 am.

# IAC Legislative Committee

## MEMBERSHIP

<b>CHAIR</b> <b>Don Hall</b> <i>Twin Falls Commissioner</i>		<b>VICE CHAIR</b> <b>Len Humphries</b> <i>Fremont Sheriff</i>
<b>Luke Omodt</b> <i>District 1: Bonner Commissioner</i>	<b>Mark Bair</b> <i>District 5: Bingham Commissioner</i>	<b>Annette Dygert</b> <i>IACT: Owyhee Treasurer</i>
<b>Tom Lamar</b> <i>District 2: Latahs Commissioner</i>	<b>Brent Mendenhall</b> <i>District 6: Madison Commissioner</i>	<del>Vic Pearson</del> <i>IPAA: Franklin Prosecutor</i>
<b>Sherry Maupin</b> <i>District 3: Valley Commissioner</i>	<b>Josh Dison</b> <i>IACA: Elmore Assessor</i>	<del>Kieran Donahue</del> <i>ISA: Canyon Sheriff</i>
<del>Wayne Schenk</del> <i>District 4: Minidoka Commissioner</i>	<b>Doug Zenner</b> <i>IACC: Nez Perce Commissioner</i>	<b>Scott Carver</b> <i>ISACC: Valley Coroner</i>
	<del>Angie Barkell</del> <i>IACRC: Owyhee Clerk</i>	

## ALTERNATES

<del>Phil Lampert</del> <i>District 1: Benewah Commissioner</i>	<del>Donavan Harrington</del> <i>District 5: Bingham Assessor</i>	<b>Tracie Lloyd</b> <i>IACT: Canyon Treasurer</i>
<del>Justin McCleod</del> <i>District 2: Lewis Commissioner</i>	<del>Shayne Young</del> <i>District 6: Jefferson Commissioner</i>	<i>IPAA:</i>
<b>Brian Stender</b> <i>District 3: Canyon Assessor</i>	<b>Brad Wills</b> <i>IACA: Twin Falls Assessor</i>	<i>ISA:</i>
<del>Ben Crouch</del> <i>District 4: Jerome Commissioner</i>	<i>IACC:</i>	<i>ISACC:</i>
	<b>Kim Keeley</b> <i>IACRC: Teton Clerk</i>	

Others Present: Lorna Jorgensen, John Crozier, Johanna Defoort