The Honorable Jim Rice, Chair  
Senate Local Government and Taxation Committee  
Idaho State Senate  
P.O. Box 83720  
Boise, ID  83720-0081

RE:  S1107, amending Section 40-1415, Relating to urban renewal projects and highway districts

Dear Chairman Rice,

On behalf of the Idaho Chapter of the American Planning Association (APA Idaho), I am writing to register my organization’s opposition to Senate Bill 1107, the amendment to Section 40-1415 regarding the responsibility of highway districts in urban renewal projects.

Our organization represents more than 250 local planning officials, private-sector planners, and planning commission members statewide. We are the technicians, professionals, policy and decision makers who represent the public interest in carrying out the authorities vested with local government under Idaho’s Local Land Use Planning Act, Title 67, Chapter 65 of the Idaho Statutes and regularly use the Urban Renewal provisions found in Idaho Code Title 40, Chapter 14.

APA Idaho strongly opposes the notion that highway districts will no longer be responsible for “for funding the district's responsibilities”, which are defined as “the design, construction, reconstruction and maintenance of city rights-of-way and accompanying curbs, gutters, culverts, sidewalks, paved medians, bulkheads and retaining walls”, unless they enter into a separate agreement to accept these responsibilities.

This creates a situation where a government entity is collecting taxes to fund their responsibilities but can choose whether or not they want to fulfill those responsibilities. We are not aware of another government entity, or even private entity that is able to legally - collect the funds to provide a service but have the option to provide the service or not.

To be clear, we understand that highway districts currently have the ability to decide if they want to defer the increased property tax revenue in the urban renewal area (URA) OR
continue to collect the yearly increase as if the property was not in the URA. Either way, they are collecting property taxes from these properties. What this bill creates is the ability for the highway district to not provide their statutory requirements inside the URA boundary, yet still collect the property taxes from those properties.

We sincerely appreciate your service to the citizens of this state. We ask that you do not provide an option for highway districts to collect property taxes but choose to not provide their statutory requirements. We believe this bill is a great disservice to the citizens of Idaho. Please contact me at your earliest convenience should you have questions or require additional information.

Sincerely,

Jason Boal- AICP, CFM
APA Idaho Legislative Committee, Chair

Cc: Honorable Senator Scott Grow
Honorable Senator Regina Bayer
Honorable Senator Todd Lakey
Honorable Senator Mark Nye
Honorable Senator Ali Rabe
Honorable Senator Doug Ricks
Honorable Senator Mary Souza
Honorable Senator Steve Vick
APA Idaho Executive Board
Association of Idaho Cities
Idaho Association of Counties