

House Ways & Means Committee

Minutes
2009



MINUTES

HOUSE WAYS AND MEANS COMMITTEE

DATE: March 19, 2009

TIME: 8:42 A.M.

PLACE: Room 240

MEMBERS: Chairman Wills, Representatives Moyle, Bedke, Roberts, Rusche, Ruchti, Killen

**ABSENT/
EXCUSED:**

GUESTS: None

RS 18879: **Jason Kreizenbeck**, Chief of Staff; Governor's Office, stated this legislation was another attempt to increase vehicle registration fees. This is a different approach and was brought to the Governor by Rep. Henderson. The Governor endorses this proposal.

Rep. Rusche questioned the creation of the Highway Maintenance, Preservation and Restoration Fund as proposed in this legislation. **Jason Kreizenbeck** stated the fund was part of the Comprehensive Transportation Plan the Governor has proposed and most of the money generated by this proposal would be deposited into this fund. He further stated that the language regarding the fund was developed by Reps. Wood (35) and Smith (24). In response to **Rep. Rusche's** further inquiry regarding the distribution of the proposed fuel tax increase, **Jason Kreizenbeck** stated the language included in that legislation allows that the funds collected would go into the same new account as listed in this legislation. In answer to **Rep. Rusche's** question regarding the 5% increase for heavy trucks vs the higher rate proposed for lighter trucks and cars and why the funds generated by the 5% is scheduled to go to the Highway Distribution Account, **Jason Kreizenbeck** referred to legislation passed in 2003 which increased registration fees for heavy trucks. That legislation was in response to the American Trucking lawsuit. He noted other vehicle registration fees have not changed since 1997. He also noted the the current heavy truck registration is the third highest in the nation. In addition, he stated this summer the Governor planned to create a task force that would focus on trucking concerns.

Rep. Ruchti questioned the practice of trucking firms registering their trucks in another state, ie. Oklahoma. As he understands it, the Interstate Trucking Compact allows trucking firms to register in another state and pay a portion of another state's registration fee in proportion to the amount of miles driven on that state's roads. **Jason Kreizenbeck** confirmed his interpretation. Because of the compact, **Rep. Ruchti** questioned whether an increase in Idaho's heavy truck registration fee would cause heavy trucks currently registered in Idaho to register in other states. **Jason Kreizenbeck** reiterated the plan for a transportation task force that should answer such concerns as voiced by **Rep. Ruchti**. **Doug Benzon**, Idaho Transportation Department, further explained the

International Registration Plan states a fleet based in one state with a percentage of miles driven in another state will pay a percentage of the other state's registration fees based on the number of miles driven, ie. 1% of miles driven in Idaho; pay 1% of Idaho's registration fee.

MOTION:

Rep. Roberts made a motion to introduce **RS 18879** and refer it to the Transportation and Defense Committee. **Rep. Killen** asked if fuel taxes collected before the effective date of this RS would be placed in the proposed "Highway Maintenance, Preservation and Restoration Fund." **Jason Kreizenbeck** advised the committee that registration fees currently being collected would be distributed to the Highway Distribution Account. The proposed fund would receive any new funds generated by this legislation. **By voice vote, the motion passed.**

ADJOURN:

There being no further business to come before the committee, **Chairman Wills** adjourned the meeting at 8:55 a.m.

Representative Richard Wills
Chairman

Sue Frieders
Secretary

MINUTES

HOUSE WAYS AND MEANS COMMITTEE

- DATE:** March 24, 2009
- TIME:** 2:23 P.M.
- PLACE:** Room 240
- MEMBERS:** Chairman Wills, Representatives Moyle, Bedke, Roberts, Rusche, Ruchti, Killen
- ABSENT/
EXCUSED:**
- GUESTS:** Mike Nugent, Legislative Services Office (LSO), Katharine Gerrity, LSO, Ryan Perotto, Lobbyist, Idaho Water Users Association; Steve West, Lobbyist
- MOTION:** **Rep. Rusche** made a motion to accept the March 19, 2009, minutes as written. **Rep. Ruchti** asked that the sentence on page 1, third paragraph, beginning with "Because of the compact...." be changed to read "Because of the compact, Rep. Ruchti questioned whether an increase in Idaho's heavy truck registration fee would cause heavy trucks currently registered in Idaho to register in other states." **By voice vote, the motion passed with the change requested by Rep. Ruchti.**
- RS 18890:** **Rep. Stevenson** stated that **Steve West** worked with his client, the Great Feeder Canals, to put together wording to replace **HB 210**. This RS allows for approval of the Eastern Snake Plain Aquifer (ESPA) Comprehensive Aquifer Management Plan (CAMP). Once approved, it will become a part of the Comprehensive State Water Plan.
- Rep. Stevenson** explained the legislation starting with Section 2, which states the Idaho Water Resource Board, with Legislature approval, will prepare a funding mechanism for Plan I CAMP ESPA with assistance from the CAMP ESPA Implementation Committee. Section 3 deals with the implementation of Phase I of the CAMP ESPA starting now through the first ten years. **Rep. Stevenson** offered a copy of the CAMP to any member who would like one. He noted that the Idaho Water Users Association supported the language on page 2, lines 10 and 11. Section 4 is a new section that was important to the Great Feeder Canals. Section 5 is an emergency clause which allows this legislation to go into effect immediately upon passage and approval. Funds will be collected from various water user groups. The Implementation Committee will be directed by the Idaho Water Resource Board. The Board will work with the Natural Resource Interim Committee.
- Rep. Rusche** asked if the Implementation Committee would set the plan for funding from water users and not necessarily be dependent on a budget from state appropriations. **Rep. Stevenson** stated that the Comprehensive State Water Plan identifies water users, irrigators, Idaho Power, cities and industrial users, and spring users.

- MOTION:** **Rep. Bedke** made a motion to introduce **RS 18890** and refer it to the Resources & Conservation Committee. **By voice vote the motion passed.**
- RS 18847:** **Mike Nugent**, Legislative Services Office, stated this legislation, known as the “drop dead” bill, is the mechanism that continues temporary rules for one more year as defined in Section 67-5292, Idaho Code.
- MOTION:** **Rep. Roberts** made a motion to introduce **RS 18847** and send it to second reading. **By voice vote the motion passed. Rep. Roberts will serve as floor sponsor.**
- RS 18892:** **Jeff Youtz**, Legislative Services Office, stated this legislation is a trailer bill to **SB 1043**, which updates and revises Legislative statutes. He further explained that Legislative Council appointed **Sen. Bart Davis** and **Rep. Mike Moyle**, as co-chairs, together with **Rep. Jaquet** and **Sen. Kelly** to re-work some outdated statutes. One of those dealt with the time frame for constitutional officers to provide proposed legislation to the bill drafters in Legislative Services. **Mr. Youtz** stated the Governor’s Chief Counsel, David Hensley, was concerned that in the long term this might be viewed as an impediment to drafting of legislation by the Governor. Based on this information, this RS would strike the time frame issue from **SB 1043**. **Rep. Moyle** stated it was not the intention of the his committee to limit the Governor’s ability to draft legislation.
- MOTION:** **Rep. Rusche** made a motion to introduce **RS 18892** and send it to the second reading calendar. **By voice vote the motion passed. Rep. Moyle** will serve as floor sponsor.
- ADJOURN:** There being no further business to come before the committee, **Chairman Wills** adjourned the meeting at 2:40 p.m.

Representative Richard Wills
Chairman

Sue Frieders
Secretary

MINUTES

HOUSE WAYS AND MEANS COMMITTEE

- DATE:** March 31, 2009
- TIME:** 1:40 P.M.
- PLACE:** Room 240
- MEMBERS:** Chairman Wills, Representatives Moyle, Bedke, Roberts, Rusche, Ruchti, Killen
- ABSENT/
EXCUSED:**
- GUESTS:** **Elizabeth Criner**, Lobbyist-Boise Airport, **Toni Lawson**, Vice-President, Idaho Hospital Association; **Steve Millard**, CEO, Idaho Hospital Association; **Michael Stoddard**, attorney, Idaho Health Facilities Authority; **Will Hart**, Lobbyist, Idaho Consumer-Owned Utilities Association; **Jared Tatro**, Office of Performance Evaluation
- MOTION:** **Rep. Rusche** made a motion to accept the minutes of March 24, 2009, as written. **By voice vote the motion passed.**
- RS 18913:** **Rep. Wood (27)** stated this legislation will add telepharmacy to the definition of "drug outlet" in the Pharmacy Practice Act. The Board of Pharmacy had planned to add this definition in the next few years, but two issues have made them reconsider their timeframe. The Joint Commission of Accreditation of Health Care Organizations is requiring "first order review" as part of their review process. In addition, CMS (Medicare) has issued new regulations requiring "first order review." "First order review" means when medicine is ordered for the first time in a hospital, the medicine must be reviewed by a pharmacist to make sure it is the correct dosage, there is no conflict with other medications and no allergy problems exist, etc. By July, 2009, this "first order review" will also apply to emergency room departments except in life and death situations. He explained that rural hospitals do not have pharmacists on staff 24 hours/day seven days/week while large hospitals have this capability. By adding telepharmacy as a drug outlet, it will enable large hospitals to assist the rural hospitals, thus providing rural hospitals with significant savings and improved patient safety. This legislation also allows the Board of Pharmacy to promulgate rules that would create a process and regulate how and when "first order review" would be allowed to occur. **Rep. Wood** responded to a question about rural hospitals stating that at least half of the rural hospitals in Idaho don't have 24 hour/day seven days/week pharmacy services. A question was asked if a pharmacist employed by a company in one state that owns hospitals in other states would be able to provide services to those facilities in the other states, **Rep. Wood** stated all pharmacists working for the home company would only be licensed in the home state and would not be able to provide services in another state.

Rep. Moyle made a motion to introduce **RS 18913** with a change to the

MOTION: Statement of Purpose showing **Rep. Wood (27)** as the contact person rather than **Steve Millard** in order to facilitate the hearing in the committee to which this legislation will be referred. **By voice vote the motion passed.**

RS 18916: **Rep. Wood (27)** explained that in 2006 the Idaho Supreme Court ruled in City of Boise v. Frazier regarding municipal debt. This decision cast some doubt on some of the financing mechanisms/maneuvers various subdivisions are using in Idaho. This legislation clarifies the limited occasions that subdivisions of the state are allowed by the Idaho Constitution to incur debt without complying with the two-thirds majority election provisions of Article VIII, Section 3. This legislation does not change the Frazier decision.

Rep. Wood (27) stated that before a political subdivision of the state can levy taxes or be allowed to incur debt or liability, they must go to the voters with the proposal, and it must pass by two-thirds of those voting. Exceptions to this section are ordinary and necessary expenses. These are functions of government that no one disputes. Using the Frazier lawsuit as an example, he stated the City of Boise wanted to build a parking garage at the airport with indebtedness. The Idaho Supreme Court ruled that such an indebtedness must go before the voters. **Rep. Wood (27)** explained that this amendment would allow a political subdivision to incur indebtedness or liability to build a revenue-generating facility as long as the indebtedness is repaid with non-tax revenue generated by the facility.

Rep. Wood (27) further explained that another change would allow a subdivision to enter into terminable contracts that are certain multi-year leases if the contract payment does not generally exceed the annual income of the subdivision and the subdivision has the option to cancel the contract without further liability. This prevents a political subdivision from building a facility, leasing it and then owning it but never asking voters for authority to build the facility.

With respect to short term contracts, **Rep. Wood (27)** stated a subdivision may enter into short term contracts to lease or purchase personal property for up to five years if the annual payments of the contract do not exceed the general annual revenue of the subdivision.

The section pertaining to port districts remains unchanged.

With regard to power facilities, **Rep. Wood (27)** explained that cities that own municipal electric systems may incur debt to expand such facilities if the debt repayment is from the non-tax revenue of the power system. Additionally, such cities may enter into certain long-term wholesale power agreements with other power interests. He stated that all concerned with this section agreed with the proposed language.

Rep. Wood (27) told the committee no less than forty attorneys from all parties were involved in crafting this legislation. It was also vetted by several representatives and senators.

Rep. Killen asked if the short term contract section would allow a city in

the electric business to continue but not permit a city to start an electric business. **Rep. Wood (27)** explained that this legislation would maintain the status quo. If a city wanted to go into the electric business, they would still have to go through the proper channels to make that happen. With further inquiry into the short term contract aspect of the legislation, **Rep. Wood (27)** explained that a city could not take on any obligation in any fiscal year in which they didn't have an equal amount of revenue to cover the expense. As an example, a city with a \$1 million in revenue could not incur indebtedness or liability beyond the \$1 million.

MOTION: **Rep. Moyle** made a motion to introduce **RS 18916**. **By voice vote the motion passed.**

RS 18702: **Rep. Luker** stated this legislation deals with campaign contributions. Any campaign contribution received during a convened legislative session must be reported within 48 hours. He stated this legislation was patterned after Section 67-6607, sub-section 2, Idaho Code, but adapted to fit this circumstance.

MOTION: **Rep. Bedke** made a motion to introduce **RS 18702**. **By voice vote the motion passed.**

ADJOURN: There being no further business to come before the committee, **Chairman Wills** adjourned the meeting at 2:05 p.m.

Representative Richard Wills
Chairman

Sue Frieders
Secretary

MINUTES

HOUSE WAYS AND MEANS COMMITTEE

DATE: April 2, 2009

TIME: 2:00 P.M.

PLACE: Room 240

MEMBERS: Chairman Wills, Representatives Moyle, Bedke, Roberts, Rusche, Ruchti, Killen

**ABSENT/
EXCUSED:**

GUESTS: **Mark Cotner**, Director, Canyon/Owyhee School Services Agency (COSSA)

Chairman Wills called the meeting to order at 2:00 p.m.

MOTION: **Rep. Rusche** made a motion to accept the minutes of March 31, 2009, as written. **By voice vote the motion passed.**

RS 18834C1: **Rep. Luker** explained that this legislation is a follow-up to last year's legislation creating community infrastructure districts (CIDs). This RS deals with concerns expressed at that time and provides areas for discussion. He went through the legislation as follows:

1. Counties will now be able to utilize CIDs as well as cities.
2. Changes the scope of improvements allowed from those that "directly or indirectly benefit the district" to those that "primarily benefit the district."
3. Includes enhancements to public school facilities within the definition of community infrastructure.
4. Eliminates addition of non-contiguous property to CID.
5. Changes the maximum outstanding principal amount of general obligation bonds and other indebtedness allowed from 12% to 7% of the adjusted market value of taxable real property in the district.
6. Eliminates discretionary use of special assessment bonds by the district board, and limits special assessment bonds to situations where all owners of the special assessment present a petition for the special assessment.
7. Repeals section 60-3113, allowing for an administrative expense levy.
8. Increases the appeal time for district creation or board actions from 30 to 60 days.

When questioned about #2, **Rep. Luker** stated this provides sideboards so that a CID will directly benefit the district in which it is created. Property owners who are affected by the CID will be those paying the assessment for the CID and, therefore, the project should primarily benefit the district. With reference to the hearing in Revenue & Taxation Committee last year on the original bill, **Rep. Luker** stated those sponsoring that bill were consulted regarding these changes and half of

them agreed with the changes while the other half did not. He further emphasized that a major change was the inclusion of counties. Concern was expressed by some members of the committee regarding this change (including counties). As a participant in drafting these changes, **Rep. Moyle** explained that last year's bill was signed by the Governor with the stipulation that both sides discuss issues of concern. This legislation would be a step in that direction and its introduction will give the parties involved a starting point for discussion. The parties have agreed to form a task force at their expense. A question was raised regarding the levy as described in Section 50-3113 (1), Idaho Code, and the cost of that plan. **Rep. Luker** explained that a ½ mil levy to cover administrative expenses should be covered in the bond rather than have that cost a separate levy.

MOTION: **Rep. Moyle** made a motion to introduce **RS 18834C1** and refer to Ways & Means Committee. Both **Rep. Roberts** and **Rep. Rusche** expressed their reluctance regarding this legislation. **By voice vote the motion passed.**

RS 18809: **Rep. Thompson** stated this legislation would provide immunity for an employer when allowing employees to store firearms in personal vehicles while on the employer's business property. He added that the National Rifle Association (NRA) and businesses supported the legislation. Both **Rep. Rusche** and **Rep. Ruchti** questioned which businesses were in favor of this legislation. **Rep. Thompson** indicated he didn't have a list of businesses but that enough were in support to warrant this legislation.

MOTION: **Rep. Roberts** made a motion to introduce **RS 18809**. **By voice vote the motion passed.** **Reps. Rusche** and **Killen** asked to be recorded as voting nay.

RS 18993C1: **Rep. Henderson** explained that the legislation further defines the existing US-95 Garwood to Sagle GARVEE Corridor project to include the section of US-95 from Wyoming Avenue in Hayden (greater Coeur d'Alene urban area) to SH-53 (Garwood area). The original description simply names Garwood to Sagle, however, Garwood is not a point on a map but an area. US-95 is a four lane highway that changes to two lanes at Wyoming Avenue until it reaches SH-53 where US-95 once again becomes four lanes. There is significant growth in that area and the lane changes have caused a very high accident rate. This project was never included in the list of GARVEE projects. There is no appropriation, and this legislation simply defines the southern terminus. **Rep. Henderson** advised the committee that presently the statewide GARVEE projects were \$36 million under budget. This RS qualifies this project to be considered for GARVEE funds, but he reiterated there is no promised funding. If it were funded, the cost for the proposed project would be taken from the \$36 million savings. As to Idaho Transportation Department's (ITD) opinion, **Rep. Henderson** stated one Board member, Mr. Coleman, was in favor of the change in the definition and other members wanted the opportunity to consider this project. With reference to STIP, **Rep. Henderson** stated this section of highway (Wyoming

Avenue to SH-53) was a forgotten element and was not included in STIP and not specifically included in GARVEE.

- MOTION:** **Rep. Moyle** made a motion to introduce **RS 18933C1**. When questioned about the fiscal impact, **Rep. Henderson** stated there was no appropriation request for funds because GARVEE can expand without additional appropriation based on projects already under budget, and two more are expected to be under budget this summer. When asked if there were other projects that fit in this same category (no money but waiting for appropriation), **Rep. Henderson** said there were six active GARVEE projects, and ITD can assign GARVEE funds from one GARVEE project to another GARVEE project. **By voice vote the motion passed.**
- RS 18942** **Speaker Denney** stated that together with **Pro Tem Geddes** they had been working on this legislation since the beginning of the session. It would require a person to show a valid photo ID when registering to vote and when voting. The fiscal impact would require the State through ITD to issue a state ID card to anyone who doesn't have a valid photo ID. The actual cost of the card should be under \$3.00. Should a person be unable to produce a proof of identity or proof of residence, that person could sign a statement (approved by the Secretary of State) under oath swearing that the person is the person he purports to be (page 2, section 4 of legislation). The Speaker informed the committee that currently anyone can vote without ever having to prove their identity. As for military personnel, **Speaker Denney** stated they fall under the "Uniformed and Overseas Citizens Absentee voting Act, which is referenced on page 2, section 5 of the legislation. He further stated that it is important that people be allowed to vote but it is also important to protect the integrity of the ballot.
- MOTION:** **Rep. Moyle** made a motion to introduce **RS 18942**. Those who spoke in favor of the motion cited the importance of protecting the voting process. Those who spoke against the motion felt the legislation would make it harder for people to vote. **By voice vote the motion passed.** **Reps. Ruchti, Rusche** and **Killen** asked to be recorded as voting nay.
- RS 18941:** **Rep. Nonini** stated this concurrent resolution recognizes the 75th anniversary of North Idaho College, Idaho's first community college. The college was located on the top floor of the Coeur d'Alene City Hall and opened its doors on September 18, 1933, with an enrollment of 74 students.
- MOTION:** **Rep. Rusche** made a motion to introduce **RS 18941** and send it to the second reading calendar. **By voice vote the motion passed.**
- HB 269:** **Rep. Nonini** stated this legislation adds to Section 33-317, Idaho Code, by providing increased opportunity and efficiency for the operation of cooperative school agencies (COOSA). It would allow a cooperative service agency (consortium) to act as its own fiscal agent for the purpose of providing an alternative school program with the concurrence of the school districts for which it provides such services. **Rep. Nonini** requested the RS be introduced and referred to the Education Committee for a full hearing. **Rep. Roberts** suggested that **Rep. Nonini** be prepared to explain the auditing process and how it would be handled as it pertains to COOSA acting as its own fiscal agent when presenting the bill before the Education Committee.

MOTION: **Rep. Moyle** made a motion to send **HB 269** to the floor with a do pass recommendation and refer it to the Education Committee. **By voice vote the motion passed.**

ADJOURN: There being no further business to come before the committee, **Chairman Wills** adjourned the meeting at 2:55 p.m.

Representative Richard Wills
Chairman

Sue Frieders
Secretary

MINUTES

HOUSE WAYS AND MEANS COMMITTEE

- DATE:** April 7, 2009
- TIME:** 4:40 P.M.
- PLACE:** Room 240
- MEMBERS:** Chairman Wills, Representatives Moyle, Bedke, Roberts, Rusche, Ruchti, Killen
- ABSENT/
EXCUSED:**
- GUESTS:** **Patrick Sullivan**, lobbyist, Idaho School Boards Association; **Jeremy Chou**, lobbyist, Interlot U.S.A., Inc, & Kaplan Higher Education Corp.; **Jason Hancock**, State Department of Education
- RS 18868:** **Rep. Burgoyne** stated that **Ron Twilegar**, Prosecuting Attorney, Boise County, brought this issue to his attention. This legislation would repeal Section 18-3808, Idaho Code, thereby restoring prosecutorial discretion and removing criminal exposure to prosecutors, sheriffs and police officers when the crime is one of gambling. Currently law enforcement officers and every prosecuting or county attorney is guilty of a misdemeanor if they do not inform or diligently prosecute those individuals who they have reasonable cause to believe broke the gambling law. **Rep. Burgoyne** requested the committee to introduce **RS 18868** so that he could have a discussion regarding this legislation during the interim to see what level of support is available statewide.
- MOTION:** **Rep. Moyle** made a motion to introduce **RS 18868** and refer it to Ways and Means. **By voice vote the motion passed.**
- RS 18884C1:** **Rep. Harwood** explained this legislation adds to Section 72-804, Idaho Code, in order to provide for attorney's fees and costs when the Industrial Commission rules in favor of an employee's claim or request for medical service(s) when denied by the employer or his surety.
- MOTION:** **Rep. Roberts** made a motion to introduce **RS 18884C1**. **By voice vote the motion passed.**
- RS 18958:** **Rep. Wood (27)** stated this RS replaced legislation (**RS 18913**) previously heard in this committee. After the Board of Pharmacy met with both Health & Welfare Committees, they felt further definition of telepharmacy and the practice of telepharmacy was important and should be made in statute rather than in Board of Pharmacy rules. He noted that on page 6, beginning on line 7, the definition of the use of telepharmacy across state lines requires that the pharmacist outside of Idaho must be registered by the Board of Pharmacy. Any out-of-state pharmacist who is registered shall be subject to the penalty provisions of Section 54-1728, Idaho Code. In answer to questions regarding the inspection of out-of-state drug outlets by the Board of Pharmacy (page 7, subsection 5), **Rep. Wood (27)** stated the need to allow the Board of Pharmacy to

determine in some manner that such drug outlets in other states are appropriately licensed and meet the requirements of the state in which the drug outlet is located. The Board will pay the fees and expenses necessary should their representative be required to make an on-site visit to such drug outlets.

MOTION: **Rep. Rusche** made a motion to introduce **RS 18958**. **By voice vote the motion passed.**

RS 18967: **Jason Hancock**, State Department of Education, stated this legislation amends Section 33-1004, Idaho Code, to provide school districts with relief from the "use it or lose it" requirement for state funding of instructional staff positions. As it presently stands, school districts must demonstrate that it actually employs the number of certifiable instructional staff allowed as determined by a pre-set formula or lose state funds. With this legislation, a district would be allowed to use up to 5% of these funds to defray the cost of providing virtual education programs. This would provide a funding source for such programs. In addition, this allows a district to shift up to 2.63% of the positions funded to federal funds for up to two years. Under the stimulus bill districts would be allowed to shift up to 50% of their IDEA (special education) funds to replace general fund dollars. After the two year period, the shifted positions would be returned to the general fund. He noted that section 2 of the proposed bill deals with the methodology for virtual education programs as well as attendance.

MOTION: **Rep. Bedke** made a motion to introduce **RS 18967** and refer it to the Education Committee. Discussion was held regarding stakeholders knowledge of this legislation. Some members felt that stakeholders should have an opportunity to give their input prior to a hearing in the Education Committee. **By voice vote the motion passed.** **Reps. Ruchti and Killen** asked to be recorded as voting nay.

RS 18915: **Rep. Labrador** stated this legislation would amend Section 63-3638, Idaho Code, to provide for a distribution of sales tax revenues to the Highway Maintenance, Preservation and Restoration Fund. The legislation would take effect on July 1, 2010, and within four years would distribute an estimated \$120 million to the Fund. He noted one caveat; if moneys from the collection of the sales tax on sale of new and used motor vehicles do not exceed the amount provided, the amount deposited to the Fund shall be reduced by a proportional amount. He explained his purpose for bringing this legislation was to have it introduced so it could provide a discussion on methods for providing moneys for the Fund. In discussions with the State Tax Commission, he was told there were sales tax receipts of \$120 million from the sale of new and used motor vehicles. If the sales tax from this source was maintained for four years, estimated revenues for FY 2011 of \$30 million, FY 2012 of \$60 million, FY 2013 of \$90 million, and FY 2014 of \$120 million could be transferred to the Fund.

Questions were raised regarding the Fiscal Note. **Rep. Labrador** responded that these estimated amounts would be removed from the General Fund budget. He did note that the figures were not cumulative. In addition, receipts from this sales tax could be less or more and his figures are directly tied to new and used motor vehicle sales tax. When

questioned regarding the loss of General Fund revenues and how they would be replaced, **Rep. Labrador** stated that would be part of the discussion during the interim. **Rep. Roberts** suggested that the Fiscal Note to be changed to read as follows: This legislation will result in estimated revenues to be transferred from the General Fund to the Highway Maintenance, Preservation and Restoration Fund of \$30 million for FY 2011, \$60 million for FY 2012, \$90 million for FY 2013 and approximately \$120 million for FY 2014 and thereafter.

MOTION: **Rep. Ruchti** made a motion to introduce **RS 18915** and refer it to Ways & Means with the change in the Fiscal Note as suggested by **Rep. Roberts**. **Rep. Ruchti** spoke in favor of his motion by noting he has been hoping for creative solutions to the transportation funding problems, and this might be one such solution. **By voice vote the motion passed.**

ADJOURN: There being no further business to come before the committee, **Chairman Wills** adjourned the meeting at 5:15 p.m.

Representative Richard Wills
Chairman

Sue Frieders
Secretary

MINUTES

HOUSE WAYS AND MEANS COMMITTEE

DATE: April 21, 2009

TIME: 11:50 a.m.

PLACE: Room 240

MEMBERS: Chairman Wills, Representatives Moyle, Bedke, Roberts, Rusche, Ruchti, Killen

**ABSENT/
EXCUSED:**

GUESTS:

Chairman Wills called the meeting to order at 11:50 a.m.

MOTION: **Rep. Killen** made a motion to accept the minutes of April 2, 2009, as written. **By voice vote the motion passed.**

Rep. Rusche made a motion to accept the minutes of April 7, 2009, as written. **By voice vote the motion passed.**

RS 19019: **Rep. Roberts** stated this RS was a reprint of the ethanol bill, **HB 996aas**, with only one change. The change was the addition of Section 2, which provides an emergency clause placing this legislation in full force and effect on and after June 1, 2009. He explained the change in effective date from July 1, 2009 (the original bill) was done in order to provide an additional \$1.2 million, which is the estimated amount of tax collected each month on biodiesel and gasohol.

MOTION: **Rep. Bedke** made a motion to introduce **RS 19019** and send it to the second reading calendar. **By voice vote the motion passed.**

RS 19016: **Rep. Nonini** stated this legislation would provides school districts with temporary flexibility with respect to maintenance match money. School districts would have the ability to use moneys normally required to be allocated for the maintenance and repair of student-occupied buildings for one-time, non-personnel costs, at the discretion of the school district. The amount would be determined by the State Department of Education. He pointed out there is a one year sunset clause. **Rep. Nonini** requested that should the committee introduce the legislation, he would like it referred to the Education Committee for a hearing.

MOTION: **Rep. Rusche** made a motion to introduce **RS 19016** and refer it to the Education Committee. **By voice vote the motion passed.**

ADJOURN: There being no further business to come before the committee,
Chairman Wills adjourned the meeting at 11:58 a.m.

Representative Richard Wills
Chairman

Sue Frieders
Secretary

MINUTES

HOUSE WAYS AND MEANS COMMITTEE

- DATE:** April 23, 2009
- TIME:** 1:45 P.M.
- PLACE:** Room 240
- MEMBERS:** Chairman Wills, Representatives Moyle, Bedke, Roberts, Rusche, Ruchti, Killen
- ABSENT/
EXCUSED:**
- GUESTS:** Andrew Hanhardt, President/Exec. Director., Idaho Association of Government Employees (IAGE); Benjamin Davenport, Lobbyist, Risch Pisca PLLC; Erin Armstrong, Lobbyist, Risch Pisca PLLC; Keith Allred, The Common Interest; Martin Bilbao, Lobbyist, Connolly & Smyser; Rep. J. Wood, Rep. Frank Henderson
- Chairman Wills called the meeting to order at 1:45 p.m.
- MOTION:** **Rep. Killen** made the motion to accept the minutes of April 21, 2009. **By voice vote the motion passed.**
- RS 19029:** **Rep. Roberts** explained that this RS triggers the federal-state unemployment insurance extended benefit program under a less restrictive alternative formula only in periods when the federal government is covering full cost of federal-state extended benefits. He requested the committee send it to the 2nd reading calendar.
- MOTION:** **Rep. Ruchti** made a motion to introduce **RS 19029** and send it to the second reading calendar. **By voice vote the motion passed.** **Rep. Lake** will serve as floor sponsor.
- RS 19027:** **Rep. Henderson** stated this legislation would change the age basis upon which registration fees would be assessed on motor vehicles having a gross weight not in excess of 8,000 pounds. Currently the motor vehicle age brackets are one and two years, three and four years, five through eight years, and over eight years. The new age brackets would be one to four years, five through eight years, and more than eight years. The vehicle registration fees would be unchanged; \$48.00 (one through four years), \$36.00 (five through eight years), and \$24.00 over eight years). The purpose for the change is to recover the loss of fuel tax revenue due to greater fuel economy of new vehicles. This change will generate \$3.1 million for the Idaho Highway Account.
- MOTION:** **Rep. Ruchti** made a motion to introduce **RS 19027**. **By voice vote the motion passed.**

RS 18987C1: **Rep. Roberts** stated this legislation is a reprint of **SB 1087** and deals with administrative fees for the Division of Motor Vehicles (DMV) services. He indicated that legislative intent language was added (page 1, Section 1) which includes: (a) moneys raised from the increase should be used to cover any shortfall DMV is operating under as of June 30, 2009; (b) any moneys remaining after the expenditures in subsection (a) should be used for improvements to the DMV technology operations; (c) any moneys remaining after (a) and (b) should be spent on department technology operations and improvements to their electronic management systems; and (d) the department should review the fees provided in this legislation approximately every five years and recommend appropriate changes to the Legislature. **Rep. Roberts** noted this legislation would increase revenue in the amount of \$13.1 million annually for the State Highway Account. He advised the committee that currently DMV had an operating loss of \$6 million.

MOTION: **Rep. Moyle** made a motion to introduce **RS 18987C1**. **By voice vote the motion passed.**

ADJOURN: There being no further business to come before the committee, **Chairman Wills** adjourned the meeting at 1:53 p.m.

Representative Richard Wills
Chairman

Sue Frieders
Secretary

MINUTES

HOUSE WAYS AND MEANS COMMITTEE

DATE: April 24, 2009

TIME: 12:00 P.M.

PLACE: Room 240

MEMBERS: Chairman Wills, Representatives Moyle, Bedke, Roberts, Rusche, Ruchti, Killen

**ABSENT/
EXCUSED:** Representatives Wills, Bedke, Rusche

GUESTS:

Acting Chairman Moyle called the meeting to order at 12:00 p.m.

RS 19063: This legislation would amend Title 49, Idaho Code, to increase certain registration fees for school buses, farm and non-commercial vehicles with a gross vehicle weight of 8,001 to 60,000 pounds, and for commercial trucks and wreckers with a GVW of 8,001 to 60,000 pounds. The increase above the existing 2009 level will be deposited in a new "Highway Maintenance, Preservation and Restoration Fund" created under this legislation. These funds will be apportioned 38% to local governments and 62% for expenditure by the Idaho Transportation Department specifically for the maintenance, preservation and restoration of the state highway system. Funds are not to be used for capacity expansion projects. Heavy truck registration fee increases will be deposited in the Highway Distribution Account. It is anticipated approximately \$4 million in new revenue will be realized.

MOTION: **Rep. Roberts** made a motion to introduce **RS 19063** with technical corrections as identified by **Rep. Killen**.

ADJOURN: There being no further business to come before the committee, Acting Chairman Moyle adjourned the meeting at 12:04 p.m.

Representative Mike Moyle
Acting Chairman

Sue Frieders
Secretary

MINUTES

HOUSE WAYS AND MEANS COMMITTEE

- DATE:** April 27, 2009
- TIME:** 2:55 P.M.
- PLACE:** Room 240
- MEMBERS:** Chairman Wills, Representatives Moyle, Bedke, Roberts, Rusche, Ruchti, Killen
- ABSENT/
EXCUSED:**
- GUESTS:** Skip Smyser, Connolly, Smyser; Martin Bilbao, Connolly, Smyser; Zach Hauge, Capitol West; McKinsey Miller, The Gallatin Group; Erin Armstrong, Risch Pisca PLLC; Ben Davenport, Risch Pisca PLLC; Phil Homer, Idaho Association of School Administrators; Colby Cameron, Sullivan & Reberger; Russell Westerberg, Westerberg & Associates; Jason Hancock, State Department of Education
- MOTION:** **Rep. Killen** made a motion to accept the minutes of April 23, 2009. **By voice vote the motion passed.**
- Rep. Killen** made a motion to accept the minutes of April 24, 2009. **By voice vote the motion passed.**
- RS 19061:** **Rep. Nonini** stated this RS makes three changes relating to public school finances. First, it eliminates the Early Retirement Program for teachers (administrator participation was eliminated in 2003). This is being done to ensure that the state's limited funds for public schools will benefit the classroom. Second, this change amends Section 33-1004, Idaho Code, to provide school districts with relief from the "use it or lose it" requirement of state funding for instructional staff positions. This portion is the same as stated in **HB 303**, which presently is on the Senate 3rd reading calendar. This will provide school districts with funding flexibility. Third, this change provides school districts with temporary flexibility on the use of certain local school building maintenance funds. This portion of the legislation provides sideboards to **HB 743** (passed in 2006), and allows flexibility regarding maintenance funds during the present budget crisis. He requested the RS be referred to the Education Committee.
- When questioned regarding the value of the Early Retirement Program to a school district, **Rep. Nonini** stated that no one has been able to agree on a dollar amount. With reference to page 3, Section 5, dealing with school building maintenance funds, he stated this section would reverse the Senate amendments added to **HB 262**, which dealt with the Early Retirement Program.
- MOTION:** **Rep. Roberts** made a motion to introduce **RS 19061** and refer it to the Education Committee. **By voice vote the motion passed.** **Reps. Rusche, Ruchti** and **Killen** asked to be recorded as voting nay.

- RS 19055:** **Rep. Nonini** stated this was a remake of **SB 1166** and would offset an adverse decision of the Idaho Supreme Court regarding Section 72-915, Idaho Code. He stated language in this legislation came from last year's **HB 495**, which passed the House by a 64-1-5 vote. This legislation would allow public corporations to solicit bids for worker's compensation liability insurance from private insurance carriers. **Rep. Killen** expressed concerns with page 1, Section 1(4), wherein the wording attempted to express the intent of the Legislature eleven years ago. He felt legislation should not try to address intent of a past Legislature. He was also of the opinion that subsection 5 containing the retroactive repeal of Section 72-915, Idaho Code, was inconsistent with Section 1 subsection 6.
- MOTION:** **Rep. Roberts** made a motion to introduce **RS 19055**. **Rep. Ruchti** spoke against the motion citing his agreement with **Rep. Killen's** opinion with respect to the intent language of eleven years ago. **Rep. Moyle** explained that a discussion of **SB 1166aa** regarding this subject was held in the House Business Committee. He further stated that Section 1 of this RS deals with legislative intent and Section 2 repeals Section 72-915, Idaho Code, with Sections 3 and 4 adding the new language. **By voice vote the motion passed**. **Reps. Ruchti** and **Killen** asked to be recorded as voting nay.
- RS 19062:** **Rep. Roberts** stated this was the third ethanol exemption legislation this session. This replaces **HB 329**, which is presently on the House 3rd reading calendar. **HB 329** contains incorrect emergency clause wording. This RS corrects the language so it reads "An emergency existing therefor, which emergency is hereby declared to exist, this act shall be in full force and effect on and after June 1, 2009." He requested the legislation be sent to the 2nd reading calendar.
- MOTION:** **Rep. Rusche** made a motion to introduce **RS 19062** and send it to the second reading calendar. **By voice vote the motion passed**. **Rep. Roberts** will serve as floor sponsor.
- ADJOURN:** There being no further business to come before the committee, **Chairman Wills** adjourned the meeting at 3:17 p.m.

Representative Richard Wills
Chairman

Sue Frieders
Secretary

MINUTES

HOUSE WAYS AND MEANS COMMITTEE

- DATE:** April 29, 2009
- TIME:** 3:17 P.M.
- PLACE:** Room 240
- MEMBERS:** Chairman Wills, Representatives Moyle, Bedke, Roberts, Rusche, Ruchti, Killen
- ABSENT/
EXCUSED:**
- GUESTS:** Tim Hurst, Office of Secretary of State; Mike Nugent, Legislative Services Office; Tony Poinelli, Idaho Association of Counties; Colby Cameron, Sullivan & Reberger; Erin Armstrong, Risch Pisca PLLC; Phil Hardy, Senate Media; Trish Stock; Paul Osborn; Jane Wittmeyer, Idaho Forest Association; Bert Marley, Idaho Education Association; Robin Nettinga, Idaho Education Association; Dennis Tanikuni, Idaho Farm Bureau
- MOTION:** **Rep. Bedke** made a motion to accept the minutes of April 27, 2009. **By voice vote the motion passed.**
- RS 19065C2:** **Rep. Lake** stated this legislation deals with election reform and is a re-write of **HB 201** with the exception of the financial aspects. The changes were made with Senate agreement. He noted that water districts will be exempt from election consolidation. He explained that Section 1 appropriates \$1.5 million from the Budget Stabilization Fund to the Secretary of State to be paid to counties for the purchase of voting equipment. In addition, for fiscal year 2011 and after \$4.1 million will be distributed from the sales tax distribution formula with \$2.2 million distributed to each county equally and the balance distributed to the counties based on population. For fiscal year 2012 and after the \$4.1 million will be adjusted annually by the Tax Commission in accordance with the CPI (Consumer Price Index). There is one caveat, in 2013 the Secretary of State will examine election costs and make the necessary adjustments. He also noted that any funds not used would flow to the General Fund.
- MOTION:** **Rep. Moyle** made the motion to introduce **RS 19065C2** and send it to the second reading calendar. **Rep. Rusche** asked if any testimony would be taken from counties, cities and school boards. **Rep. Moyle** responded that testimony on this issue had been heard in the House and testimony on this RS would be heard by a Senate committee if it passes the House. **By voice vote the motion passed.** **Reps. Rusche** and **Ruchti** asked to be recorded as voting nay. **Rep. Lake** will serve as floor sponsor.
- RS 19088:** **Rep. Roberts** stated this concurrent resolution authorizes the Legislative Council to appoint an interim legislative committee to undertake and complete a study of the state's transportation, including a review of

current funding and an analysis of non-traditional funding sources. The resolution calls for the committee to report its findings, recommendations and proposed legislation, if any, to the Second Regular Session of the Sixtieth Idaho Legislature. He pointed out that the committee would be comprised of seven Senators and seven Representatives.

MOTION: **Rep. Bedke** made a motion to introduce **RS 19088** and refer it to the 2nd reading calendar. **By voice vote the motion passed.** **Reps. Rusche** and **Ruchti** asked to be recorded as voting nay. **Rep. Roberts** will serve as floor sponsor.

RS 19089: **Rep. Nonini** explained that this bill replaces **HB 339**. This change removes the Early Retirement Incentive Program (ERIP) using a phase out method with repeal in 2011. This will save the General Fund \$2 million in FY 2010 and \$4 million in FY 2011. He stated the original idea as proposed by Tom Luna, Superintendent of Public Instruction, would have removed ERIP immediately. The phase out is a more fair way to handle elimination of the program. It will allow teachers in the pipeline for 2009 to use the program. Additionally, the savings will provide more money for student/teacher contact time as well as other classroom expenses. The "use it or lose it" as it relates to virtual education portion of this RS is the same language that was originally in **HB 303**. The maintenance match money language remains the same as written in **HB 339**. This portion of the legislation eases the requirements of Section 33-1019, Idaho Code.

MOTION: **Rep. Bedke** made a motion to introduce **RS 19089** and refer it to the 2nd reading calendar. **By voice vote the motion passed.** **Reps. Rusche, Ruchti** and **Killen** asked to be recorded as voting nay. **Rep. Nonini** will serve as floor sponsor.

ADJOURN: There being no further business to come before the committee, **Chairman Wills** adjourned the meeting at 4:38 p.m.

Representative Richard Wills
Chairman

Sue Frieders
Secretary

MINUTES

HOUSE WAYS AND MEANS COMMITTEE

- DATE:** May 7, 2009
- TIME:** 10:12 A.M.
- PLACE:** Room 240
- MEMBERS:** Chairman Wills, Representatives Moyle, Bedke, Roberts, Rusche, Ruchti, Killen
- ABSENT/
EXCUSED:**
- GUESTS:** Jane Wittmeyer, Idaho Forest Association; Benjamin Davenport, Risch Pisca PLLC
- Chairman Wills** called the meeting to order at 10:12 a.m.
- MOTION:** **Rep. Killen** made a motion to accept the minutes of April 29, 2009. **By voice vote the motion passed.**
- RS 19092:** **Rep. Nonini** explained that this RS would remove the amendment placed on **HB 303** by the Senate which added a two year sunset clause to the virtual education portion of the bill. He advised the committee it takes the schools a year of planning and with the sunset clause schools would be unable to participate. He further stated that **Tom Luna**, Superintendent of Public Instruction, **Sen. Goedde**, Chairman of the Senate Education Committee, and he would be sending a letter to the Northwest Regional Education Lab asking them to undertake a study on the effectiveness of virtual school. **Rep. Moyle** advised the committee that the Senate was aware of this legislation.
- MOTION:** **Rep. Bedke** made a motion to introduce **RS 19092** and refer it to the second reading calendar. **By voice vote the motion passed.** **Rep. Nonini** will serve as floor sponsor.
- RS 19099:** **Rep. Roberts** stated this concurrent resolution supports the Idaho Legislature's involvement in the Governor's Task Force on modernizing transportation funding in Idaho. He pointed out the task force would consider both traditional and non-traditional sources of revenue for the maintenance and preservation of highways and bridges. When questioned if other transportation issues would be considered such as transit issues, **Rep. Roberts** did not think it need be limited to just highways and bridges.
- MOTION:** **Rep. Bedke** made a motion to introduce **RS 19099** and refer it to the second reading calendar. **By voice vote the motion passed.** **Rep. Roberts** will serve as floor sponsor.
- RS 19102:** **Rep. Roberts** stated this legislation establishes a task force for the purpose of identifying dedicated funding sources for the Idaho State

Police and the Idaho Department of Parks & Recreation on an ongoing basis. The task force would be comprised of eight members; two of which will be the co-chairs of the Joint Finance & Appropriation Committee. Their findings, recommendations and proposed legislation will be introduced to the Second Regular Session of the Sixtieth Idaho Legislature.

MOTION: **Rep. Moyle** made a motion to introduce **RS 19102** and refer it to the second reading calendar. **By voice vote the motion passed.** **Rep. Roberts** will serve as floor sponsor.

RS 19103C1: **Rep. Roberts** stated this was the “going home” transportation legislation. He explained portions of the bill. Section 1 discusses legislative intent. Section 2 amends Section 40-701, Idaho Code, relating to the Highway Distribution Account as shown in line 35, which changes the distribution to the State Highway Account from 57% to 62%. On page 2, lines 3-7, language regarding the funds distributed to the Idaho State Police are removed. Section 3 discusses the distribution of moneys to the Idaho Petroleum Clean Water Trust Fund. It refers to the language removed in Section 4. The formula must stay in Idaho Code. Section 4 amends the tax on gasoline and aircraft engine fuel. It strikes the language on page 3, line 44 through line 31 on page 4, referring to distribution of funds to the Idaho Department of Parks & Recreation. Lines 32 and 33 on page 4 distributes any remaining funds to the Highway Distribution Account. Section 5 is the severability clause. Section 6 is the emergency clause and places Sections 2, 3 and 4 into effect on and after July 1, 2011. **Chairman Wills** questioned intent language relative to alternative sources of moneys to the Idaho State Police and the Idaho Department of Parks & Recreation and, if no alternative funding source was found, would the moneys come from the General Fund. **Rep. Rusche** expressed concern there would be a larger burden placed on the General Fund at a time when we were reducing moneys from that fund to state agencies. **Rep. Roberts** reminded the committee that the task force created in **RS 19102** was charged with finding dedicated funds for those two entities. **Chairman Wills** stated that while the legislative intent included dedicated funds there was nothing in the bill that indicated ongoing dedicated funds.

MOTION: **Rep. Bedke** made a motion to introduce **RS 19103C1** and refer it to the second reading calendar. **By voice vote the motion passed.** **Rep. Roberts** will serve as floor sponsor.

ADJOURN: There being no further business to come before the committee, **Chairman Wills** adjourned the meeting at 10:28 p.m.

Representative Richard Wills
Chairman

Sue Frieders
Secretary

MINUTES

HOUSE WAYS AND MEANS COMMITTEE

DATE: May 7, 2009

TIME: 2:35 P.M.

PLACE: Room 240

MEMBERS: Chairman Wills, Representatives Moyle, Bedke, Roberts, Rusche, Ruchti, Killen

**ABSENT/
EXCUSED:** Rep. Roberts

GUESTS:

Chairman Wills called the meeting to order at 2:35 p.m.

MOTION: **Rep. Moyle** made a motion to accept the minutes of May 7 (morning), 2009. **By voice vote the motion passed.**

RS 19103C2: **Chairman Wills** spoke to this RS in place of **Rep. Roberts**. He stated there were two changes made to **RS 19103C1**, which was heard this morning. The first change on line 14 and on page 5 lines 15 and 16 changes the year from 2011 to 2010. The second change is the inclusion of a new paragraph on page 5 for Section 67-2914, Idaho Code, which in all practicality states that a dedicated source of funds must be found for the Idaho State Police. **Rep. Ruchti** asked if the same type of paragraph would be forthcoming for the Idaho Department of Parks & Recreation, but the co-chairs of Joint Finance & Appropriations Committee have indicated they would try to follow the same direction for that. **Chairman Wills** stated that was not a concern that was voiced following this morning's meeting. When asked about the year change, **Chairman Wills** said that change was made because this appropriation would be for the 2011 budget which starts as of July 1 of the preceding year (July 1, 2010).

MOTION: **Rep. Moyle** made a motion to introduce **RS 19103C2** and refer it to the second reading calendar. **By voice vote the motion passed.** **Rep. Roberts** will serve as floor sponsor.

RECESS: There being no further business to come before the committee, at 2:40 p.m. **Chairman Wills** stated the committee would be at ease subject to call of the chair.

Representative Richard Wills
Chairman

Sue Frieders
Secretary

MINUTES

HOUSE WAYS AND MEANS COMMITTEE

DATE: May 7, 2009

TIME: 4:06 P.M.

PLACE: Room 240

MEMBERS: Chairman Wills, Representatives Moyle, Bedke, Roberts, Rusche, Ruchti, Killen

**ABSENT/
EXCUSED:**

GUESTS:

Chairman Wills called the meeting to order at 4:05 p.m.

MOTION: **Rep. Ruchti** made a motion to accept the minutes of the May 7 (2:35 p.m.), 2009, meeting. **By voice vote the motion passed.**

RS 19105: **Rep. Roberts** stated this concurrent resolution is a re-write of the one previously heard today, **HCR 33**. The "whereas" from **HCR 31** has been included in the "Resolve" section, and on page 2, line 2, the number of members of the committee are more completely spelled out. There will be a total of 15 members on the committee including five from the Senate and five from the House of Representatives. **Rep. Rusche** asked if there could be an amendment recognizing local option and transit needs. In response, **Rep. Roberts** explained this RS is concerned with highways and bridges. He felt an additional concurrent resolution should be brought forward because of the complexities of local option. In response to a question about the agenda, **Rep. Roberts** stated the Governor would be setting the agenda; that this legislation is a formal way for legislators to be members of the task force. **Rep. Roberts** emphasized this legislation directs the task force to look at traditional and non-traditional methods of funding; that based on the passage of **HB 376** the task force is not restricted to revenues as a source of funding but could also look at transfers of funds.

MOTION: **Rep. Rusche** made a motion to add language to the RS on page 1, line 32, following the word "options", add ", including local option authority,". **Rep. Bedke** spoke against the motion stating this concurrent resolution basically says the House will be a participant in the Governor's Task Force with him setting the agenda and adding this language may morph this resolution into places we haven't contemplated.

SUBSTITUTE MOTION: **Rep. Moyle** made a substitute motion to introduce **RS 19105** and refer it to the second reading calendar. Speaking in favor of his substitute motion, **Rep. Moyle** stated this language was from the Governor's staff and the Senate and changing the language could jeopardize its passage. **By voice vote the substitute motion passed.** **Rep. Roberts** will serve as floor sponsor.

RECESS:

There being no further business to come before the committee, at 4:16 p.m. **Chairman Wills** stated the committee would be at ease subject to call of the chair.

Representative Richard Wills
Chairman

Sue Frieders
Secretary