

MINUTES  
**SENATE TRANSPORTATION COMMITTEE**

**DATE:** Tuesday, February 17, 2015

**TIME:** 1:30 P.M.

**PLACE:** Room WW53

**MEMBERS PRESENT:** Chairman Brackett, Vice Chairman Nonini, Senators Keough, Winder, Hagedorn, Vick, Den Hartog, Buckner-Webb and Lacey

**ABSENT/ EXCUSED:** None

**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 Brackett** called the Senate Transportation Committee (Committee) meeting to order at 1:35 p.m. and welcomed all those in attendance. The first item on the agenda was to approve two sets of Minutes.

**MINUTES APPROVAL:** **Senator Keough** moved to approve the Minutes of January 29, 2015. **Senator Hagedorn** seconded the motion. The motion passed by **voice vote**.

**Senator Den Hartog** moved to approve the Minutes of February 10, 2015. **Senator Vick** seconded the motion. The motion passed by **voice vote**.

**S 1082:** **Chairman Brackett** welcomed Laura Lantz, Associate Director of the Idaho Association of Highway Districts, to the podium and asked her to present **S 1082**.

**Ms. Lantz** said this bill increases the efficiency in storing and maintaining public records and contracts as required by highway districts. It allows highway districts to store photographic or digital replicates of records and the subsequent release or destruction of its paper records. Highway districts can also incorporate by reference electronic or web-based versions of unsigned contract terms. Records will be indexed better, easier to search and easier to retrieve. The language mirrors that of the county legislation passed in 2014. **Ms. Lantz** thanked the Committee and stood for questions.

**Senator Vick** warned that the Internal Revenue Service (IRS) lost 30 days of data recently. He wanted to know how a similar incident would be prevented with the highway districts. **Ms. Lantz** said the bill mandates keeping two copies of the electronic format, one on-site and the other off-site in a secure storage unit.

**TESTIMONY:** **Chairman Brackett** welcomed Chelsea Keber, Legal Assistant for the Ada County Highway District (ACHD), to offer testimony in favor of the bill. **Ms. Keber** said she is charged with fulfilling requests for public records at ACHD. She has converted their records into digital format and has attended many workshops on the subject. Digital format makes retrieving documents requested much easier. It saves time, energy and physical space. The space saved at ACHD by converting to digital format can be used for other purposes like historical records or future expansion planning. Converting files also benefits government transparency. **Ms. Keber** thanked the Committee and stood for questions.

**Senator Lacey** asked if the conversion had been completed. **Ms. Keber** said in some areas it had, but they are still working on other areas.

**MOTION:** **Vice Chairman Nonini** moved to send **S 1082** to the floor with a **do pass** recommendation. **Senator Hagedorn** seconded the motion. The motion passed by **voice vote**. **Senator Nonini** offered to carry the bill on the Senate floor.

**S 1061:**

**Chairman Brackett** welcomed Stuart Davis, Executive Director of the Idaho Association of Highway Districts, to the podium to present **S 1061**.

**Mr. Davis** said that **S 1061** is an alternate bill for last year's S 1065 that passed the Senate but ran into trouble in the House, where it died. He and Chairman Brackett came up with this improved version. In more rural areas of Idaho it is difficult to get citizens to serve long terms on highway district boards. This bill calls for local highway district commissioners to serve a three year term, making it much easier for recruitment. Elections for highway district commissioners occur each year in November, meaning that only one commission district at a time is up for election. **Mr. Davis** said that two highway district commissioners, one from Post Falls and one from Twin Falls, were in the audience prepared to testify. **Mr. Davis** stood for questions.

**Chairman Brackett** said **S 1061** solves the problem of having two or sometimes all three commissioners up for election at the same time.

**Senator Hagedorn** asked what was different in this bill that would get it passed in both the Senate and the House. **Mr. Davis** said the length of terms was shorter and election of commissioners would occur each November, almost guaranteeing a larger voter turnout.

**Senator Keough** said there are 13 highway districts that have 2 commissioner districts on the ballot at the same time. How different is that from county commissioner races that are up at the same time? **Mr. Davis** said that having staggered election cycles allows for greater continuity in long term planning. Plus, it is easier to recruit for county commissioner openings because they get paid an annual salary. Highway district commissioners' pay is sporadic at best.

**Vice Chairman Nonini** asked how much highway district commissioners were paid. **Mr. Davis** said that highway district commissioners set their own salaries. They range from a lot to a little; some get paid by the month and others by the meeting. **Senator Winder**, who had been a ACHD commissioner at one time, said he believed his monthly salary had been between \$300 and \$600.

**TESTIMONY:**

**Chairman Brackett** welcomed Dave Burgess, Twin Falls Highway District Commissioner, to the Committee and asked him to take the podium to present testimony in favor of **S 1061**. **Mr. Burgess** said he had been a commissioner for three years but had been a manager for the highway district for 17 years prior to that. In total, he has been with the Twin Falls Highway District in some capacity for 38 years. The other two Twin Falls Highway District Commissioners were also in the audience to show their interest in **S 1061**. They all believed this bill would solve problems with the issues surrounding elections, especially when the other two commissioners are on the ballot in the same election cycle. The turnout for elections held in the spring is not very high, even though the commissioners oversee an annual budget of \$9 million. Usually about 200 people turn out to vote. If candidates have self-interest as their motivation to run, it is easy to get people to turnout to vote. There could be two new commissioners managing a \$9 million budget. That can cause problems. In addition, currently some commissioners have a six year term which is too long to get a commitment to serve; it takes a long time to teach someone the technicalities and processes of operating a highway district. Highway districts are small, there are 64 in the State, and some encompass 50 miles or less. **Mr. Burgess** said they like the idea of one commissioner being on the ballot each year; moving the election from May to November will have a larger turnout for elections. **Mr. Burgess** thanked the Committee and stood for questions.

**Chairman Brackett** asked if it was correct that there is a higher voter turnout when two or more highway districts are on the ballot. **Mr. Burgess** confirmed Chairman Brackett's assumption and added that there are four highway districts in Twin Falls County. Some counties have even more highway districts.

**Senator Vick** asked if there was a provision for a run-off election, or did the highest vote count win the election. **Mr. Burgess** said there was no provision for a run-off and the candidate with the most votes wins. There were no more questions for Mr. Burgess

**TESTIMONY:**

**Chairman Brackett** welcomed Terry Werner, Post Falls Highway District Commissioner, to the Committee and asked him to take the podium to present testimony in favor of **S 1061**. **Mr. Werner** said that as currently written, all three highway district commissioners could be on the same election ballot. Terms are staggered and length of terms vary. They manage a \$2.4 million budget; to possibly have three new commissioners managing the budget could be devastating. **Mr. Werner** thanked the Committee and stood for questions.

**Vice Chairman Nonini** thanked Mr. Werner for testifying. He asked him what Post Falls Highway District commissioners made. **Mr. Werner** said that the chairman receives \$700 per month, and the other 2 commissioners receive \$600 per month. They meet twice monthly.

**Senator Hagedorn** thanked Mr. Werner for his dedication and time. He wanted to know what incentives there were for highway districts to consolidate. **Mr. Werner** said there were four or five highway districts in Kootenai County. There was a study done to see if consolidation would be beneficial to the taxpayer. The recommendation was to not consolidate because of the large, rural nature of the county. There were no further questions for Mr. Werner.

**Chairman Brackett** asked Mr. Davis to retake the podium for closing remarks. **Mr. Davis** followed-up on a previous inquiry, ACHD commissioners made \$1,000 per month. He again thanked the Committee and said that there is a technical correction that needs to be addressed and asked the Committee to send **S 1061** to the 14th Order for amendment.

**Senator Winder** asked specifically what needed to be amended. **Mr. Davis** said that line 20 starts with "For a commissioner elected in 2013". The language does not address those commissioners elected prior to 2013. The bill should be cleaned up. **Senator Winder** said that the Senate would be going into the 14th Order the following day and wanted to know if Mr. Davis could be ready with an amendment by then. **Mr. Davis** said he thought he could and that the bill has an emergency clause, meaning the bill needed to be on the Governor's desk before March 25 in order to meet the 2015 election cycle.

**MOTION:**

**Senator Winder** moved to send **S 1061** to the 14th Order for amendment. **Vice Chairman Nonini** seconded the motion. The motion passed by **voice vote**. **Chairman Brackett** offered to carry the bill on the Senate floor.

**ADJOURNED:**

With no further business before the Committee, **Chairman Brackett** adjourned the meeting at 2:08 p.m.

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Senator Brackett  
Chair

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Gaye Bennett  
Secretary