

MINUTES
SENATE STATE AFFAIRS COMMITTEE

DATE: Monday, January 22, 2024

TIME: 8:00 A.M.

PLACE: Room WW55

MEMBERS PRESENT: Chairman Guthrie, Vice Chairman Bernt, Senators Winder, Anthon, Harris, Lee, Toews, Wintrow, and Ruchti

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 Guthrie** called the meeting of the Senate State Affairs Committee (Committee) to order at 8:08 a.m.

WELCOME: **Chairman Guthrie** welcomed all to the Committee meeting.

S 1223 **STATE PROCUREMENT ACT - Amends existing law to revise a provision regarding notice of a solicitation.** **Senator Cook** stated that this bill modified procurement language to require vendors to meet specifications or required outcomes rather than exact details in bid solicitations.

MOTION: **Senator Wintrow** moved to send **S 1223** to the floor with a **do pass** recommendation. **Senator Bernt** seconded the motion. The motion carried by **voice vote**

S 1225 **STATE GOVERNMENT - Amends existing law to revise a provision regarding interagency contracts with state institutions of higher education.** **Senator Cook** stated this bill enabled agencies to deal directly with state universities in bid solicitations rather than going through the Department of Administration.

DISCUSSION: **Chairman Guthrie** asked for an example. **Senator Cook** deferred to **Valerie Bollinger**, Administrator, Department of Purchasing (Department). **Ms. Bollinger** stated that comprehensive bids would not make sense for the Division of Occupational Rehab because each university conducted its own program. **Senator Wintrow** asked if universities were in favor of the new process. **Ms. Bollinger** said that universities favored of the new process because the former process had required extra work for the agencies and the universities.
Chairman Guthrie asked for an example when the bid process defaulted to the Department. **Ms. Bollinger** remarked that no bids would come to the Department unless they were going out for a full procurement bid. The agencies had the power to limit the bids to the state universities. **Chairman Guthrie** asked if the Department would be aware of all contracts even if they were not involved directly. **Ms. Bollinger** replied that all contracts are reported to the Department and the Legislature. **Senator Ruchti** wanted to ensure that businesses outside the Treasure Valley were not overlooked in the process.

MOTION: **Senator Bernt** moved to send **S 1225** to the floor with a **do pass** recommendation. **Senator Ruchti** seconded the motion. The motion carried by **voice vote**.

**MINUTES
APPROVAL:**

Senator Bernt moved to approve the Minutes of January 12, 2024. **Senator Wintrow** seconded the motion. The motion carried by **voice vote**.

S 1236

BINGO AND RAFFLES - Amends existing law to revise provisions regarding bingo and raffles. **Jeffrey Anderson**, Director, Idaho Lottery, stated there were 196 licensed charitable raffle and bingo games. Total contributions were over \$9.5 million in 2023. Idaho Code § 67-77 assigned oversight to the Idaho Lottery. He stated that oversight was no longer needed. **S 1236** abolished the Bingo-Raffle Advisory Board, changed administrative expense from 18 percent to 25 percent, changed the employee wage limit from 18 to 25 percent, raised the top raffle case prize from \$1000 to \$5000, and clarified the language. The 20 percent allocated to charity remained unchanged.

DISCUSSION:

Chairman Guthrie asked how the \$5000 limit for raffle prizes was decided. **Mr. Anderson** answered that the number was based on market conditions. **Senator Anthon** agreed to carry **S 1236** in the Senate.

MOTION:

Senator Anthon moved to send **S 1236** to the floor with a **do pass** recommendation. **Senator Toews** seconded the motion. The motion carried by **voice vote**.

RS 30876

Relating to Limiting the Length of Any Extraordinary or Special Session of the Legislature. **Senator Harris** stated that **RS 30876** added the extraordinary sessions of the Legislature under the same 20 day limit that applied to all special sessions. He remarked that this language amended Idaho Code. **RS 30876** restored the 20 day limit and disclosed the limit to the citizens.

MOTION:

Senator Anthon moved to send **RS 30876** to print. **Senator Lee** seconded the motion. The motion carried by **voice vote**.

RS 30972

Relating to Postsecondary Education. **Senator Bernt** stated **RS 30972** amended Idaho Code § 59-67 to prohibit the requirement of statements of diversity in public post secondary education. He remarked that this applied to hiring, promotions, contracts, and admissions decisions by state agencies, including public universities. He stated that these decisions would be based on merit.

DISCUSSION:

Senator Wintrow questioned how **RS 30972** compared to federal affirmative action procedures at public universities, what was being tracked, and how universities benefitted.

MOTION:

Senator Harris moved to send **RS 30972** to print. **Senator Anthon** seconded the motion. The motion carried by **voice vote**.

**PASSED THE
GAVEL:**

Chairman Guthrie passed the gavel to Vice Chairman Bernt.

**DOCKET NO.
31-2101-2301**

Customer Relations Rules for Gas, Electric, and Water Public Utilities (The Utility Customer Relations Rules) (ZBR Chapter Rewrite) - Proposed Rule. **Steven Goodson**, Policy Strategist, Idaho Public Utilities Commission (PUC), noted that in accordance with the Governor's Executive Order, the PUC conducted negotiated rulemaking last year that ensured the rules were more clear and less burdensome. He stated there were no changes to the pending customer relations rules and they were being adopted as originally proposed. The edits were uniform across all PUC rule chapters.

MOTION:

Senator Lee moved to approve **Docket No. 31-2101-2301**. **Senator Harris** seconded the motion. The motion carried by **voice vote**.

**DOCKET NO.
31-2601-2301**

Master-Metering Rules for Electric Utilities (ZBR Chapter Rewrite) - Proposed Rule. Mr. Goodson stated that the rules fostered direct relations between the electric utilities and their customers. He stated it also provided for equitable treatment of consumers of electricity. The changes were uniform across all PUC rule chapters.

DISCUSSION:

Senator Lee asked why there was a strike-out on page 197 regarding administrative appeals. **Mr. Goodson** replied that the administrative appeals process was repealed because it was in the statute.

MOTION:

Senator Lee moved to approve **Docket No. 31-2601-2301**. **Senator Toews** seconded the motion. The motion carried by **voice vote**

**DOCKET NO.
31-3101-2301**

Gas Service Rules (ZBR Chapter Rewrite) - Proposed Rule. Mr. Goodson stated that this rule affected Idaho Code § 61-301, 61-302, 61-303, 61-315, 61-503, 61-507, and 61-520. He remarked that the edits to this rule were uniform across all PUC rule chapters. The rule clarified the distinction between small and large meters. This was found in Rule 152.01 and 152.02.

DISCUSSION:

Senator Lee was concerned about incorporation by reference. She stated that if a date was not specified for the rule, then an external website could change procedures and tables. She requested that a date be stated for this rule change. **Mr. Goodson** stated the concern would be address in the future.

MOTION:

Senator Harris moved to approve **Docket No. 31-3101-2301**. **Senator Anthon** seconded the motion. The motion carried by **voice vote**

**DOCKET NO.
11-0401-2301**

Rules Governing the Idaho State Racing Commission (New Chapter, Fee Rule) - Temporary and Proposed Rule. Anisha Jones, Business Operations Manager, Idaho State Police, stated there were no changes to the rules presented before the Committee in 2023. The session time expired and the House did not hear Docket No. 11-0401-2301.

MOTION:

Senator Wintrow moved to approve **Docket No. 11-0401-2301**. **Senator Lee** seconded the motion. The motion carried by **voice vote**.

**PASSED THE
GAVEL:**

Vice Chairman Bernt passed the gavel back to the Chairman.

ADJOURNED:

There being no further business at this time, **Chairman Guthrie** adjourned the meeting at 8:47 a.m.

Senator Guthrie
Chair

Peggy Caraway
Secretary