

MINUTES
SENATE LOCAL GOVERNMENT & TAXATION COMMITTEE

- DATE:** Thursday, February 16, 2023
- TIME:** 3:00 P.M.
- PLACE:** Room WW53
- MEMBERS PRESENT:** Chairman Ricks, Vice Chairman Schroeder, Senators Grow, Cook, Bernt, Trakel, Rabe, and Just
- ABSENT/ EXCUSED:** Senator Adams
- NOTE:** The sign-in sheet, testimonies and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.
- CONVENED:** **Chairman Ricks** convened the meeting of the Senate Local Government and Tax Committee (Committee) at 3:03 p.m.
- H 22** **Sales and Use Tax. Senator Toews** presented **H 22**. He stated that this bill withheld sales and use tax revenue distributions to city or county governments that took such actions as proclamations to refuse to enforce any felony listed in the criminal code. He further stated that there was no adverse fiscal impact as the resources were already in place for enforcement. Furthermore, it could result in increased money for the general fund if the cities or counties did not comply. In addition, the bill provided for 180 days to repeal applicable orders. The bill pertained solely to enforcement of state felony laws and not city, county, local or federal laws.
- DISCUSSION:** **Vice Chairman Schroeder** expressed concern regarding the language, "or similar official directive." He felt that **H 22** would potentially affect the prioritization of felonies, or an intergovernmental agreement between a city and county for enforcement of specific felonies. **Senator Toews** responded that he had discussed that change with Representative Skaug and they were willing to delete that language.
- Senator Rabe** expressed concern regarding reconciling the concepts of carving out situations where Idaho was not required to enforce federal law and sanctuary cities. She felt we should not do one thing when interacting with the federal government and another when interacting with our local governments. **Senator Toews** responded that **H 22** was not meant to deal with federal law, only state law. **Senator Rabe** expressed concern regarding taking away local control and restricting their ability to respond to local safety needs. **Senator Toews** stated that the bill was meant to address the situation where a city undermined state law.
- Senator Grow** also expressed concern about a city inadvertently violating this bill. He felt that deleting the language, "or similar official directive" would help prevent that. He asked for clarification regarding the process for repealing the decision within 180 days. Who determined that it was a bad proclamation? Once that determination was made, who did the city go to for remedy?
- MOTION:** **Vice Chairman Schroeder** moved to send **H 22** to the 14th Order of Business for possible amendment. **Senator Grow** seconded the motion.
- DISCUSSION:** **Senator Rabe** indicated that she would not vote for this bill unless there were significant changes. She was concerned that it was too heavy handed with local governments and dictating public safety needs.
- VOICE VOTE:** The motion to send **H 22** to the 14th order passed by **voice vote**.

**MINUTES
APPROVAL:**

Approval of Minutes of February 8, 2023. Senator Just moved to approve the minutes of February 8, 2023. **Senator Bernt** seconded the motion. The motion to approve the minutes of February 8, 2023 passed by **voice vote**.

**MINUTES
APPROVAL:**

Approval of Minutes of February 9, 2023. Senator Bernt moved to approve the minutes of February 9, 2023. **Senator Rabe** seconded the motion. The motion to approve the minutes of February 9, 2023 passed by **voice vote**.

ADJOURNED:

There being no further business at this time, **Chairman Ricks** adjourned the meeting at 3:20 p.m.

Senator Ricks
Chair

Meg Lawless
Secretary