

MINUTES
HOUSE LOCAL GOVERNMENT COMMITTEE

DATE: Friday, March 18, 2016

TIME: 1:00 P.M.

PLACE: Room EW05

MEMBERS: Chairman Luker, Vice Chairman Sims, Representatives Barbieri, Perry, Clow, Horman, Malek, Collins, Cheatham, Loertscher, Redman, Kloc, McCrostie, Nye

**ABSENT/
EXCUSED:** Representative(s) Loertscher, Perry, Barbieri

GUESTS: Jerry Deckard, Roger Seiber, ACHD; Chris Meyer, Givens Pursley; Rich Hahn, Idaho Power; Jonathon Parker, Caldwell City; Neil Colwell, Avista Corp.
Chairman Luker called the meeting to order at 1:00 P.M.

MOTION: **Rep. Horman** made a motion to approve the minutes from the meeting on February 16, 2016. **Motion carried by voice vote.**

MOTION: **Rep. Horman** made a motion to approve the minutes from the meeting on February 22, 2016. **Motion carried by voice vote.**

MOTION: **Rep. Horman** made a motion to approve the minutes from the meeting on March 2, 2016. **Motion carried by voice vote.**

S 1388AA: **Chris Meyer**, Givens Pursley, represents Idaho Association of Highway Districts, presented **S 1333aa**. There was a decision in court case *Regan v. Owen* that resulted in a precedent, that if followed, would cause destruction of easements every time a tax deed is conveyed. Tax deeds work to convey clear title eliminating mortgage or other liens which notice is provided to those lien holders. The court decision would also determine clear title means it destroys every property interest, even of third parties that have received no notice, even if it is in the interest of the public that might benefit from having those easements which is not the intention of the legislature. If allowed to go forward how it currently stands it, would destroy easement, including private and public right-of-ways, utility easements, ditch rights, and conservation easements. The legislation also includes an emergency provision because of concerns about tax deeds that may be created next week and the thousands that are currently out. If we don't fix this, there could be an explosion of litigation that could have catastrophic consequences.

In response to committee questions, **Mr. Meyer** explained that it does have an emergency clause to get these laws back on track immediately.

MOTION: **Rep. Nye** made a motion to send **S 1388aa** with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Luker** will sponsor the bill on the floor.

ADJOURN: With no further business to come before the committee, the meeting was adjourned at 1:11 P.M.

Representative Luker
Chair

Chelsea Cantrell
Secretary