

MINUTES
SENATE LOCAL GOVERNMENT & TAXATION COMMITTEE

DATE: Thursday, January 25, 2018

TIME: 3:00 P.M.

PLACE: Room WW53

MEMBERS PRESENT: Chairman Johnson, Vice Chairman Bayer, Senators Hill, Siddoway, Rice, Vick, Patrick, Burgoyne, and Nye

ABSENT/ EXCUSED: None

NOTE: The sign-in sheet, testimonies and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

CONVENED: **Chairman Johnson** called the meeting of the Local Government and Taxation Committee (Committee) to order at 3:02 p.m.

GUBERNATORIAL APPOINTMENT: **Chairman Johnson** welcomed Steve Wallace, Director, Board of Tax Appeals (Board), to the podium. **Mr. Wallace** introduced the current Board members and noted that they serve rotating three-year terms. He reported that the Board functions independently from the State Tax Commission and Idaho counties to process tax appeals and contested case proceedings statewide.

Chairman Johnson welcomed Kenneth Nuhn to the podium. **Mr. Nuhn** provided a brief history of his personal and professional experiences. He then stood for questions.

Senator Siddoway asked Mr. Nuhn to describe how his political affiliations have changed over time. **Mr. Nuhn** stated that as a young man, he was a registered Democrat. He changed his affiliation to Republican for many years later in life. He is currently unaffiliated with any political party. **Senator Siddoway** then asked if Mr. Nuhn had attended any Board hearings since his nomination. **Mr. Nuhn** stated that he has worked with hearing officers and attended hearings across the State.

Senator Burgoyne stated that political affiliation is a relevant statutory consideration of this position. He asked Mr. Nuhn a series of questions regarding his political affiliation. **Mr. Nuhn** responded that he became unaffiliated two years ago, but prior to that time, he had been a registered Republican for approximately 15 years. **Senator Burgoyne** then asked Mr. Nuhn questions regarding his experience with, and knowledge of, Idaho tax law. **Mr. Nuhn** stated that even though he has no formal education pertaining to tax law, he has many years instructing college-level courses in general business, real estate, and appraisal. In addition, his professional experience as an appraiser has provided him with a general background in taxation and assessment. **Senator Burgoyne** expressed concern that there is currently no attorney serving on the Board, but he welcomed further discussion with Mr. Nuhn regarding his qualifications for this position.

Chairman Johnson asked that Mr. Nuhn provide any additional biographical information to Committee Secretary, Jennifer Carr.

S 1215 **Relating to Fire Protection District Elections.** Brent Adamson, Commissioner, Idaho City Fire Protection District, presented **S 1215**. Commissioner Adamson stated that this legislation will remove language regarding the election notification process of fire protection districts. It will bring the process into compliance with Idaho Code § 34-1406. Fire protection districts will be required to provide notification 12 and 5 days prior to an election; current statute requires notification 30 days prior to an election.

Senator Hill asked why the code referenced in the bill did not align with the Statement of Purpose (SOP). It was determined that the code referenced in the SOP is incorrect and will be corrected prior to sending the bill to the floor.

MOTION: **Senator Hill** moved to send **S 1215** to the floor with a **do pass** recommendation. **Senator Siddoway** seconded the motion. The motion carried by **voice vote**.

S 1216 **Relating to Compensation of Fire Protection District Commissioners.** David "Rudy" Rudebaugh, Commissioner, Timberlake Fire District, presented **S 1216**. This legislation will provide an increase to the daily compensation for fire protection district commissioners; it will align such compensation with other taxing entities. This legislation will also provide special compensation for commissioners during an emergency or disaster. **Commissioner Rudebaugh** reported a fiscal impact on fire protection districts only if the proposal is approved by a board of commissioners during annual budget appropriations. Compensation for an emergency or a disaster requires a board to set compensation limits. Such considerations apply only during the rare instances of an emergency or disaster declaration.

MOTION: **Senator Siddoway** moved to send **S 1216** to the floor with a **do pass** recommendation. **Vice Chairman Bayer** seconded the motion. The motion carried by **voice vote**.

ADJOURNED: There being no further business at this time, **Chairman Johnson** adjourned the meeting at 3:45 p.m.

Senator Johnson
Chair

Jennifer Carr
Secretary