

MINUTES  
**HOUSE STATE AFFAIRS COMMITTEE**

**DATE:** Wednesday, February 10, 2016

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

**PLACE:** Room EW40

**MEMBERS:** Chairman Loertscher, Vice Chairman Batt, Representatives Andrus, Luker, Crane, Palmer, Sims, Barbieri, Holtzclaw, McMillan, Bateman, Cheatham, Nielsen, Smith, Jordan, McCrostie, Wintrow

**ABSENT/  
EXCUSED:** None

**GUESTS:** Donna Caldwell, Idaho Department of Lands; Debbie Buck, Idaho Department of Lands; Jack Hansen, Partners in Policy Making; Chris Halverson, Endowment Fund Investment Board; Dennis Stevenson, Office of Administrative Rules.

**Chairman Loertscher** called the meeting to order at 9:03 a.m.

**RS 24401:** **Rep. Dayley** presented **RS 24401**, a concurrent resolution that recognizes the Republic of Azerbaijan, a staunch ally and partner of the United States, in supporting their efforts and example of multiculturalism and interfaith tolerance.

**MOTION:** **Rep. Cheatham** made a motion to introduce **RS 24401**.

**SUBSTITUTE  
MOTION:** **Rep. Nielsen** made a substitute motion to introduce **RS 24401** and recommend it be sent directly to the Second Reading Calendar. **Motion failed by voice vote.**

**VOTE ON  
ORIGINAL  
MOTION:** **Chairman Loertscher** called for a vote on the original motion to introduce **RS 24401**. **Motion carried by voice vote.**

**Chairman Loertscher** turned the gavel over to **Vice Chairman Batt**.

**RS 24429:** **Jace Perry**, State Treasurer's Office, presented **RS 24429**, proposed legislation that gives the Treasurer's Office, at the request of the Endowment Fund Investment Board, the authority to invest public endowment funds consistent with the Prudent Investor Act. He stated the legislation also establishes a fund to hold costs paid for investment and administration services. He stated the monies in the fund, or a fund designated by the agency, would be used to pay investment and administration costs of the permitted investments outside of idle funds and the General Fund will not pay for the costs.

**MOTION:** **Rep. Wintrow** made a motion to introduce **RS 24429**. **Motion carried by voice vote.**

**RS 24370:** **Rep. Smith** presented **RS 24370**, proposed legislation that provides direction to bill drafters to use language that is gender neutral when writing new legislation and Administrative Rules. She stated there have been several instances already when gender references in the Code have been updated. She also stated the United States Military Academy uses gender neutral language.

**Rep. Wintrow** spoke regarding **RS 24370** and stated there is power in language. She stated language affects perception which affects behavior. She stated the purpose of the legislation is to show girls/women that they belong. She stated there was legislation last year that promoted gender neutral language regarding elected officials. She stated if the government is trying to increase gender equality in elected offices, the language in the State's laws and rules should be gender neutral.

In response to committee questions, **Rep. Wintrow** stated the legislation is a small clean up bill.

**Vice Chairman Batt** turned the gavel back over to **Chairman Loertscher**.

**MOTION:** **Rep. McCrostie** made a motion to introduce **RS 24370**. **Motion carried by voice vote. Reps. Batt, McMillan, Holtzclaw, Cheatham, Sims, Nielsen and Palmer** requested as being recorded as voting **NAY**.

**RS 24233C1:** **Rep. Rusche** presented **RS 24233C1**, proposed legislation that establishes an Office of the Inspector General. He stated 19 other states have an Office of the Inspector General. He stated an Inspector General's office would improve concerns with fraud, waste, abuse or malfeasance prior to public court action. He said the Office would start off with one Inspector and one support staff.

In response to committee questions, **Rep. Rusche** stated legislators are exempt from the legislation because they have a separate code of ethics and complaint process which they abide by. He stated that setting up an Inspector General's Office to deal with requests for investigation will minimize the number of requests as a whole. He stated there is already whistle blower protection in Idaho so complainants don't need to worry about retaliation from their employers. He stated the Inspector General's office would not deal with criminal proceedings, it would be more of a compliance office. He stated the Inspector General would be held accountable by the Governor and the legislature and removal from office would require malfeasance and approval by the Board of Examiners and the Senate.

**MOTION:** **Rep. Batt** made a motion to introduce **RS 24233C1**.

**Rep. Andrus** spoke **in opposition** to the motion and stated one inspector would not be enough to handle all of the complaints statewide which means the office would grow, as would bureaucracy. He stated he would support the legislation if there was a cap on the amount of staff. **Rep. Palmer** spoke **in opposition** to the motion and stated the legislation creates bureaucracy. He stated he might support language that allowed up to two staff, but no more.

**Rep. Luker** spoke **in support** of the motion and stated there are many citizens in the state that have complaints that do not know where to go. He stated the office would offer a service to the public that provides transparency within government and business. He stated the legislature would have adequate control of the budgets every year as they do with all state agencies. **Rep. Wintrow** spoke **in support** of the motion and stated a trained investigator is needed to handle the complaints. She also stated that if there was a need to increase the number of staff in the office, that would mean the number of complaints had grown.

**ROLL CALL VOTE:** Roll Call vote was requested on the motion to introduce **RS 24233C1**. **Motion carried by a vote of 9 AYE, 8 NAY. Voting in favor** of the motion: **Chairman Loertscher, Reps. Batt, Luker, Bateman, Nielsen, Smith, Jordan, McCrostie and Wintrow. Voting in opposition** to the motion: **Reps. Andrus, Crane, Palmer, Sims, Barbieri, Holtzclaw, McMillan and Cheatham**.

**ADJOURN:** There being no further business to come before the committee, the meeting was adjourned at 10:18 a.m.

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Representative Loertscher  
Chair

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Kasey Winder  
Secretary