

MINUTES
SENATE STATE AFFAIRS COMMITTEE

DATE: Wednesday, February 12, 2020

TIME: 8:00 A.M.

PLACE: Room WW55

MEMBERS PRESENT: Chairwoman Lodge, Vice Chairman Harris, Senators Winder, Vick, Anthon, Souza, and Buckner-Webb

ABSENT/ EXCUSED: Senators Hill and Stennett

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: **Vice Chairman Harris** called the Senate State Affairs Committee (Committee) to order at 8:01 a.m.

GUBERNATORIAL REAPPOINTMENT: **THE GUBERNATORIAL REAPPOINTMENT** of William Craig Corbett to the Idaho Lottery Commission (telephone interview).
William Craig Corbett, stated he has served on the Lottery Commission (LC) since 2012 and works on sales and budget forecasts. He served on the school board for many years, so education is very important to him and he is proud to continue helping by serving on the LC. **Mr. Corbett** attributes the success of the LC to the great people on the administrative staff. **Mr. Corbett** said last year they distributed \$60 million, and close to \$906 million since it began. He attributed the substantial growth to their new programs, games, management and staff, and said the multi-state games, due to increased participation, have become very lucrative.
Vice Chairman Harris announced voting would be at the next meeting on Friday, February 14, 2020.

RS 27468 **RELATING TO ALCOHOL** to regulate all beer products regardless of alcohol content and make regulation more straightforward.
Senator Crabtree, District 7, presented **RS 27468**, and said this legislation will change two things:

1. the standard of measurement for alcohol by weight will be changed to the industry standard of alcohol by volume;
2. over the course of three years, five percent of the revenue derived from the beer sales, that Idaho Grape and Wine Producer Association was receiving, will be returned to the General Fund instead.

MOTION: **Senator Anthon** moved to send **RS 27468** to print. **Senator Vick** seconded the motion. The motion carried by **voice vote**.
Vice Chairman Harris announced that **S 1283** would be heard next.

S 1283 **RELATING TO ADMINISTRATIVE RULES** to provide a consistent method across all state agencies for a request of a waiver, variance, or amendment of an existing Idaho rule.

Senator Agenbroad, District 13, presented **S 1283**, and said this legislation will provide for a standardized process for rule waivers. He said the "one size" rule does not fit all, and a strict application of uniformly applied rules can sometimes lead to unreasonable, unfair, and unintended results. He gave a couple of examples of agencies that do and don't have waivers in place, and the struggles and successes they experienced .

Senator Agenbroad explained that this legislation would not undermine any current rules and requests would be denied if the waiver conflicts with or violates Idaho law. Each applicant would need to demonstrate certain conditions to be considered:

- the application of the rule is unreasonable and would impose undue hardship on the petitioner;
- the waiver will afford substantially equal protection of health, safety, and welfare; or
- the waiver would test an innovative practice or model for the agency to consider a future change to the rule.

Senator Agenbroad said that rule waivers are not new to Idaho, and there are currently over 21 state agencies that use a rule waiver provision. This legislation will provide a standardized waiver process across all the 100 plus rule making entities.

MOTION: **Senator Winder** moved to send **S 1283** to the floor with a **do pass** recommendation. **Senator Anthon** seconded the motion. The motion carried by **voice vote**.

RS 27347 **RELATING TO CODIFIER'S CORRECTIONS** to make various codifier and technical corrections to Idaho Code.

Katharine Gerrity, Legislative Services Office (LSO), presented **RS 27347**, which is LSO's annual codifier correction bill that includes various code reference corrections, and grammatical or punctuation changes that match LSO's standard writing style for legislation.

MOTION: **Senator Vick** moved to send **RS 27347** to print. **Senator Souza** seconded the motion. The motion carried by **voice vote**.

RS 27685 **RELATING TO THE LEGISLATURE** to establish some uniformity to the legislative session and process.

Senator Guthrie, District 28, presented **RS 27685**, which identifies an end date for the legislative session on or before the last Friday in March, and provides for an additional five days for the purpose of acting on a possible gubernatorial veto.

MOTION: **Senator Athon** moved to send **RS 27685** to print. **Senator Buckner-Webb** seconded the motion. The motion carried by **voice vote**.

S 1306 **RELATING TO CITY ELECTIONS** to provide that no city elections will be held under certain conditions.

Kelli Brassfield from the Association of Counties presented **S 1306**, which relates to city elections. Currently cities are holding elections even if the vacant seat is uncontested. This would remove the requirement to hold an election if only one person files a declaration of candidacy or if there is only a write-in declaration for each office.

DISCUSSION: Responding to questions, **Ms. Brassfield** said she was unable to provide cost breakdown on an uncontested election at this time. As an example, she said Twin Falls County's city elections in 2019 totaled \$80,000, but this was for all elections.

Senator Souza said that she had heard that the city election in Coeur d'Alene cost \$17,000, but this information was from a few years ago and not confirmed.

Chairwoman Lodge said it cost \$30,000 for the recall in Caldwell last November, 2019.

Ms. Brassfield yielded to **Justin Ruin**, from the Association of Idaho Cities, who explained to Senator Anthon how the two-year term and four-year term for city council members work in a city election and how this legislation affects it.

MOTION: **Senator Anthon** moved to send **S 1306** to the floor with a **do pass** recommendation. **Senator Buckner-Webb** seconded the motion. The motion carried by **voice vote**.

MINUTES APPROVAL: **Senator Anthon** moved to approve the Minutes of January 22, 2020. **Chairwoman Lodge** seconded the motion. The motion carried by **voice vote**.

ADJOURNED: There being no further business at this time, **Vice Chairman Harris** adjourned the meeting at 8:33 a.m.

Senator Lodge
Chair

Twyla Melton
Secretary

Denise B. McNeil
Assistant to the Assistant Majority
Leader