

MINUTES
HOUSE STATE AFFAIRS COMMITTEE

DATE: Thursday, February 16, 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:** Representative Simpson

GUESTS: Joie McGarvin, Westerberg & Associates; Russell Westerberg, Rocky Mountain Power; Jesse Taylor, Westerberg & Associates; Rocky Barker, Idaho Statesman; Ray Amaya, KBOI Radio; Clark Corbin, Post Register; Tony Smith, Benton Ellis; Kent Lauer, Idaho Farm Bureau; Neil Colwell, Avista; Rich Hahn, Idaho Power; Will Hart, Idaho Consumer-Owned Utilities Association; Mike Reynoldson, Micron; Elizabeth Criner, J.R. Simplot Company; Lee Flinn, AARP.

Chairman Loertscher called the meeting to order at 9:01 a.m.

RS 21284: **Rep. McGeachin** presented **RS 21284**, proposed legislation to create a Federal Health Care Reform Oversight Committee. **RS 21284** will put in place a committee to provide oversight regarding any federal health care initiative, law or regulation including the Patient Protection and Affordable Care Act of 2009 (PPACA). The committee will be based on true free-market reforms and principles and monitor what the state is already providing with what the federal laws require. The committee will meet at the call of the chair. It will consist of five members each from the Senate and the House with majority and minority party representation. Rep. McGeachin estimated that it will cost \$2,400.00 each time the committee meets and these funds will come from existing legislative budgets.

In response to questions, **Rep. McGeachin** stated the issue of a health insurance exchange has not been debated. **RS 21284** is to provide for a committee to provide oversight of the PPACA. This proposed committee will not replace the health care taskforce. That committee is not set in code and has no clear legislative intent or direction. Rep. McGeachin stated this proposed committee will make recommendations to the Legislature as a whole on whether the Legislature should prohibit the State's compliance with, or participation in, federal health care reform. She further stated that Idaho is a sovereign state and it is unconstitutional for the federal government to compel a state to abide by a federal law.

ORIGINAL MOTION: **Rep. Bilbao** made a motion to introduce **RS 21284**.

SUBSTITUTE MOTION: **Rep. King** made a substitute motion to return **RS 21284** to the sponsor. Rep. King stated the legislation is not in the best interest of the people of Idaho.

VOTE ON SUBSTITUTE MOTION: **Chairman Loertscher** called for a vote on the substitute motion to return **RS 21284** to the sponsor. **Motion failed by voice vote.**

VOTE ON ORIGINAL MOTION: **Chairman Loertscher** called for a vote on the original motion to introduce **RS 21284**. **Motion carried by voice vote.** **Rep. King** requested to be recorded as voting **NAY**.

RS 21262: **Rep. Gibbs** presented **RS 21262**, proposed legislation to provide disclosure and transparency for large capital expenditures by regulated electric utilities. This legislation creates a new section of Idaho Code, Section 61-502C, to disclose a major plan of expansion or capital investment. Rep. Gibbs stated the intent of the legislation is to disclose large capital expenditures so that consumers are informed and can plan for future energy rates.

In response to questions, **Rep. Gibbs** introduced **Trent Clark**, Director of Government Affairs, Monsanto Company. Mr. Clark stated this legislation does not include consumer-owned utility companies but rather focuses on investor-owned. The Public Utilities Commission (PUC) sets the energy rates, and this legislation will give the commission the ability to answer and make readily available what projects are coming down the pike and the potential rate increases. It will require utility companies to post information on their front doors so the public doesn't have to go through the process of reviewing volumes of documents and then have to sign a confidentiality agreement. Mr. Clark stated that while the Integrated Resource Planning (IRP) currently addresses rate increases, this proposed legislation will address large capital expenditures that have a significant impact on the rate payer.

MOTION: **Rep. Anderson** made a motion to introduce **RS 21262**. **Rep. Anderson** invoked Rule 38 stating a possible conflict of interest but that he would be voting on the motion. **Motion carried by voice vote.**

RS 20872C1: **Rep. Trail** presented **RS 20872C1**, proposed legislation to provide for vacancies in elective civil offices upon the occurrence of certain conditions. **RS 20872C1** defines a civil office to be vacant before the expiration of the term of office and upon any of the following events: resignation, death or removal of the incumbent by lawful procedure. **RS 20872C1** addresses previous concerns regarding the decision of a competent tribunal to declare an elective office vacant due to apparent abandonment or prolonged incapacity or absence. **RS 20872C1** will require a time period in excess of ninety (90) days. Rep. Trail stated this legislation will assist smaller government bodies that might not have a quorum to meet. Rep. Trail advised the committee that the Attorney General has reviewed the legislation and the proposed time period in excess of ninety (90) days. The Attorney General issued an opinion dated January 31, 2012, stating "to protect against an arbitrary application of this provision, it may be worthwhile to include a requirement that the Board member's absence and lack of communication is reflected within the minutes."

MOTION: **Rep. King** made a motion to introduce **RS 20872C1**. **Motion carried by voice vote.**

RS 21300: **Mike Reynoldson**, Micron Technology, presented **RS 21300**, a proposed resolution to honor the lifetime achievements of Steven R. Appleton and his professional and personal contributions to the State of Idaho. On February 3, 2012, Idaho lost a friend in Steve Appleton. His positive impact on the state will be felt for years to come. When he started at Micron in 1983 as employee #298, Micron was a small Idaho company. Under his direction, Micron went global. Mr. Reynoldson stated that Steve Appleton was a motivator, always in charge, and accessible to all. He was a humble person and thankful for the opportunities afforded him, but he had earned them. He had respect for and was a student of the Legislature and the government process.

MOTION: **Rep. Stevenson** made a motion to introduce **RS 21300** and send it directly to the Second Reading Calendar. **Motion carried by voice vote.** **Rep. Palmer** will sponsor the bill on the floor.

ADJOURN: There being no further business to come before the committee; the meeting was adjourned at 9:49 a.m.

Representative Loertscher
Chair

Lissa Cochrane
Secretary