

MINUTES
SENATE STATE AFFAIRS COMMITTEE

DATE: Friday, January 15, 2016

TIME: 8:00 A.M.

PLACE: Room WW55

MEMBERS PRESENT: Chairman McKenzie, Vice Chairman Lodge, Senators Davis, Hill, Winder, Siddoway, Lakey and Stennett

ABSENT/ EXCUSED: Senator Buckner-Webb

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 McKenzie** called the Senate State Affairs Committee (Committee) to order at 8:00 a.m. with a quorum present and welcomed the Committee to the first State Affairs meeting for this session. He introduced Nina Harelson, Committee page, and asked her explain why she decided to be a page and share her plans for after high school.

Ms. Harelson stated that she attends Century High School in Pocatello. Her government teacher is former Senator Frasure, who recommended that she apply for the page program. Senator Hill is her sponsor. She has been accepted by Boise State University and plans to major in business with an emphasis in health care administration. **Chairman McKenzie** and the Committee members welcomed Nina.

PENDING RULES REVIEW: **Chairman McKenzie** recognized Jeff Harvey, Uniform Commercial Code Supervisor, Office of the Secretary of State, to present the following pending fee rule.

IDAPA 34 - SECRETARY OF STATE

DOCKET NO. 34-0501-1501 34.05.01 Rules Governing Farm Products Central Filing System.

Senator Davis commented that the elimination of all the categories for methods of transmission makes perfect sense. However, he had a question regarding the use of CDs since most computers do not have a CD/DVD drive anymore. **Mr. Harvey** responded that these fees have not been reviewed since 1986. An internet download service is now being provided. One hundred percent of their clients are downloading their data, so they are no longer burning CDs. As a result, the average fee of \$60 per unit of data is being reduced to \$30 as listed on page 10 under subsection 303.03.a. However, there is a higher cost for paper or a CD.

Mr. Harvey explained that they also added one all-encompassing code for Idaho counties, which is 00. This is in addition to the individual county codes. The code addressing fees had not been changed since 1986 and was obsolete. The change to a flat fee system makes it easier for everyone.

Being no further questions, **Chairman McKenzie** called for a motion.

MOTION: **Senator Davis** moved to approve **Docket No. 34-0501-1501**. **Senator Lodge** seconded the motion. The motion carried by **voice vote**.

Chairman McKenzie introduced Ric Johnston, Facilities Services Manager, Department of Administration, to present the two pending rules for that agency.

IDAPA 38 - DEPARTMENT OF ADMINISTRATION

Mr. Johnston stated that this rule applied to programing that links the parking program to the new website. It establishes language for legislator parking only. It also clarifies the visitor parking times and locations.

Senator Davis observed that legislative parking spaces were already provided for in the rules. These new rules state that if a legislator is assigned to one space, he could not go to another legislative space without incurring the possibility of a ticket.

Mr. Johnston agreed with the observaton.

Senator Winder added that there is no enforcement in the parking lots at night. At times the legislators arrive in the morning to find someone in their reserved space so they need to find another space. Where can they park? **Mr. Johnston** answered that the legislator should call security and let them know since they do have the authority to tow the vehicle should that be necessary. They will find the legislator an alternate space and address the situation so the legislator will not receive a ticket.

Mr. Johnston explained that the rules also changed for visitor parking. They now include the placement of information signs and added time limits. They also create a way for state workers not paid through the State Controller's Office to obtain parking permits through the temporary workers program. **Chairman McKenzie** noted that visitor parking will be limited to three hours and can't be extended by moving to a different spot. If someone is attending a meeting that would be all morning long, their only option would be off-site parking garages where longer time is allowed or metered parking where a meter must be fed every so often; is that correct? **Mr. Johnston** concurred and added that the same limited parking hours apply to metered parking around the Capitol.

Senator Winder said he understands the intent. However, there is a problem when someone leaves and returns to find their space taken.

Mr. Johnston stated that the Capitol mall lots are not metered spaces and are not monitored. There is no way of knowing if people using visitor parking are doing Capitol Mall business or something else.

Senator Lakey asked why visitors cannot change spaces if there are open spaces available. **Mr. Johnston** said that has been the practice in the past. However, having limits would better fit the needs for Capitol Mall visitors. **Senator Lakey** said that it would be reasonable that if a visitor couldn't find another empty space, they would have to move the vehicle to another parking facility but if there was space available, it should be okay to move to that space. **Mr. Johnston** gave an example using the law learning center and the projected 180 students that could impact the visitor parking and why limits should apply.

Senator Siddoway stated that he has received tickets for parking on the street when his space has been occupied; there is no way out of paying those parking tickets. The same has happened at the parking garage. He is not asking for special favors, he comes to Boise to do the people's business. There is justification for some latitude in the visitor parking area.

Mr. Johnston presented the last modification in the parking rules providing for public meeting permits. It allows the host of a meeting to obtain parking permits at certain locations within the Capitol Mall. In addition, as part of the updates, the violation language was modified.

Senator Davis questioned the proposal in 040.02.b.ii that provides for the University of Idaho (U of I) employees who are assigned to the Capital Mall Annex. **Mr. Johnston** explained that this paragraph is for state employees who are not paid through the State Controller's Office, so they can't be included in the automatic deduction program. This allowed the staff at U of I who are employed within the Capital Mall to buy a general parking pass.

Senator Davis asked if the proposed three-hour rule was rejected, would subsection 040.02.g be necessary? **Mr. Johnston** responded that if there was not a rule, there would not be a violation.

Vice Chairman Lodge asked how much employees pay for parking spaces per month. **Mr. Johnston** answered that there are two levels of services for the Capitol Mall Parking Program. There is the general parking permit at \$8 per month and the reserved space at \$35 per month.

Senator Lakey referred to legislators' parking spaces in subsection 022.02.b, page 30. If the reserved space is occupied and the legislator goes to the top floor at the garage, is that a violation of this new language? **Mr. Johnston** stated that if the legislator called the security number and reported the situation, they would ensure it would not be a violation. **Senator Lakey** asked if space is limited in the new parking structure during the session. **Mr. Johnston** responded that having the new parking structure has reduced stress in finding parking. There is still an average of 100-160 people that need parking spaces. There are 1,600 parking spaces and between 1,700 and 1,800 people needing space. During the session those spaces are much more in demand.

Vice Chairman Lodge asked what the rate is for city garages. **Mr. Johnston** said that reserved parking through city or private properties range from \$70-\$100. **Senator Winder** added that he parks in one of the off-site garages and it is currently \$100. He just received notice that it will increase to \$140 per month. There are some that are as much as \$170 per month.

MOTION:

Senator Davis moved to approve **Docket No. 38-0404-1501**, with the following exceptions: on page 30 reject **subsection 022.02.b**; on page 32 reject **subsection 022.08.d**; and on page 34 reject **subsection 040.02.g and h**. **Senator Lakey** seconded the motion. The motion carried by **voice vote**.

**DOCKET NO.
38-0407-1501**

38.04.07 Rules Governing Use of the Interior of State Property in the Capitol Mall and Other State Facilities.

Mr. Johnston explained that the Capitol Mall Annex building is now on line, it is occupied, and the doors are opened to the public. All of the interior rules where the Capitol Mall Annex was identified as being closed to the public have been stricken from the rules.

Mr. Johnston stated that there are Capitol Mall Annex exterior rules and there are Capitol Mall building interior rules. These rule modifications are for the Capitol Mall Annex interior rules only. **Mr. Johnston** further explained that when the rules were written, the Capitol Mall Annex was in construction. It was removed from the Capitol Mall properties rules because there wasn't a need to provide rules for a building that was under construction. Once the building was put back on line, then it needed to operate under the same rules as the rest of the Capitol Mall properties.

Senator Stennett asked for more clarity.

Senator Hill explained that these rules state what is not part of the Capitol Mall properties, similar to the State Capitol. By taking the Capitol Mall Annex out of the exceptions, it identifies it as a Capitol Mall property. **Mr. Johnston** agreed. That is exactly what they are doing. It is being added back as part of the Capitol Mall properties.

MOTION: **Senator Siddoway** moved to approve **Docket No. 38-0407-1501**. **Senator Winder** seconded the motion. The motion carried by **voice vote**.

Chairman McKenzie thanked Mr. Johnston for appearing before the Committee and answering all of the questions.

ADJOURNED: **Chairman McKenzie** announced that the Committee will meet next week on Monday and Friday but there will not be a meeting on Wednesday. There being no further business, **Chairman McKenzie** adjourned the meeting at 8:58 a.m.

Senator McKenzie
Chair

Twyla Melton
Secretary