

MINUTES
HOUSE LOCAL GOVERNMENT COMMITTEE

DATE: Thursday, February 18, 2021

TIME: 1:30 P.M.

PLACE: Room EW05

MEMBERS: Chairman Mendive, Vice Chairman Kingsley, Representatives Barbieri, Clow, Christensen, Bundy, Erickson, Galloway, Nate, Skaug, Weber, Berch, Green, Davis

**ABSENT/
EXCUSED:** Representative(s) Christensen

GUESTS: Jason Boal, APA Idaho; Glen Rimbey; Hubert Osbourne; Brody Aston, Ada County; Steve Maddel; Jake Cluff, BB&A; Russ Westerberg, Ada County

Chairman Mendive called the meeting to order at 1:30 PM.

S 1044: **Sen. Souza** presented **S 1044** to the Committee stating it would remove the power of Eminent Domain from Urban Renewal Committees that are comprised of non-elected members. Under this legislation If the board is not entirely made up of elected members they may still be involved in the process but only in an advisory capacity. In this case the right of Eminent Domain will go to the City Council to be voted upon.

In response to Committee questions **Sen. Souza** clarified that in her opinion a responsible city council would always vote on Eminent Domain considerations but it's not necessary to put in code. She also clarified the difference between "Right of Eminent Domain" and "Power of Eminent Domain" as defined in this legislation. The "right of" is the ability to use the action of Eminent Domain while the "power of" is the action itself. Lastly she reiterated that currently non-elected Urban Renewal Boards do have the power to use Eminent Domain.

Steve Maddel, testified in support of this legislation. He cited personal experience with Eminent Domain in another state. He continued stating Eminent Domain can be easily over used and abused and he would like to see it curbed as much as is possible.

MOTION: **Rep. Barbieri** made a motion to send **S 1044** to the floor with a **DO PASS** recommendation.

The Committee voiced support for the legislation's attempt to balance the concerns of growing communities in regards to both long and short term planning. Committee members agreed that Eminent Domain should not be an easy process and that elected officials should be held accountable by voters, but worried that re-election campaigns and political pressure might curb decisions that must be made to address the growth many communities are facing. Additionally it was stated that elected officials may have a bigger picture of issues than a narrowly focused Urban Renewal Board. Finally Committee members clarified that even appointed members of the boards could still be elected officials even if the boards themselves are not elected.

**VOTE ON
MOTION:** **Motion carried by voice vote. Chairman Mendive** will sponsor the bill on the floor.

H 110: **Brody Aston**, Westerberg and Associates, on behalf of Ada County presented **H 110** to the Committee stating that this would add ambulance districts to the list of districts which provide public facilities in Idaho Code. This legislation allow ambulance districts to enter into agreements with cities that would allow them to benefit from development impact fees in a similar manner to fire and highway districts.

Jason Boal, APA Idaho, testified **in support** of this legislation and stated this would expand the opportunity for funding especially as the state continues to grow.

MOTION: **Rep. Weber** made a motion to send **H 110** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Chairman Mendive** will sponsor the bill on the floor.

H 124: **Rep. Skaug** presented **H 124** to the Committee stating it would bring balance to the relationship between builders and communities. He cited a personal experience while on the Nampa City council where the development community was keeping the city's impact fees artificially low as the inspiration for this legislation and stated the legislation would greatly benefit communities.

Hubert Osbourne testified **in support** of **H 124** and thanked **Rep. Skaug** and the other sponsors for the work they did to bring this legislation before the Committee. He stated the importance of maintaining a fair balance of power even on a Committee that functions only as an advisory body. He acknowledge the potential increased difficulty of finding members for these committees but stated the importance of the ability for citizens to have input on fees that impact their communities.

Mr. Maddel testified **in support** of **H 124**. He stated people should have a say in impact fees that affect them as well as stating his opinion that all decisions should be kept as close to the people they affect as possible. He stated he would like to see more done on this issue but this legislation is a good start.

Mr. Boal, APA Idaho, testified **in support** of **H 124**. He stated appreciation for the balance of power this legislation introduces as well as appreciation for the clear criteria for committees to remain in compliance if this legislation is passed.

MOTION: **Rep. Clow** made a motion to send **H 124** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Skaug** will sponsor **H 124** on the floor.

Chairman Mendive recognized **Nathan DeMordaunt**, the Committee Page, for his service to the Committee, presented him with a letter of recommendation and wished him well in all future endeavors.

ADJOURN: There being no further business to come before the Committee the meeting adjourned at 2:06 PM.

Representative Mendive
Chair

Emma Wall
Secretary