

MINUTES

SENATE COMMERCE & HUMAN RESOURCES COMMITTEE

- DATE:** Thursday, January 10, 2013
- TIME:** 1:30 P.M.
- PLACE:** Room WW54
- MEMBERS PRESENT:** Chairman Tippetts, Vice Chairman Patrick, Senators Cameron, Goedde, Guthrie, Martin, Lakey, Schmidt, and Durst
- 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.
- CONVENED:** **Chairman Tippetts** called the meeting to order at 1:32 p.m. and welcomed members of the Committee and thanked them for being willing to serve.
- INTRODUCTIONS:** **Chairman Tippetts** introduced **Linda Kambeitz**, Committee Secretary and **Chace Tolman**, Committee Page, from Bancroft. He asked each to say a little about themselves to the Committee. **Linda Kambeitz** said she was at the Senate last year as a substitute while another secretary was out on medical. She said she was happy and honored to be at the Senate. She said she rode her horse when the Legislature was not in session and that she was a retired administrator from a school district in California. She said she moved here with her husband after they retired and that they love Idaho. **Chace Tolman** said he was working here as a Page for the Senate. He is a senior at North Gem High School and has been in Student Government for four years. He has been interested in the Legislature and how government works. He was grateful to have been selected to serve at the Senate. He indicated he was excited to see how everything goes and so far he is loving it. **Chairman Tippetts** said **Chace** was a bit of a "teckie" and he was helping **Linda**. **Chairman Tippetts** asked each member of the Committee to introduce themselves.
- Senator Durst** said he had served for four years in the House and then he took a two-year break. He stated he was on the Business Committee in the House and he has a small business that does marketing research.
- Senator Schmidt** said he has been on the Committee for the past two years and has learned a lot. He said he was happy to be here.
- Senator Goedde** said he has spent his entire legislative career on the Committee and it has been a very fruitful time and he has learned a lot. He said he enjoyed debate. He stated he was a small business owner, but sold his business about two years ago. He then stated that he is semi-retired, which gives him the opportunity to focus on his legislative duties.
- Senator Patrick** said he was from Magic Valley and a farmer. He has been a bank director for 15 years and currently is a bank director for one of the largest state charter banks in Idaho. He is especially privileged to be on this Committee with the current members.
- Senator Cameron** said he was from District 27 and he was the former Chair of this Committee. He has been on this Committee almost every year. He indicated he enjoyed the issues and was grateful to be back. He was looking forward to working with everyone. He asked to be excused from this meeting as he was summoned to a meeting at the Pro-Tem's office. **Chairman Tippetts** excused **Senator Cameron**, who then left.

Senator Guthrie said he was from District 28 and came from the House where he was on the Business Committee. He said he was looking forward to working with everyone on the Committee.

Senator Martin said he was from District 15 and that he and his wife just had their 16th grandchild. He indicated he wanted to be on the Commerce Committee and was happy to be here.

Senator Lakey said he was from District 12 and that he was an attorney in private practice relating to business and real estate. He indicated this Committee was one of his first choices.

Senator Tippetts said he was in the House in 1988. He served on the Business Committee, but has served on this Committee for the last two years. He said he looked forward to working with everyone.

**PASSING OF
GAVEL:**

Chairman Tippetts passed the gavel to **Vice Chairman Patrick** to introduce **Brooke Murdoch** to explain the administrative rules.

PRESENTATION:

Vice Chairman Patrick introduced **Brooke Murdoch** from the Legislative Services Office, who explained the administrative rules and told everyone where to look on the web site to print a copy of the analysis of the rules. She said that **Ed Hawley** from the Administrative Rules Office was here with her to answer any questions the Senators may have. She suggested that the Senators, in conjunction with reading the rules, also read the memos that her office puts together that are on-line at the Legislative web site. The memos are helpful and provide an analysis of the rules. Rules are color coordinated to distinguish the type of rule the Committee will be reviewing. There are three different types of rules:

1. Pending rule - This rule is not in effect, but pending review by the Committee. If the Committee thinks that a pending rule they are reviewing violates the legislative intent of the statute, the Committee can request that the rule not be approved by using a concurrent resolution. The rule can be rejected in its entirety or a sub-section or section of the rule can be rejected. If the Committee is satisfied with the rule and it does not violate legislative intent, and the Committee does nothing with the rule, then it will go into effect at the end of the session. No motion would be needed.

2. Pending fee rule - This rule is not in effect, but pending review by the Committee. This is a rule that proposes changes in a fee or a charge. These rules are acted upon differently and don't become final unless they are acted upon by concurrent resolution.

3. Temporary rule - These rules are in effect when the Committee is looking at them, but they do not remain in effect beyond the legislative session and they will lapse unless extended by a concurrent resolution.

She asked if there were any questions. **Vice Chairman Patrick** asked for a clarification on temporary rules. **Brooke Murdoch** explained that temporary rules do not remain in effect beyond the legislative session unless they are extended during the legislative session by concurrent resolution.

Chairman Tippetts indicated there was a packet in the folder that each Senator had and there was a brief summary on page 12 of **Brooke Murdoch's** presentation.

Brooke Murdoch said that after a rules review, **Chairman Tippetts** sends a written report of the review to the Pro-Tem with a list of the rules the Committee does not want to approve. Based on that letter, for each pending rule that the Committee decides not to approve, a concurrent resolution will be prepared disapproving the rules. A concurrent resolution has to have approval from both the House and the Senate to pass. For pending fee rules, she waits for all letters from all of the Committees and then she prepares one omnibus concurrent resolution approving all of the fee rules, except those that have been specifically rejected. The same thing happens with the temporary rules.

Vice Chairman Patrick said that **Ms. Murdoch's** presentation was very helpful and **Chairman Tippetts** thanked **Brooke Murdoch** as well. **Vice Chairman Patrick** indicated there was a list of rules prepared for review and two people were chosen for each set of rules to read and make the motions. He said he thought it was important for individuals to understand very well the rules which are assigned. He further indicated that if they wanted to switch with someone, he did not have a problem with that. Prior to Tuesday, they will have a schedule as to who will be presenting.

Chairman Tippetts said that for the benefit of those who were new on the Committee, he wanted to mention that the day we consider specific rules, we will have someone from the agency to present. We will have the opportunity after that to discuss the rules and he assumed that the intent was to take a vote on the rules at that time. **Vice Chairman Patrick** said that was correct.

Chairman Tippetts wanted to remind everyone there was an invitation at 2:30 p.m. to 4:30 p.m. from Paul Jackson from Farmer's Insurance Group regarding Insurance 101 Training Session in the East Wing, Room 05. He listed the topics and said the topics would only be of interest to those in the insurance business or a legislator dealing with those kinds of issues.

ADJOURNED: There being no further business, **Chairman Tippetts** adjourned the meeting at 1:58 p.m.

Senator Tippetts
Chairman

Linda Kambeitz
Secretary