

MINUTES
SENATE STATE AFFAIRS COMMITTEE

DATE: Friday, March 23, 2012

TIME: 8:00 A.M.

PLACE: Room WW55

MEMBERS PRESENT: Chairman McKenzie, Senators Darrington, Davis, Hill, Fulcher, 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 called the meeting to order at 8:01 a.m. with a quorum present.

S 1386 RELATING TO THE MILITARY DIVISION to establish a State Directorate of the Civil Air Patrol Idaho Wing (ICAP) under the Idaho Military Division and Department of Homeland Security.

Senator Winder presented **S 1386** which establishes a mission and places the command and control of the (ICAP) under the duly appointed officer of such wing. The legislation would legitimize the ICAP in Idaho and authorize many of those services the ICAP is now receiving. **Senator Winder** described existing services provided and current inadequate facilities stating that as a result of **S 1386**, facilities could be provided for the ICAP at Gowen Field.

MOTION: **Senator Darrington** moved, seconded by **Senator Winder**, to send **S 1386** to the Senate floor with a do pass recommendation.

VOTE: The motion carried by voice vote. **Senator Winder** will be the floor sponsor.

HCR 47 STATING LEGISLATIVE FINDINGS to authorize and approve the Department of Administration to enter into an agreement with the State Building Authority to provide financing for the construction of a multi-level parking facility.

Senator Winder reviewed the history of **HCR 47** and addressed parking issues for the public as well as government employees. **Senator Winder** yielded to **Jeff Youtz**, Director of the Legislative Services Office, to explain further.

Mr. Youtz recounted the critical parking shortage at the Capitol Mall that has existed for twenty-five years, enumerating the number of permits sold each year compared to the number of parking spaces. He stated that due to the recent Capitol restoration and expansion, the focus of the Capitol was directed toward public outreach and public participation; current lack of parking facilities hamper that goal. **Mr. Youtz** explained that due to favorable interest rates used to refinance bonds, funds have been made available to pay for the parking structure with the addition of increased fees for parking passes. **Mr. Youtz** further explained future revenue streams that would be used to finance the structure and possible locations for said structure.

Senator Davis questioned whether public parking uses have been factored into the budget for the structure. **Mr. Youtz** indicated that, to his knowledge, use by the public had not been factored into the financing presented before the committee, but that the structure will make parking more convenient and accessible for legislators, employees and the public.

MOTION: **Senator Winder** moved, seconded by **Senator Stennett**, to send **HCR 47** to the Senate floor with a do pass recommendation.

VOTE: The motion carried by voice vote. **Senator Winder** will be the floor sponsor.

H 575 RELATING TO TRADEMARKS to cause all trademark filings to use only the international classification of goods and services.

Jeff Harvey, Secretary of State's Office, explained that **H 575** removed the maintenance of two distinctly different classifications of goods and services, causing all trademark filings to use the international classification of goods and services, as adopted by the United States Patent and Trademark Office. **Mr. Harvey** recounted the history of handling trademarks at the Secretary of State's office and that **H 575** would be implemented as new trademarks are filed. **Mr. Harvey** explained that this legislation would allow the Secretary of State's office to provide online filing of trademarks.

Clarification concerning current filing procedures and the trademark review process was summarized by **Senator Davis**. **Mr. Harvey** agreed that Senator Davis' summary was correct.

MOTION: **Senator Hill** moved, seconded by **Senator Lodge**, to send **H 575** to the Senate floor with a do pass recommendation

VOTE: The motion carried by voice vote. **Senator Lodge** will be the floor sponsor.

H 372 RELATING TO MINERAL RIGHTS ON STATE LANDS to revise the interest rate for violations of the statutes for mineral extractions.

Chris Halvorson with the Endowment Fund Investment Board (EFIB), explained that **H 372** revises the interest rate charged when someone illegally extracts minerals on state lands which are typically sand and gravel. **Mr. Halvorson** stated that current statutes require that an average interest rate from the endowment funds be used to calculate damages but that the current investment program does not lend itself easily to the calculation of an annual interest rate. **Mr. Halvorson** stated that **H 372** would allow the use of the interest rate set by the Idaho Treasurer, which is set annually on July 1 using a statutory calculation based on the average yield of United States Treasurer Securities.

Senator Hill asked for confirmation that the intent of **H 372** was not to increase or decrease the interest rate, but that **H 372** would be for administrative purposes. **Mr. Halvorson** stated that the interest rate would be changed to a commercially standard rate. **Senator Davis** asked if the rate used in the legislation would be a default of 12% or whether the intent of the legislation was to use the floating rate. **Mr. Halvorson** indicated that the intention would be to use the floating rate. **Senator Davis** enlightened the committee concerning the history of interest rates charged in judgments and asked what rates have been used in the last ten years. **Mr. Halvorson** answered that he was not knowledgeable of the rate over the past ten years but that the current rate was at 5 1/4%.

MOTION: **Senator Winder** moved, seconded by **Senator Hill**, to send **H 372** to the Senate floor with a do pass recommendation

VOTE: The motion carried by a voice vote. **Senator Hill** will be the floor sponsor.

MINUTES APPROVAL: Minutes for March 7 and March 9, 2012.

MOTION: **Senator Lodge** moved, seconded by **Senator Darrington**, to approve the minutes of March 7, 2012.

VOTE: The motion carried by voice vote.

MOTION: **Senator Darrington** moved, seconded by **Senator Winder**, to approve the minutes of March 9, 2012.

VOTE: The motion carried by voice vote.

PAGE RECOGNITION: Recognition of Page **Nathan Chelson**.

On behalf of the Committee, **Chairman McKenzie** awarded **Nathan Chelson** with a Letter of Recognition and a watch. **Mr. Chelson** also received a letter of recommendation from the Chairman of the Committee.

ADJOURNMENT: There being no further business, **Chairman McKenzie** adjourned the meeting at 8:35 a.m.

Senator McKenzie
Chairman

Twyla Melton
Secretary