

IAC Legislative Committee

March 1, 2023 | 10:00 am – 12:00 pm

[Zoom](#)

MEETING AGENDA

- 10:00 am Call to Order | *Chair Don Hall*
- Welcome
 - Approve March 1, 2023, Minutes (**Action**)
Mark motion, Tom seconded. Motion carried.
- 10:05 am Update on 2023 Legislative Package - Update
- [H0070](#) – County Indigent Services - HB735 clean up
Headed for the Governor’s office for his signature.
 - [H0199](#) - Vape tax
The bar keeps getting raised on how much we have to do to get a hearing. The sponsors keep working on breaking down that bar. We need a majority of republicans to support this so we can get a hearing. Need to hit parity and youth prevention.
 - [H0085](#) - DMV Title Fees
Headed for the Governor’s office for his signature.
- 10:15 am New Business (**Action**)
- [H0101](#) Property Tax No Proration – Opposed (**Update**)
Still working with legislators to get a compromise bill.
 - [H0236](#) Public Defense (**Update**)
The bill was heard in the House Jud and Rules committee and was sent to the House floor with a due pass recommendation. Staff is working with House members to make sure there are the votes to get it to the Senate. What are the concerns? The attorneys are worried there won’t be enough funding and they don’t like the top down structure. They believe there should be more local control. There is quite a bit of local control built in and this is what the Governor’s office has agreed to. What about contract attorneys? There is no intent to remove anyone. There are not enough attorneys out there to replace all the contract attorneys. It has always been stated that the intent was to continue to work with the contract attorneys.

- [H0248](#) Property Tax Deferrals (**Action**)

There are concerns from Treasurers. If this is run like the PTR program, there might be some reprogramming that would be needed. This could create administrative issues. We need to get input from the state tax commission. The idea is great, but we need to make sure everyone is on the same page.

Staff will monitor and get more information.

- [H0255](#) Impact Fees Govt Agreements (**Action**)

Prohibits from entering into agreements to collect impact fees with those that don't have the authority to impose these fees. This would not allow fire districts from coming to the county to implement an impact fee on their behalf as they don't have the authority in law. This bill may cause some problems with the way some districts run their ambulances. It is unknown/unsure if they have the authority. We don't know how many, if any, are doing this. Twin Falls County is working on this with their fire districts. This would impact them. Rep. Monks mentioned in committee that there were entities that had gone beyond their authority with impact fees. Teton County is also working with their fire districts on this and would be impacted. Ada County collects for fire, highway district, EMS, parks, and possibly more.

Latah County Commissioner Tom Lamar made a motion to oppose H0255. Nez Perce County Commissioner Doug Zenner seconded. Motion carried.

- [H0256](#) Development Impact Fees (**Action**)

If a court were to invalidate the impact fees, the govt. entity would have to refund the payees. The most recent issue was in Hayden. There was an order that made the city to recalculate the fee that was imposed. The question is who would get the refund, as most times the developer has passed that cost onto the homeowner. The other issue is where would the funds come from? There would have to be a levy on the taxpayers to repay this. This would be a double payment for citizens.

Nez Perce County Commissioner Doug Zenner made a motion to oppose H0256. Bonner County Commissioner Luke Omodt seconded. Motion carried.

- [H0257](#) Idaho State Tax Commission (**Update**)

This was held in committee. The Speaker was in there to work the committee. The committee recognized that it is overreach. Raymond asked to have it held stating that this would remove accountability from the local level.

- [H0273](#) Property Tax Voter Initiative (**Action**)

This would allow for the referendum to limit city and county budgets. There is case law from Bonner County on this. The supreme court held that the budgets are not law, and that the initiative/referendum is not for this type of process. Staff also sent committee information about the constitutionality. It was sent to the floor with a due pass recommendation. We do have the opportunity to kill this on the floor.

Nez Perce County Commissioner Doug Zenner made a motion to oppose H0273. Latah County Commissioner Tom Lamar seconded. Motion carried.

- [S1054](#) PERSI Reemployment (**Action**)

The purpose of this legislation is to ensure first responders under Idaho Code § 59-1356 can be considered for employment in Idaho after they retire. In 2022, the Public Employee Retirement System of Idaho (PERSI) brought forward reemployment legislation stating first responders may be rehired after their retirement with a clear separation in employment from their department. However, the legislation required first responders to retire prior to January 1, 2022, and did not require a PERSI contribution from the employer or employee. This amends Idaho Code § 59-1356, First Responder Reemployment Legislation to change the sunset clause to 2027, define the bonafide separation of employment as 30 days, removes the retired by date, and requires public safety officers to contribute into PERSI. The employee rate was set by PERSI at 9.8 percent and the employer rate is 13.26 percent.

Nez Perce County Commissioner Doug Zenner made a motion to support S1054. Payette County Sheriff Andy Creech seconded. Motion carried.

- [S1142](#) County Proceedings Notice (**Action**)

Allows for monthly acts and proceedings to be placed on their website if they have one. This is a lot of work for administrative staff and would like to save on publication costs.

Owyhee County Treasurer Annette Dygert made a motion to support S1142. Nez Perce County Commissioner Doug Zenner seconded. Motion carried.

- [S1145](#) National Guard (**Action**)

No impact on counties.

Property tax: The conversations are very productive. May have an introduction tomorrow morning. The language would restore the revenue sharing to counties from Wayfair. This will be a benefit. It also allows TECAM to grow until it gets to the cap. It preserves the funding for public defense. It also includes components for circuit breaker, sales tax for schools, and sales tax for homeowners. Also includes a budget surplus eliminator for property tax relief.

S1073 Lakey's area of city impact bill will probably be heard early next week.

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

ALTERNATES

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

Lorna Jorgensen