

MINUTES
SENATE STATE AFFAIRS COMMITTEE

DATE: Friday, February 10, 2012
TIME: 8:00 P.M.
PLACE: Room WW55 – Moved to WW02
MEMBERS PRESENT: Chairman McKenzie, Vice Chairman Fulcher, Senators Davis, Hill, McGee, Winder, Lodge, Malepeai, and Stennett
ABSENT/ EXCUSED:

NOTE: The sign-in sheet, testimonies, and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

Chairman McKenzie announced there would be a fifteen minute delay to allow the meeting to be moved to the auditorium to accommodate the large audience that has assembled.

Chairman McKenzie called the meeting to order at 8:15 a.m. with a quorum present. He explained that the three items on the agenda were print hearings and that there would not be public testimony. He noted that the sign-up sheet showing every person who signs in will be part of the permanent record.

RS20913C1 RELATING TO HIGHWAYS AND BRIDGES to modify a specified list of eligible highway projects on which the Idaho Transportation Board is authorized to use federal aid highway funds to pay debt service costs incurred from bonds issued by the State.

Representative Hagedorn introduced **RS20913C1** that modifies the GARVEE program and updates the statute to add the ability to use currently authorized bonds for bridges. There has been substantial savings in the GARVEE program due to the current economy. As existing projects are completed, there will be funds that were not used and those savings can now be used on bridges. This bill does not add to the current bonding authority but it allows the transfer of those funds to be used for certain designated bridge projects throughout the state.

MOTION: **Vice Chairman Fulcher** moved, seconded by **Senator Lodge** to send **RS20913C1** to print.

VOTE: The motion carried by voice vote,

RS21214 RELATING TO ADMINISTRATIVE RULES to strengthen the legislature's statement of support for negotiated rulemaking by clarifying its purposes and providing minimum procedures to enhance public notice and participation.

Roger Batt, representing Idaho Heartland Coalition, presented **RS21214** to the Committee. **Mr. Batt** stated that this legislation strengthens the negotiator rulemaking process and establishes minimum procedures for agencies to follow if an agency engages in Negotiated Rulemaking. The procedures in this legislation provide more transparency, better public notice, participation throughout the rulemaking process, and allows for more consistency within the process between agencies and industry.

This legislation also allows for a written record to summarize the unresolved issues, key information, and conclusions as a result of the rulemaking process. Eight state agencies and the Governor's Office have been consulted during the development of this legislation. The agencies include the Idaho Bureau of Occupational Licensing,

Department of Health & Welfare, Transportation Department, Water Resources, Department of Agriculture, Department of Administration, DEQ, and Alcohol Beverage & Control.

Mr. Batt asked for the support of this bill.

Senator Davis asked if **Mr. Batt** had heard from the Department of Health & Welfare regarding their concerns. **Mr. Batt** reported that they had not heard a final conclusion from Health & Welfare. The other entities did not have any concerns.

Senator Lodge said that Health & Welfare has some concerns and she will talk to **Mr. Batt** about those concerns although she will vote to print this RS.

MOTION: **Senator McGee** moved, seconded by **Vice Chairman Fulcher**, to send **RS21214** to print.

VOTE: The motion carried by voice vote.

RS20877 RELATING TO THE HUMAN RIGHTS COMMISSION by adding four words to the Idaho's Civil Rights Act and to the State's Human Rights Act to provide against discrimination because of sexual orientation.

Senator Malepeai brought **RS20877** before the committee stating that this legislation is very simple, it just adds the term "sexual orientation, gender identity" so the Commission can investigate, mediate, and make findings in cases of discrimination on that basis. The federal Human Rights Act created the Idaho Human Rights Commission to protect employees and employers from discrimination on the basis of race, sex, national origin, and religion. The act allows the Commission to address issues in employment, housing, education, and public accommodations. This legislation does not create a new protected class since all people have a sexual orientation and gender identity. This legislation ensures that Idahoans are free to hold jobs and rent apartments regardless of whether they are straight or gay.

Senator Malepeai stated that the question before the Committee today is whether or not it is the policy of the State of Idaho to allow discrimination against gay family members, coworkers, and friends. The Senate State Affairs Committee has never before considered this very simple legislation of just "adding the words." **Senator Malepeai** went on to emphasize the importance of this legislation to the families affected by the omission of adding these words.

Chairman McKenzie asked for questions from the Committee.

Senator Winder stated his appreciation for **Senator Malepeai's** passion and sensitivity for this issue.

MOTION: **Senator Stennett** moved, seconded by **Senator Malepeai**, to send **RS20877** to print.

VOTE: The motion failed by voice vote.

ADJOURNMENT: Being no further business, **Chairman McKenzie** adjourned the meeting at 8:29 a.m.

Senator McKenzie
Chairman

Twyla Melton
Secretary