

MINUTES
SENATE STATE AFFAIRS COMMITTEE

DATE: Thursday, March 24, 2016

TIME: 5:00 P.M.

PLACE: Room WW55

MEMBERS PRESENT: Chairman McKenzie, Vice Chairman Lodge, Senators Davis, Hill, Winder, Siddoway, Lakey, Stennett and Rohn(Buckner-Webb)

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 McKenzie** called the Senate State Affairs Committee (Committee) to order at 5:05 p.m. with a quorum present.

HCR 60 STATING FINDINGS OF THE LEGISLATURE to allow the Idaho National Laboratory the materials it needs to support clean energy research and national security missions.

Representative Jeff Thompson, District 30, said that **HCR 60** directs the Legislature to urge Attorney General Lawrence Wasden to allow the Idaho National Laboratory (INL) the materials it needs to fulfill its clean energy research and national security mission. **Representative Thompson** read page 1, lines 42-43, and page 2, lines 1-4, which urge Attorney General Wasden to issue a waiver allowing research quantities of spent fuel into Idaho for research and development at the INL.

Senator Hill noted that this bill is a lot to absorb. He stated that he isn't closely related to this issue although he has had some discussions with the Attorney General regarding this subject. Is this something the INL has requested? What is the ultimate goal with **HCR 60**? **Representative Thompson** stated that the INL has not requested this legislation. This is only to encourage the Attorney General, with support from the House and Senate, in his negotiations with the federal government.

Senator Winder referred to page 2, line 3, which talks about research quantities and asked what "research quantities" mean. He wanted to ensure that it doesn't open Idaho up to receive shipments. **Representative Thompson** responded that there have been some discussions over the last few years about bringing research materials into the State; about 100 pounds were available last year but that went to another lab. Currently, another 100 pounds have become available; 100 pounds of spent fuel fits in a container approximately the size of a golf bag. INL is the only lab in the nation to perform the particular type of research that uses this type of material.

Vice Chairman Lodge asked if this will interfere with the ongoing lawsuit that the State has with the federal government over shipments into Idaho. **Representative Thompson** replied that there could be an effect in regard to the original agreement that said shipments could not come in unless the clean-up had been taken care of. This does not have anything to do with any new lawsuit.

Senator Davis said he thought that litigation had reached completion. David Hensley, Chief of Staff from the Governor's office, nodded in affirmative.

Vice Chairman Lodge stated that she may have a conflict of interest under Rule 39H.

MOTION: **Senator Hill** moved to send **HCR 60** to the floor with a **do pass** recommendation. **Senator Siddoway** seconded the motion. The motion carried by **voice vote**.

H 639 RELATING TO ADMINISTRATIVE RULES to continue certain rules in full force and effect until July 1, 2017.

Chairman McKenzie explained that this is the annual "drop dead" bill that keeps the rules in force and effect for the next fiscal year. It is required by statute in order to continue the rules.

MOTION: **Senator Hill** moved to send **H 639** to the floor with a **due pass** recommendation. **Senator Winder** seconded the motion. The motion carried by **voice vote**.

H 649 RELATING TO BREWERIES to allow persons under the age of 21 on the premises of a licensed brewery.

Senator Keough, District 1, was there to present **H 649**.

Senator Davis explained that this is the bill to which the Committee wanted to add the definitions of "brewery" and "winery". Evidently there is a pending lawsuit regarding Anheuser-Busch and 10 Barrel Brewing Company, and there was a concern that the way "brewery" was defined in the amendment may have given advantage to one party over the other in that lawsuit. Additional conversations have taken place and as a courtesy, the House ran a new RS out of the House Ways and Means Committee; the litigants to the cause of action are less uncomfortable with this language. The original bill that the Committee acted on is now in the second reading calendar awaiting suspension and will stay there until the Senate acts on **H 649**. If **H 649** passes the Senate, the other bill will be pulled back to Committee.

Senator Davis emphasized and requested that it be stated in the minutes that the purpose of this legislation is only to enhance the policy question presented to the Legislature by Senator Keough and Representative Dixon and that it is not intended in any fashion to suggest that the Legislature is redefining the public policy of the State of Idaho for purposes of that litigation.

Senator Keough acknowledge and agreed with Senator Davis' explanation.

MOTION: **Senator Winder** moved to send **H 649** to the floor with a **do pass** recommendation. **Vice Chairman Lodge** seconded the motion. The motion carried by **voice vote**.

ADJOURNED: There being no further business, **Chairman McKenzie** adjourned the meeting at 5:16 p.m. subject to the call of the Chair.

Senator McKenzie
Chair

Twyla Melton
Secretary