

MINUTES
HOUSE STATE AFFAIRS COMMITTEE

DATE: Thursday, January 26, 2012
TIME: 9:00 A.M.
PLACE: Room EW40
MEMBERS: Chairman Loertscher, Vice Chairman Crane, Representative(s) Stevenson, Black, Anderson, Andrus, Bilbao, Luker, Palmer, Simpson, Guthrie, Henderson, McGeachin, Sims, Batt, Smith(30), King, Higgins, Buckner-Webb
**ABSENT/
EXCUSED:** Rep. Black
GUESTS: Max Greenlee, Risch Pisca; Jane Wittmeyer, Wittmeyer & Associates; Joie McGarvin, Westerberg & Associates; Cindy Hedge, Idaho AFL-CIO; Laura Steffler, Deputy, State Treasurer's Office; Jesse Taylor, Westerberg & Associates; Benjamin Davenport, Risch Pisca

Chairman Loertscher called the meeting to order at 9:00 a.m.

RS 20921: **Ron Crane**, State Treasurer, presented **RS 20921** to the committee. Mr. Crane stated he was sworn in as Treasurer in 1999 and that same year he started the Smart Women Smart Money conference to teach women techniques on managing their finances. Mr. Crane raised funds from the private sector and 1500 women registered the first year. The following year attendance grew to 1700. The conference is conducted in Boise every fall and has reached other parts of the state including Idaho Falls, Twin Falls, and Coeur d'Alene. Each year \$10,000.00 is donated from the operating budget for this conference. He also promotes financial literacy for high school seniors by offering an education program on the ABC's of Credit Card Finance. The program focuses on providing students information about credit cards as well as the dangers. In his latest performance audit he was advised that he does not have the statutory authority to promote financial literacy. **RS 20921** amends section 67-1201 to include statutory authority for the State Treasurer to promote financial literacy. The word "may" is used so that subsequent treasurers are not bound to promoting financial literacy. He advised there is no fiscal impact for this proposed legislation.

In response to questions from the committee, **Mr. Crane** stated that the cap on funding for promoting financial literacy is limited to appropriations from JFAC. The funds come from the operating budget. There would not be enough funds for the expenses of the office such as employee salaries if he used \$100,000.00 on this conference. Mr. Crane further explained that although institutions such as the University of Idaho and the Women's Commission have participated or provided handouts, there is no partnership.

ORIGINAL MOTION: **Rep. McGeachin** made a motion to introduce **RS 20921**.

SUBSTITUTE MOTION: **Rep. Smith(30)** made a substitute motion to introduce **RS 20921** and send it directly to the Second Reading Calendar.

VOTE ON SUBSTITUTE MOTION: **Chairman Loertscher** called for a vote on the substitute motion to introduce **RS 20921** and send it directly to the Second Reading Calendar. **Motion carried by voice vote. Rep. McGeachin** will sponsor the bill on the floor.

RS 21035: **Ron Crane**, State Treasurer, presented **RS 21035** to the committee. The State Treasurer was authorized by the Legislature to issue a series of commemorative silver medallions for sale to the public. The proceeds support the Veterans Cemetery Maintenance Fund. He advised that \$48,000.00 has been generated so far with only 60 medallions left from the final minting. It costs between \$1,000.00 to \$3,000.00 to maintain the trademark and this takes away from revenue that would go to the fund. This proposed legislation would amend section 67-1223 of the Idaho Code. The State Treasurer is authorized to maintain the federal trademark rather than directed to maintain it. It will save funds if they don't have to protect the trademark.

In response to questions, **Laura Steffler**, Deputy State Treasurer, advised the committee that the proposed legislation strikes out the wording that it is the duty of the State Treasurer to protect each and every trademark and changes the responsibility to authorized. It may not be cost effective to sue someone who infringes on the trademark if, for example, someone produced a few of them for sale. The language pertaining to the State Treasurer's duty to protect each and every trademark is limited to the trademarks for the medallions only.

MOTION: **Rep. Andrus** made a motion to introduce **RS 21035**. **Motion carried by voice vote.**

RS 20974: **Rep. Henderson** presented **RS 20974** to the committee. Rep. Henderson noted this Joint Memorial is simply restating the intent of the Legislature when it passed **S 1006** the "Open Access to Work Act" in the First Regular Session of the 61st Idaho Legislature. The purpose of the legislation was a desire to encourage efficiency and reward contractor innovation in the procurement and construction of publicly funded construction by maintaining a policy of neutrality on the use of project labor agreements. The law was challenged and deemed unconstitutional. The Court failed to adequately review the legislative intent, history and testimony provided and the State wants to appeal the case.

In response to questions from the committee, **Jane Wittmeyer**, Wittmeyer & Associates, stated the Inland Pacific Chapter of the Associated Builders and Contractors have determined the Court failed to adequately address the legislative intent and utilized language it thought was more appropriate but not what language was in the bill. **RS 20974** is a Memorial instead of a bill because it is thought that the errors made by the Court in reaching its decision were so profound and clear, the case will be reversed upon appeal.

MOTION: **Rep. Batt** made a motion to introduce **RS 20974**. **Motion carried by voice vote.** **Rep(s). Smith(30), Higgins, King, and Buckner-Webb** requested to be recorded as voting **NAY**.

RS 20978: **Rep. Henderson** presented **RS 20978** to the committee. Rep. Henderson noted this Joint Memorial is simply restating the intent of the Legislature when it passed **S 1007** the "Fairness in Contracting Act" in the First Regular Session of the 61st Idaho Legislature. The legislation addresses the authority granted by Congress under Section 14(b) of the National Labor Relations Act for states such as Idaho that passed the Right to Work statute in order to guarantee its citizens maximum individual freedom of choice in the pursuit of employment and to be free from undue restraint and coercion with regard to employment. The Joint Memorial is to support the appeal that the Attorney General is pursuing.

MOTION: **Rep. Simpson** made a motion to introduce **RS 20978**. **Motion carried by voice vote.** **Rep(s). Smith(30), Higgings, King, and Buckner-Webb** requested to be recorded as voting **NAY**.

ADJOURN: There being no further business before the committee; the meeting was adjourned at 9:24 a.m.

Representative Loertscher
Chair

Lissa Cochran
Secretary