

MINUTES  
**HOUSE STATE AFFAIRS COMMITTEE**

**DATE:** Tuesday, April 02, 2013

**TIME:** 9:00 A.M.

**PLACE:** Room EW40

**MEMBERS:** Chairman Loertscher, Vice Chairman Batt, Representatives Anderson(1), Andrus, Luker, Crane, Palmer, Sims, Barbieri, Holtzclaw, McMillan, Monks, Packer, Smith, Gannon, Woodings

**ABSENT/  
EXCUSED:** None

**GUESTS:** Dennis Stevenson, Office of Administrative Rules; Ross Borden, City of Boise.

**Chairman Loertscher** called the meeting to order at 9:00 a.m.

**MOTION:** **Rep. Woodings** made a motion to approve the minutes of the March 27 and 28, 2013 meetings.

**Rep. Batt** stated a correction needed to be made to the minutes of March 27, 2013, on page 2, paragraph 1, should state: "**Rep. Luker** discussed an amendment to **S 1134aa**, a bill that adds new language to the Idaho Code to define "unmanned aircraft systems" and that outlines restrictions and specific terms regarding surveillance and observations. He stated the amendment requires a warrant for targeting individuals and property unless consent is obtained."

**VOTE ON  
MOTION:**

**Motion carried by voice vote with changes noted above.**

**H 343:**

**Dennis Stevenson**, Office of Administrative Rules, presented **H 343**, a bill that adds to existing law to provide that the Administrative Rules that expire on July 1, 2013, will continue to be effective until July 1, 2014. He stated it also provides that Administrative Rules approved or extended by the adoption of a concurrent resolution shall be effective until July 1, 2014, or until such time as they expire, and that Rules rejected by concurrent resolution shall be null, void and of no force and effect and to authorize agencies to amend or repeal certain Rules pursuant to the Administrative Procedure Act.

**MOTION:** **Rep. Woodings** made a motion to send **H 343** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.**

**S 1192aa:**

**Jeff Youtz**, Capitol Commission, presented **S 1192aa**, a bill that adds to existing law to provide that the administrator of the Division of Public Works shall develop facilities in the Capitol Mall and to create a process for exempting a certain Capitol Mall parking facility from planning and zoning restrictions.

In response to committee questions, **Mr. Youtz** stated the State is and has been working with City officials to get the parking facility approved and will continue to go through the process. He stated they are responding to their requests and negotiating with them to find a good result for all.

**Ross Borden**, Office of the Mayor, City of Boise, stated he is **in support** of **S 1192aa** because he believes the State and City will be able to reach an agreement and a suitable facility will be built. He stated the Mayor of Boise neither supports nor opposes the bill.

**Elaine Clegg**, Boise City Council, stated the parking garage project was given a temporary permit and a variance was approved by the City Council. She stated if the design of the parking structure is changed it will have to be done in District Court. She stated that because she is on the City Council, she cannot take a position at this time.

**MOTION:**

**Rep. Palmer** made a motion to send **S 1192aa** to the floor with a **DO PASS** recommendation.

**Rep. Woodings** stated she is **opposed** to the motion because the State should need to go through the same processes as other private business.

**Rep. Gannon** stated he is **opposed** to the motion because he believes the government should not have special rights in construction matters. He stated he is concerned because there has been no public involvement. He also stated that he agrees with the building of the parking garage.

**Rep. Barbieri** stated that according to the bill, the State facilities and plans are being exempted from the City Ordinances, which is not fair to everyone affected. He stated the bill might be overreaching.

**Rep. Packer** stated her concern is for the bond holders who should be respected as well. She stated that the State has the obligation to follow the rules and procedures just like anyone else who wants to do a project.

**Rep. Luker** stated he is **in support** of the motion because there has already been negotiation between the State and the City of Boise in which they both see a favorable outcome for both parties. He stated there needs to be a better building program that includes details of design and funding so this problem does not happen again.

**Rep. Crane** stated he is **in support** of the motion because the bill adds certainty for the bond holders.

**ROLL CALL  
VOTE:**

**Rep. Woodings** requested a roll call vote on **S 1192aa**. **Motion carried by a vote of 11 AYE and 5 NAY. Voting in favor** of the motion: **Reps. Loertscher, Batt, Anderson(1), Andrus, Luker, Crane, Palmer, Sims, Holtzclaw, McMillan, and Monks. Voting in opposition** to the motion: **Reps. Barbieri, Packer, Smith, Gannon, and Woodings. Rep. Crane** will sponsor the bill on the floor.

**Chairman Loertscher** gave special recognition to House Secretary **Kasey Perkins** thanking her for her outstanding service to the Committee during the session. He also gave recognition to the House Page **Joseph Andrus**, thanking him for his excellent service over the past 7 weeks.

There being no further business to come before the Committee, the meeting was adjourned at 9:48 a.m.

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Representative Loertscher  
Chair

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Kasey Perkins  
Secretary