

MINUTES
HOUSE WAYS & MEANS COMMITTEE

- DATE:** Tuesday, February 28, 2012
- TIME:** 1:00 P.M.
- PLACE:** Room E403
- MEMBERS:** Chairman Wood(35), Representative(s) Moyle, Bedke, Roberts, Rusche, Higgins, Cronin
- ABSENT/
EXCUSED:** None
- GUESTS:** Representative Hartgen, Representative Boyle, Representative Schaefer
Chairman Wood (35) called the meeting to order at 1:05 P.M.
- RS 21396:** **Rep. Hartgen** stated this proposed legislation addressed the Idaho Travel and Convention Industry Council and its appointments. Current language prohibits appointees from serving more than one term in their life time. The proposed legislation contains additional language indicating the appointee shall serve at the pleasure of the Governor.
- Responding to committee questions regarding the removal of council members, **Rep. Hartgen** stated that the current language was vague and the proposed legislation would make it more specific.
- MOTION:** **Rep. Bedke** made the motion to introduce **RS 21396. Motion carried by a voice vote.**
- RS 21287:** **Rep. Moyle** stated the proposed legislation is in regards to fire protection districts. It allows land owners with more than 1,500 acres to deannex from the district while making the land owner responsible for the taxes owed on the property prior to deannexation.
- Responding to committee questions regarding fire response on the property after deannexation, **Rep. Moyle** indicated the fire districts would not be required to respond to fire on the property, but if they did a bill could be submitted to the landowner for payment.
- MOTION:** **Rep. Roberts** made the motion to introduce **RS 21287. Motion carried by a voice vote.**
- RS 21405:** **Rep. Moyle** deferred the presentation to **Ken Harwood**, Executive Director, Association of Idaho Cities. Mr. Harwood stated this proposed legislation addresses concerns raised as a result of a recent ruling by the Idaho Supreme Court, *Burns Holdings, LLC v Teton County Board of Commissioners* , in which the court held that height restrictions could only be waived by variance, not by conditional use permits. This proposed legislation adds language to the Local Land Use Planning Act to ensure waivers may continue to be used as part of the land use planning process.
- In response to committee questions **Mr. Harwood** stated conditional use permits remain in code, however, this proposed legislation clarifies zoning provisions and variance requirements.
- MOTION:** **Rep. Higgins** made the motion to introduce **RS 21405. Motion carried by a voice vote.**

RS 21392: **Rep. Schaefer** stated the proposed legislation is definitional in intent, it will define the word "land" as it applies to the Idaho Land Board and the Idaho Department of Lands. Currently the Idaho Land Board has been investing in property and managing those properties. This proposed legislation provides the language of overhead and duties of what "lands" actually are for clarification so the Idaho Land Board and Idaho Department of Lands may adhere more closely to the intent of land management.

In response to questions from the committee, **Rep. Schaefer** indicated the proposed legislation would not restrict the decisions of the Idaho Land Board but would provide a clearer definition of its role. In response to questions raised about current non-land properties on the books. Rep. Schaefer indicated this change would impact future acquisitions and would not require the sale of current non-land properties.

MOTION: **Rep. Moyle** made the motion to introduce **RS 21392**. **Motion carried by a voice vote.** **Rep. Rusche** and **Rep. Cronin** requested they be recorded as voting **NAY**.

RS 21343: **Rep. Boyle** stated this proposed legislation will provide an avenue for relief for individuals who board horses and are not being paid for their services. The boarders are required to bear the costs of feeding and caring for the horses, while the owners are not paying . This proposed legislation will not change the notice required prior to selling the livestock.

In response to committee questions, **Rep. Boyle** confirmed there will be no change in the notification process prior to selling the livestock. This legislation would allow for public auction.

MOTION: **Rep. Roberts** made the motion to introduce **RS 21343**. **Motion carried by a voice vote.**

ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 1:26 P.M.

Representative Wood(35)
Chair

Brenda Walters
Secretary