

MINUTES
HOUSE TRANSPORTATION & DEFENSE COMMITTEE

DATE: Wednesday, February 20, 2019

TIME: 1:30 P.M.

PLACE: Room EW40

MEMBERS: Chairman Palmer, Vice Chairman Shepherd, Representatives Gestrin, Kauffman, Youngblood, Dixon, Harris, Holtzclaw, Monks, DeMordaunt, Syme, Blanksma, Addis, Ricks, Wintrow, Gannon, Davis, Rubel

**ABSENT/
EXCUSED:** None

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

Chairman Palmer called the meeting to order at 1:29 p.m.

H 124: **Major Steven Stokes**, Brigade Judge Advocate, 116th Cavalry Brigade Combat Team, presented **H 124**. The bill amends and updates Idaho Code to align the Idaho Code of Military Justice (ICMJ) with the Uniform Code of Military Justice (UCMJ).

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

H 106: **Rep. McCrostie** said the purpose of this bill is to amend Idaho's "Slow Down, Move Over" law to extend emergency vehicle safety provisions to tow trucks and highway and utility maintenance vehicles when they are stationary and displaying emergency hazard lights.

Matthew Condie, representing AAA, said five club vehicles were hit last year. Two of those were hit and run accidents. Tow truck providers in their partner network are often the owner/operator's rolling office. When their vehicle is damaged they lose their livelihood. He added AAA responded to 44,000 roadside emergencies last year.

Speaking **in support** of the bill were **Rick Burlingame**, **Sarah Biggers** and **TJ Biggers**. The towing company owners commented on the dangers tow truck operators face in their day to day work. Towers have the highest mortality rate of all first responders.

MOTION: **Rep. Davis** made a motion to send **H 106** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. McCrostie** will sponsor the bill on the floor.

H 125: **Rep. Gannon** said this bill allows a county wide highway district to collect a fee of up to \$75.00 on vehicles in excess of 8,000 pounds after voter approval.

Jerry Deckard, representing Ada County Highway District introduced **Steve Price**, General Counsel for the Ada County Highway District. He applauded **Rep. Gannon's** efforts. Mr. Price said ACHD has an immediate need for increased funding. He added, the vehicles who put the most stress on the roads need to pay their fair share.

MOTION: **Rep. Wintrow** made a motion to send **H 125** to the floor with a **DO PASS** recommendation. She spoke to the motion saying constituents want everyone to pay their fair share.

Speaking **in support** of **H 125** were **Clancy Anderon, Bill Morgan, Ken Pidjean, Erica Schofield,** and **Dave Kangas**. They agreed owners of all vehicles should pay to build and maintain roads. The vehicles addressed in this bill cause the most damage to the roads.

Speaking **in opposition** to **H 125** was **DeLon Lee**, representing the Idaho Farm Bureau. He objected to the bill because once passed, this legislation could apply to all counties across the state. Agriculture, or fleet vehicle owners will feel the impact. The owner of Ag or fleet vehicles only has one vote. If the business is in a different county than the owner's residence, the owner could potentially have no vote.

SUBSTITUTE MOTION:

Rep. Harris made a substitute motion to **HOLD H 125** in committee.

Rep. Rubel spoke **in opposition** to the substitute motion, saying this bill empowers the voters.

VOTE ON SUBSTITUTE MOTION:

Chairman Palmer called for a vote on the substitute motion. **Motion carried by voice vote. Reps. Wintrow, Rubel, Gannon and Davis** requested they be recorded as voting **NAY**.

HJM 6:

Rep. Raymond presented **HJM 6**. He said this Joint Memorial establishes an ever present need for local input as it relates to highway safety, highway improvements and human/wildlife interactions. He also expressed the need for all stakeholders to be involved in the NEPA (National Environmental Policy Act) process as it relates to projects relying on public safety. NEPA is the basic national charter for protection of the environment. It establishes policy, sets goals and provides means for carrying out the policy. Action forcing provisions make sure federal agencies act according to the letter and spirit of the Act. NEPA provides public officials with the information they need to make better decisions.

In answer to committee questions, **Rep. Raymond** said this memorial came about because of the issue of safety for travelers on the Highway 20 corridor. The proposed highway project was a conservative approach to making the roads safer for drivers due to the amount of wildlife crossing the highway in the Island Park area. He said this memorial is a reminder to Congress we need a seat at the table when local issues are at stake.

Rep. Furniss said he helped in drafting the memorial. Constituent concerns, in this case, were mainly directed at the building of bridges and fences along the highway in an attempt to keep wildlife off the roads. The cost of maintenance was also an issue. Animal detection devices are 80% effective in warning travelers of the danger of wildlife on the roadway and a preferred choice.

MOTION:

Rep. Ricks made a motion to send **HJM 6** to the floor with a **DO PASS** recommendation.

Reps. Wintrow and **Syme** said this appeared to be a local issue that had already been solved. They didn't see the need for a memorial to be sent to Congress.

ROLL CALL VOTE:

Roll call vote was requested. **Motion carried by a vote of 9 AYE, 5 NAY, 4 absent/excused. Voting in favor** of the motion: **Reps. Palmer, Shepherd, Gestrin, Kauffman, Youngblood, Holtzclaw, DeMordaunt, Addis, Ricks. Voting in opposition** to the motion: **Reps. Syme, Wintrow, Gannon, Davis, Rubel. Reps. Dixon, Harris, Monks, Blanksma were absent/excused. Rep. Raymond** will sponsor the bill on the floor.

MOTION: **Rep. Addis** made a motion to approve the minutes of the February 14, and February 18, 2019, meetings. **Motion carried by voice vote.**

ADJOURN: There being no further business to come before the committee, the meeting adjourned at 3:02 p.m.

Representative Palmer
Chair

Joyce McKenzie
Secretary