

Moved by Hammond

Seconded by Stegner

IN THE SENATE  
SENATE AMENDMENT TO H.B. NO. 95, As Amended

AMENDMENT TO SECTION 1

1  
2 On page 1 of the engrossed bill, in line 27, following "agency" insert:  
3 that was created by resolution as provided in section 50-2005, Idaho Code,  
4 before July 1, 2011,"; in line 29, following "less" insert: ": (1)"; in line  
5 30, following "agency" insert: "created after July 1, 2011,"; in line 31,  
6 following "until" insert: "(2)"; in line 35, following "chapter" insert: ".  
7 If prior to July 1, 2011, the local governing body has made the findings pre-  
8 scribed in subsection (a) (1) of this section then such agency shall trans-  
9 act business and shall exercise its powers hereunder and is not subject to  
10 the requirements of subsection (a) (2) of this section"; delete line 37, and  
11 insert: "Upon the local governing body making such findings, section, the  
12 ur-".

AMENDMENT TO SECTION 2

13  
14 On page 5, delete line 24, and insert: "development site; and"; delete  
15 lines 26 through 29, and insert: "for the purposes of this act if allowable  
16 under federal laws or regulations."

AMENDMENT TO SECTION 4

17  
18 On page 7, in line 49, delete "or forestry use".  
19 On page 8, in line 2, delete "or forestry operation" and insert: "or  
20 to any forest land as defined in section 63-1701(4), Idaho Code, absent the  
21 consent of the forest landowner, as defined in section 63-1701(5), Idaho  
22 Code"; in line 3, delete "forestry operation" and insert: "forest land";  
23 in line 20, delete "or forestry use"; in line 22, delete "or forestry opera-  
24 tion" and insert: "or to any forest land as defined in section 63-1701(4),  
25 Idaho Code, absent the consent of the forest landowner, as defined in section  
26 63-1701(5), Idaho Code"; in line 23, delete "forestry operation" and insert:  
27 "forest land".

AMENDMENT TO SECTION 5

28  
29 On page 10, in line 20, following "Code." insert: "Notwithstanding these  
30 limitations, an urban renewal plan that includes a revenue allocation area  
31 may be extended only one (1) time to extend the boundary of the revenue al-  
32 location so long as the total area to be added is not greater than ten per-  
33 cent (10%) of the existing revenue allocation area and the area to be added is  
34 contiguous to the existing revenue allocation area but such contiguity can-  
35 not be established solely by a shoestring or strip of land which comprises a  
36 railroad or public right-of-way."

AMENDMENT TO SECTION 6

37

1 On page 11, delete lines 2 and 3, and insert: "caused by the removal of  
 2 the agricultural tax exemption from undeveloped agricultural land in a rev-  
 3 enue allocation area shall be added to the base assessment roll.".

4 On page 12, in line 32, delete "or forestry use"; in line 33, follow-  
 5 ing "Code," insert: "or any forest land as defined in section 63-1701(4),  
 6 Idaho Code,"; in line 33, delete "or"; in line 34, delete "forestry" and fol-  
 7 lowing "operation" insert: "or the forest landowner of the forest land"; in  
 8 line 35, delete "or forestry" and following "operation" insert: "or forest  
 9 land".

10 AMENDMENT TO SECTION 7

11 On page 14, delete lines 40 through 49; delete page 15; and on page 16,  
 12 delete lines 1 through 3, and insert:

13 "SECTION 7. That Section 50-2904, Idaho Code, be, and the same is hereby  
 14 amended to read as follows:

15 50-2904. AUTHORITY TO CREATE REVENUE ALLOCATION AREA. An authorized  
 16 municipality is hereby authorized and empowered to adopt, at any time, a  
 17 revenue allocation financing provision, as described in this chapter, as  
 18 part of an urban renewal plan or competitively disadvantaged border com-  
 19 munity area ordinance. A revenue allocation financing provision may be  
 20 adopted either at the time of the original adoption of an urban renewal plan  
 21 or the creation by ordinance of a competitively disadvantaged border com-  
 22 munity area or thereafter as a modification of an urban renewal plan or the  
 23 ordinance creating the competitively disadvantaged border community area.  
 24 Urban renewal plans existing prior to the effective date of this section  
 25 may be modified to include a revenue allocation financing provision. Ex-  
 26 cept as provided in subsections (1), (2), ~~and (3) and (4)~~ of this section,  
 27 no revenue allocation provision of an urban renewal plan or competitively  
 28 disadvantaged border community area ordinance, including all amendments  
 29 thereto, shall have a duration exceeding ~~twenty-four~~ (24) years from the  
 30 date the ordinance is approved by the municipality; and provided further,  
 31 no additions to the land area of an existing revenue allocation area shall  
 32 be interpreted to or shall cause an extension of the date of the ~~twenty-four~~  
 33 (24) year limit that was originally established for the revenue allocation  
 34 area. Notwithstanding these limitations, the duration of the revenue allo-  
 35 cation financing provision may be extended if:

36 (1) The maturity date of any bonds issued to provide funds for a spe-  
 37 cific project in the revenue allocation area and payable from the revenue al-  
 38 location financing provision exceeds the duration of the revenue allocation  
 39 financing provision, provided such bond maturity is not greater than ~~thirty~~  
 40 twenty (32) years; or

41 (2) The urban renewal agency determines that it is necessary to refi-  
 42 nance outstanding bonds payable from the revenue allocation financing pro-  
 43 vision to a maturity exceeding the ~~twenty-four~~ (24) year duration of the  
 44 revenue allocation financing provision in order to avoid a default on the  
 45 bonds; or

46 (3) The local governing body has adopted an urban renewal plan or com-  
 47 petitively disadvantaged border community area ordinance or an amendment to  
 48 an urban renewal plan or competitively disadvantaged border community area  
 49 ordinance prior to July 1, 2000, in which is defined the duration of the plan

1 beyond a period of twenty-four (24) years, in which case the revenue alloca-  
 2 tion provision shall have a duration as described in such urban renewal plan  
 3 or competitively disadvantaged border community area ordinance or may be ex-  
 4 tended as set forth in subsection (2) of this section; and

5 ~~(4) During the extensions set forth in subsections (1) and (2) of this~~  
 6 ~~section, any revenue allocation area revenues exceeding the amount neces-~~  
 7 ~~sary to repay the bonds during the period exceeding the twenty-four (24) year~~  
 8 ~~maturity of the revenue allocation financing provision shall be returned to~~  
 9 ~~the taxing districts in the revenue allocation area on a pro rata basis. The~~  
 10 ~~local governing body has adopted an urban renewal plan or competitively dis-~~  
 11 ~~advantaged border community area ordinance or an amendment to an urban re-~~  
 12 ~~newal plan or competitively disadvantaged border community area ordinance~~  
 13 ~~after July 1, 2000, and prior to July 1, 2011, in which is defined the du-~~  
 14 ~~ration of the plan beyond a period of twenty (20) years in which case the~~  
 15 ~~revenue allocation provision shall have a duration as described in such ur-~~  
 16 ~~ban renewal plan or competitively disadvantaged border community area ordi-~~  
 17 ~~nance. The duration of the revenue allocation financing provision set forth~~  
 18 ~~in this subsection may be extended if the maturity date of any bonds issued~~  
 19 ~~to provide funds for a specific project in the revenue allocation area and~~  
 20 ~~payable from the revenue allocation financing provision exceeds the dura-~~  
 21 ~~tion of the revenue allocation financing provision, provided such bond matu-~~  
 22 ~~rity is not greater than thirty (30) years or may be extended as set forth in~~  
 23 ~~subsection (2) of this section.~~

24 (5) During the extension set forth in subsections (1), (2), (3) and (4)  
 25 of this section, any revenue allocation area revenues exceeding the amount  
 26 necessary to repay the bonds during the period exceeding the maximum year ma-  
 27 turity of the revenue allocation financing provision shall be returned to  
 28 the taxing districts in the revenue allocation area on a pro rata basis."

29 AMENDMENT TO THE BILL

30 On page 17, following line 7, insert:

31 "SECTION 10. An emergency existing therefor, which emergency is hereby  
 32 declared to exist, this act shall be in full force and effect on and after  
 33 its passage and approval, and retroactively to January 1, 2011, only as it  
 34 appears to the amendment of Section 50-2903(4), Idaho Code. All other pro-  
 35 visions of this act shall be in full force and effect on and after July 1,  
 36 2011."

37 CORRECTION TO TITLE

38 On page 1, delete line 9, and insert: "POWERS OF URBAN RENEWAL; AMEND-  
 39 ING"; in line 20, delete "AND"; and delete line 21, and insert: "ITY; DECLAR-  
 40 ING AN EMERGENCY, PROVIDING RETROACTIVE APPLICATION AND PROVIDING EFFECTIVE  
 41 DATES."