

STATEMENT OF PURPOSE

RS26041

This bill amends the state laws related to county and city initiative and referendum elections in chapter 18, title 34, Idaho Code, by deleting section 31-717, Idaho Code, the current state law governing the county initiative and referendum process and adding a new section 34-1801C, Idaho Code, to update and harmonize the county initiative and referendum process with the current State and city initiative and referendum processes found in chapter 34, title 18, Idaho Code. The bill also codifies in the initiative and referendum law for counties (section 34-1801C, Idaho Code) and in section 34-1801B, Idaho Code, the city initiative and referendum law, the Idaho Supreme Court's decision in the 1983 case of Gumprecht v. Coeur D'Alene. In Gumprecht the Court determined that zoning conducted by initiative and by extension referendum elections was incompatible with the comprehensive statutory procedures mandated by the Local Land Use Planning Act, at chapter 65, title 67, Idaho Code. The bill also amends section 34-106, Idaho Code, to clarify the dates of certain city and county initiative and referendum elections.

FISCAL NOTE

This amendment to the Land Use Planning Act does not create any new fees or costs. There is no fiscal impact to the state General Fund. Nor would the changes have a direct financial impact on cities or counties.

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DISCLAIMER: This statement of purpose and fiscal note are a mere attachment to this bill and prepared by a proponent of the bill. It is neither intended as an expression of legislative intent nor intended for any use outside of the legislative process, including judicial review (Joint Rule 18).