

MINUTES
HOUSE LOCAL GOVERNMENT COMMITTEE

DATE: Thursday, February 20, 2020

TIME: 1:30 P.M.

PLACE: Room EW05

MEMBERS: Chairman Mendive, Vice Chairman Kingsley, Representatives Barbieri, Clow, Collins, Zollinger, Christensen, Wagoner, Wisniewski, Remington, Berch, Green, Necochea

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

GUESTS: Jerry Mason, Association of Idaho Cities; Jason Boal, Idaho APA; Jayme Sullivan, City of Boise; Rep. Nichols, District 11B

Chairman Mendive called the meeting to order at 1:31 p.m.

MOTION: **Rep. Green** made a motion to approve the minutes of January 22, 2020. **Motion carried by voice vote.**

H 450: **Rep. Wagoner** introduced **H 450** to the committee and explained the legislation allows local jurisdictions to determine whether rezone and annexation applications should go thru a recommendation hearing with a planning and zoning commission or to advance straight to the governing body for a final decision. He stated legislation is meant to streamline the process and eliminate confusion for property owners affected by the request. Committee members commented with concern that the bill limited citizen participation by allowing annexations and rezones to go straight to city council thereby cutting Planning and Zoning out of the process and shortening the process.

MOTION: **Rep. Zollinger** made a motion to send **H 450** to the floor with a **DO PASS** recommendation.

Jerry Mason, Association of Idaho Cities, spoke in opposition to the legislation.

Jason Boal, Idaho Chapter of the American Planners Association, stated his organization opposed the legislation.

Discussion on the motion was held. Committee members expressed concern about reducing opportunity for citizen involvement.

**ROLL CALL
VOTE ON
MOTION:** **Reps. Berch and Green** spoke in opposition to **H 450** and requested a roll call vote on **H 450**. **Motion failed by a vote of 3 AYE and 9 NAY. Voting in favor** of the motion: **Reps. Zollinger, Wagoner and Wisniewski. Voting in opposition** to the motion: **Reps. Mendive, Kingsley, Barbieri, Collins, Christensen, Remington, Necochea, Berch and Green.**

H 489: **Rep. Zollinger** explained **H 489** repeals Idaho Code Section 50-222 and adds new simplified language into Section 50-222. The new code section provides protections for landowners by clarifying and changing procedures by which a city in the state of Idaho may annex privately owned property. The new sections require that land to be annexed is adjacent to or surrounded by the city, requires the city to notify each landowner of the intent to annex, requires the city to publish a written annexation plan and to provide for a public hearing, and required consent of at least two-thirds of the land owners by a written instrument executed by the landowner or the landowner's agent. The new codes section also provides for tax relief for landowners annexed into a city but not receiving city services and maintains the procedure for judicial review of annexation decisions.

Those testifying **in support** of the legislation were **Rep. Ehardt**, District 33A and **Rep. Nichols**, District 11.

Those testifying **in opposition** of the legislation were **Jerry Mason**, legal council for the Association of Idaho Cities; and **Jason Boal**, Idaho Chapter of the American Planners Association.

MOTION: **Rep. Christensen** made a motion to send **H 489** to the floor with a **DO PASS** recommendation.

SUBSTITUTE MOTION: **Rep. Green** made a substitute motion to **HOLD H 489** in committee.

ROLL CALL VOTE ON SUBSTITUTE MOTION: **Rep. Green** requested a roll call vote on **H 489**. **Substitute motion failed by a vote of 3 AYE and 9 NAY. Voting in favor** of the substitute motion: **Reps. Nechocea, Berch and Green. Voting in opposition** to the substitute motion: **Reps. Mendive, Kingsley, Barbieri, Collins, Zollinger, Christensen, Remington, Wagoner, and Wisniewski.**

ROLL CALL VOTE ON ORIGINAL MOTION: Roll call vote requested on original motion. **Motion carried by a vote of 9 AYE and 3 NAY. Voting in favor** of the original motion: **Reps. Mendive, Kingsley, Barbieri, Collins, Zollinger, Christensen, Remington, Wagoner, Wisniewski. Voting in opposition** to the original motion: **Reps. Nechocea, Berch and Green. Rep. Zollinger** will sponsor the bill on the floor.

ADJOURN: There being no further business to come before the committee, the meeting adjourned at 3:35 p.m.

Representative Mendive
Chair

Karen Westen
Secretary