

MINUTES
HOUSE LOCAL GOVERNMENT COMMITTEE

- DATE:** Wednesday, March 20, 2013
- TIME:** 1:30 pm or Upon Adjournment of the House
- PLACE:** Room EW05
- MEMBERS:** Chairman Barrett, Vice Chairman Sims, Representatives Barbieri, Luker, Perry, Clow, Hancey, Harris, Holtzclaw, Horman, Malek, Chew, Kloc, Meline
- ABSENT/
EXCUSED:** None
- GUESTS:** Kerry Ellen Elliot, Idaho Association of Counties (IAC); Shelly Tilton, Gem County; Betty Dressen, Payette County
- Chairman Barrett** called the meeting to order at 2:53 p.m.
- MOTION:** **Rep. Horman** made a motion to approve the minutes of March 18, 2013. **Motion carried by voice vote.**
- H 133:** **Kerry Ellen Elliot**, Idaho Association of Counties (IAC), presented **H 133**, which would increase the recording fees for the first page of mining claims to \$10. In 2010, statutory changes were made to raise recording fees, which had not previously been raised since the 1980s. The fee increase allowed county recorders to meet new technological requirements. During the change in 2010, mining claims were missed. Approximately \$40,000 to \$50,000 in annual new revenue is expected to come to counties through an increase in mining fees. Ms. Elliott said she had not heard of any opposition from the mining community.
- Responding to a question, **Ms. Elliott** said her association worked cooperatively with title companies to develop the new fee structure in 2010.
- Rep. Sims** declared Rule 38, saying she sits on the Board of Directors of a Shoshone County mining company.
- Chairman Barrett** declared Rule 38, saying she files assessment work.
- Larry Benton**, Idaho Land Title Association, responded to questions. He said in 2010, the primary issue was inconsistency in the fees that were being charged for take outs (transfers of documents). The 2010 legislation attempted to bring consistency to those fees. Recordors have all documents that have been recorded for real estate transactions. Title companies that need these documents during new transactions must go to their counties and request copies. Currently copies are in a scanned, electronic format. "Take out" is a term used to describe a document transfer. Raising recording fees was incidental.
- Shelly Tilton**, Gem County, testified **in support** of **H 133**. She said she believes the 2010 legislation came from county clerks, in conjunction with title companies. Members of the public who request copies generally receive them on paper, which carries a cost to the counties, and fees are charged to offset those costs. Electronic copies are not a burden. **H 133** is designed to make mining claim fees consistent with other, related fees. Currently, because mining claim fees are different from other fees, counties need to record them differently than other fees. They are requesting an adjustment in the fee schedule to create consistency in the filing process. Microfilm is still used for older documents. Members of the public can go to their county offices to view documents.

Ms. Elliot responded to additional questions, saying her understanding is that smaller operators and recreational prospectors would be affected by this change. The increase only affects the first page of any document. She contacted the Idaho Gold Prospectors' Association, and they do not have any concerns about this change. Additionally, she spoke with **Jack Lyman**, who indicated none of the larger operators are in disagreement.

MOTION: **Rep. Kloc** made a motion to send **H 133** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Chairman Barrett** and **Rep. Sims** requested to be recorded as voting **NAY**. **Rep. Kloc** will sponsor the bill on the floor.

ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 3:21 p.m.

Representative Barrett
Chair

Mary Tipps
Secretary