

IAC Legislative Committee

February 15, 2023 | 10:00 am – 12:00 pm

IAC Washington Office 700 W. Washington St. Boise, ID

MEETING MINUTES

Call to Order | *Chair Don Hall*

Nez Perce County Commissioner Doug Zenner made a motion to approve the minutes from February 8, 2023, Minidoka County Commissioner Wayne Schenk seconded. Motion carried.

Update on 2023 Legislative Package - Update

- IGA-06 Preliminary levy rate
This is still part of the property tax discussions. Rep. Monks said they are getting close to having a new draft. We hope they include this in it.
- [H0070](#) – County Indigent Services - HB735 clean up
Kelli presented this to House Health and Welfare yesterday and it passed out of committee with no problems. It is on the House 2nd reading calendar.
- IGA-11 Vape tax
Staff has met with stakeholders and sponsors are pushing forward. There is some movement.
- [H0085](#) - DMV Title Fees
This is on the House 3rd reading calendar. It is waiting for a vote. The fees are to cover costs only. Assessors are working on a process to see exactly what the actual cost is. Assessors believe they could average four an hour and so you compare that with staff wages to come up with a cost.
- IGA-17 Lodging and Tourism
Staff has been discussing this in the property tax arena because this will be the best way to get it moved. If we try to move this on its own, it may not be successful.

New Business (Action)

- [H0099](#) Sales Tax Distribution Date
Rep. Durrant is the sponsor. She did not reach out to her county or any other stakeholder. It may interfere with the budget process depending on how much it is. This is an unnecessary bill. It passed out of committee this morning. Staff will do more research. Annette Dygert is going to go meet with her this afternoon also.

- [H0100](#) Property Valuation – Opposed
Staff met with Rep. Manwaring on Monday to discuss the concerns. This is a carve out for specific businesses. He feels that we should not be taxing intangible property and there is an exemption for it. This was initiated out of Canyon County because of their valuation of self-storage units. Rep. Manwaring is going to move slower on this to allow staff/assessors to bring something to them to address his concerns over valuation of intangible property. Canyon County staff is working on some language to address this. Counties have repeated that there is a process for individuals that don't agree with the valuation. They can appeal.
- [H0101](#) Homeowners' Exemption No Proration – Opposed
This bill would not allow the counties to prorate the homeowners' exemption. The court came out with their opinion yesterday which stated that the state tax commission exceeded its authority. The court also stated that the law is ambiguous but stated that it appears the intent was to allow proration. Rep. Monks thinks the law needs fixed because it is ambiguous. Staff is working with Rep. McCann to get her bill introduced to allow the proration.
- [H0106](#) Utility Connections
Prevent locals from banning things like gas stoves. This comes from a decision that was made by a local government in Oregon. Maybe the counties should work with the sponsor on this. Staff brought it to your attention as it is a local control preemption.

No position.
- [H0109](#) Hospital Property Tax
This proposal is intended to make sure the exemption just applies to the hospital and not the axillary buildings owned by hospitals. Will wait and see.

No position.
- [H0110](#) Hospital Property Tax
This bill proposes having the BOCC make a decision about different property tax exemptions for hospitals. Will wait and see.

No position.
- [H0111](#) Elections Student Instruction
This is a bill from the Secretary of State's office. This would not allow students in a school that is being utilized as a polling location during an election. This would not require schools not being utilized to close. The schools could either have a virtual day or have no school. Clerks are supporting.

Bingham County Commissioner Mark Bair made a motion to oppose H0111. Motion dies for lack of second.

This shifts one burden from one local government to another. This could present some significant problems for education. Polling places are really difficult to find, and this gives more options. Staff will continue to monitor.

No position.

- [H0123](#) Medicaid Expansion Repeal

This would repeal Medicaid Expansion. There is no impact to the locals. There is no discussion of reimplementing the county indigent programs.

No position.

- [S1049](#) Endowment Lands

This bill states that if IDL proposes to close or restrict uses of endowment lands, they are required to post a notice on their website and post signs on the property impacted by such actions. This bill also adds in penalties for violating the restrictions. IDL stated that there were people going onto land that was closed but didn't want to give first time offenders an excessive penalty. It is to try to mitigate destruction to public land. Seems as though they are going to try to close other lands as well. LE doesn't have the staff to enforcement this. Sheriffs also fear how the courts will interpret this. Staff will get more information. Set up meeting with Senator Harris.

No position.

- [S1050](#) Notification of Parental Rights

This would require that parents are notified of their rights in a juvenile case within 72 hours of an action. Prosecutors are neutral.

No position.

- [S1053](#) Secure Loads

This would require that all local governments to secure/cover the vehicle loads. Highways districts are against it. Cities are staying neutral. It would cost some locals a lot of money and time efficiency to do this. This would apply to mainly the road and bridge departments. Ada County already requires this. The motorcycle alliance supports this, but they didn't oppose adding governments to the exemption back when it was amended.

No position.

- [S1056](#) Militias

This would not allow taxpayer funds to be used to keep people from organizing and parading around with weapons. Sheriffs will discuss this on Thursday. Staff will monitor.

No position.

- [S1058](#) Aggravated/Distracted Driving
This bill adds in two new sections of code for aggravated driving while distracted and while reckless. The prosecutors support this bill. It is unknown why Sen. Hartgen is making these changes as there are already code sections that deal with this. Staff will reach out to Sen. Hartgen on this one for background.

No position.

- [S1060](#) Impact Fees for Schools
This would simply allow school districts to implement impact fees.

No motion.

- [S1061](#) Natural Gas
This bill clarifies roles and responsibilities when there is a proposed development near an interstate natural gas or petroleum transmission pipeline. There are only four such interstate pipelines in Idaho, but they predate the state's population growth. At the time each of them was constructed, they were in rural areas. Since that time, population growth means that developments are much closer than was ever anticipated. So the bill incorporates interstate transmission pipelines into existing planning and zoning processes to ensure that all parties work together from the outset of the process. It creates a shared responsibility between the pipeline company, the local government and developer to make sure the three parties have common information about future development, safety protocols and needs for clarification.

No position.

- [S1062](#) Annexation – Young
This bill creates definitions and puts in notifications to counties from cities. Committee is confused on what sponsor is trying to accomplish.

No position.

- [S1063](#) Barbed Wire
This changes the penalty from a misdemeanor to an infraction. ISA supports it; however, there are a few sheriffs that don't, and they will be discussing this again. Idaho fencing laws are very difficult for sheriffs to enforce. How will sheriffs determine who the fence belong to when they fall on property lines? There are already laws on the books. It is unnecessary. Staff will monitor.

No position.

- [S1065](#) Road Usage Charge
This would allow for electric vehicles to pay by the mile instead of paying the flat registration fee. There would be a cap on the per mile rate at the current registration fee. It would be monitored by a contractor. Committee has no opinion.

No position.

- [S1073](#) Area of City Impact – Lakey
The committee already voted to support this.
- [S1075](#) Property Tax Relief – Grow
Sen. Grow reintroduced his bill in the Senate so there is more discussion. He wants to have a public hearing on it.
- [S1077](#) Lease Agreements with Profit Sharing
This legislation will require that counties, cities, highway districts, and airports allow a competitive bidding process prior to entering a lease contract with a private sector entity that includes a revenue-sharing component.

No position.

- [S1078](#) Voter Guides
The SOS is the sponsor on this. It would help inform citizens on what is going on in the elections.

Nez Perce County Commissioner Doug Zenner made a motion support S1078, Canyon County Sheriff Kieran Donabue seconded. Motion carried.

- [S1079](#) City Elections to Even Years
This would move cities to even years instead of odd. This could complicate elections with ballot faces. Cities have more boundaries than counties and other districts. The clerks oppose this. This will also confuse citizens on which candidates are running for what office.

Nez Perce County Commissioner Doug Zenner made a motion to oppose S1079, Bonner County Commissioner Luke Omodt seconded. Motion carried.

- [S1081](#) Restricted Driver's License
ISA is very opposed and have opposed this in the past. ISA is Oposed because this goes against the law to give someone a license to someone that is not here legally. Sheriffs won't do it. This does not make them better drivers and it won't make them stay at the scene of an accident. They will run. This is about the insurance companies making money. Insurance companies won't cover vehicles that don't have licensed vehicles.

Canyon County Sheriff Kieran Donabue made a motion to oppose S1081, Minidoka County Commissioner Wayne Schenk seconded. Motion carried.



SCR101 EMS resolution will be up in committee tomorrow.

Nez Perce County Commissioner Doug Zenner made a motion to support SCR101, Canyon County Sheriff Kieran Donahue seconded. Motion carried.

IAC Legislative Committee

MEMBERSHIP

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

ALTERNATES

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

Others Present: Dayton Reed, Bryon Reed, Johanna Defoort, Cindy Riegel, Sara Westbrook, Kelli Brassfield