

MINUTES  
**HOUSE LOCAL GOVERNMENT COMMITTEE**

**DATE:** Tuesday, February 06, 2024

**TIME:** 1:30 P.M.

**PLACE:** Room EW05

**MEMBERS:** Chairman Ehardt, Vice Chairman Kingsley, Representatives Clow, Erickson, Skaug, Weber, Alfieri, Cheatum, Cornilles, Dixon(24), Hawkins, Healey, Price, Wroten, Berch (Bratnober), Green (Ruckh), Galaviz

**ABSENT/  
EXCUSED:** Representatives Cornilles, Skaug

**GUESTS:** The sign-in sheet will be retained in the committee secretary's office; following the end of session the sign-in sheet will be filed with the minutes in the Legislative Library.

**Chairman Ehardt** called the meeting to order at 1:40 p.m.

**MOTION:** **Rep. Cheatum** made a motion to approve the minutes of the January 16, 2024 meeting. **Motion carried by voice vote.**

**RS 30944C1:** **Rep. McCann** presented **RS 30944C1**, relating to expanded notification options for vacation of plats. She explained the legislation was brought forward by the City of Lewiston via the Association of Idaho Cities to help provide some cost burden relief to property owners seeking to vacate their properties. She described the current notification process and said the bill would add the option of sending notification mailings to properties within 300 feet by certified mail rather than requiring the certified mail with return receipt. The RS also requires the petitioner to provide an affidavit confirming notification to be held on file.

**MOTION:** **Rep. Galaviz** made a motion to introduce **RS 30944C1**.

In answer to questions from the committee, **Rep. McCann** explained notices are posted at locations within City Halls and bulk mail was not considered as an option because the number of mailings generally does not qualify for bulk mail rates.

**VOTE ON  
MOTION:** **Motion carried by voice vote.**

**RS 31104:** **Rep. Nelson** presented **RS 31104**, which adds recreation districts to the list of entities authorized to enter into intergovernmental agreements for capital improvements, or for the purpose of collecting and expending development impact fees for system improvements, or both. He said he brought the legislation back from last year because it provides one more tool for local governmental entities to have at their disposal. This only adds recreation districts to the current law.

**MOTION:** **Rep. Clow** made a motion to introduce **RS 31104**. He stated the legislation deserved introduction and further discussion, but was not yet sure he would support it to the end. **Motion carried by voice vote.**

**H 444:** **Rep. Ehlers** presented **H 444**, which closes a loophole of government taking surplus proceeds in excess of debts owed when the property is transferred to another government entity. He provided an example of how the loophole could be applied and ceded his time to **Madi Clark**, analyst, Mountain States Policy Center. Ms. Clark described a recent Supreme Court case of what is termed "home equity theft". This resulted in a ruling that such takings leave property owners with no recourse and are unconstitutional. This legislation will bring Idaho law into constitutional compliance.

In answer to a question from the committee, **Ms. Clark** explained she was unaware of any instances where the loophole has been used in Idaho.

**MOTION:**

**Rep. Wroten** made a motion to send **H 444** to the floor with a **DO PASS** recommendation.

**James Manley**, State Policy Deputy Director for the Pacific Legal Foundation and **David Lehman**, representing AARP, testified **in support** of the bill. They claimed it will bring Idaho law into compliance with the recent Supreme Court finding and it would better protect the elderly who are disproportionately affected by tax foreclosures.

**Rep. Ehlers** stated the Association of Idaho Counties was consulted when writing the bill to ensure it did not include anything it should not.

**VOTE ON  
MOTION:**

**Motion carried by voice vote. Rep. Ehlers** will sponsor the bill on the floor.

**ADJOURN:**

There being no further business to come before the committee, the meeting adjourned at 2:07 p.m.

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Representative Ehardt  
Chair

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Wendy Carver-Herbert  
Secretary