

MINUTES
HOUSE STATE AFFAIRS COMMITTEE

DATE: Thursday, March 02, 2017

TIME: 9:00 A.M.

PLACE: Room EW40

MEMBERS: Chairman Loertscher, Vice Chairman Monks, Representatives Luker, Crane, Palmer, Barbieri, Holtzclaw, Harris, Armstrong, Giddings, Manwaring, Zito, Scott, Smith, Jordan

**ABSENT/
EXCUSED:** None

GUESTS: Rex Blackburn, Idaho Uniform Law Commission; Jeff Harvey, Secretary of State; Zach Brooks, Idaho Second Amendment Alliance; Doug Traubel, self; John Eaton, Realtors.

Chairman Loertscher called the meeting to order at 9:01 a.m.

H 93: **Rep. Cheatham** presented **H 93**, a bill that amends Section 18-3302, Idaho Code to allow any person who is a resident of Idaho, or is a current member of the armed forces of the United States, to carry a concealed handgun.

Zach Brooks, Second Amendment Alliance, spoke **in opposition** to **H 93** and stated the bill should include all U.S. citizens.

In response to committee questions, **Mr. Brooks** stated 11 other states allow for all U.S. citizens to carry concealed weapons with no residency requirements.

Doug Traubel, self, spoke **in support** of **H 93** and stated he would also like the language expanded.

MOTION: **Rep. Crane** made a motion to send **H 93** to the floor with a **DO PASS** recommendation.

SUBSTITUTE MOTION: **Rep. Zito** made a substitute motion to send **H 93** to General Orders with amendments as follows: page 2, line 21, strike out "a resident of Idaho", add "any U.S. citizen or a current member of the armed forces of the United States."

VOTE ON SUBSTITUTE MOTION: A Roll Call Vote was requested on the substitute motion to send **H 93** to General Orders with amendments as follows: page 2, line 21, strike out "a resident of Idaho", add "any U.S. citizen or a current member of the armed forces of the United States." **Motion failed by a vote of 4 AYE and 11 NAY. Voting in favor** of the motion: **Reps. Holtzclaw, Giddings, Zito and Scott. Voting in opposition** to the motion: **Chairman Loertscher, Reps. Monks, Luker, Crane, Palmer, Barbieri, Harris, Armstrong, Manwaring, Smith and Jordan.**

VOTE ON ORIGINAL MOTION: A Roll Call Vote was requested on the original motion to send **H 93** to the floor with a **DO PASS** recommendation. **Motion carried by a vote of 15 AYE and 0 NAY. Voting in favor** of the motion: **Chairman Loertscher, Reps. Monks, Luker, Crane, Palmer, Barbieri, Holtzclaw, Harris, Armstrong, Giddings, Manwaring, Zito, Scott, Smith and Jordan. Rep. Cheatham** will sponsor the bill on the floor.

H 209: **Jeff Harvey**, Deputy Director, Corporations Division, Secretary of State, presented **H 209**, a bill that repeals the current notary statutes and introduces a completely new notary act, "Revised Uniform Law on Notarial Acts", utilizing a draft that was originally provided by the Uniform Law Commission. The primary purpose of the new Act is to provide notaries public with the option to use technology to perform notarial acts. The Act also requires the Secretary of State to provide a course of education for applicants and notaries who wish to use it.

In response to committee questions, **Mr. Harvey** stated the seal and stamp changes were made to help prevent fraud. He stated the new language allows for Idaho notaries to provide electronic notary services which would speed up the process of real estate transactions.

In response to committee questions, **Adam Ward**, Deputy Attorney General, Secretary of State, stated any transactions that were challenged would be the same as they would be in any civil court. The notary is only attesting to facts of who appeared to sign the documents, not to the information in the document.

John Eaton, Realtors, spoke **in support** of **H 209** and stated electronic notary procedures speed up the process for real estate transactions and eliminates extra steps.

MOTION: **Rep. Luker** made a motion to send **H 209** to the floor with a **DO PASS** recommendation.

SUBSTITUTE MOTION: **Rep. Scott** made a substitute motion to **HOLD H 209** in committee.

VOTE ON SUBSTITUTE MOTION: A Roll Call Vote was requested on the substitute motion to **HOLD H 209**, **Motion failed by a vote of 3 AYE, 10 NAY, 2 Absent/Excused. Voting in favor** of the motion: **Reps. Giddings, Zito and Scott. Voting in opposition** to the motion: **Chairman Loertscher, Reps. Monks, Luker, Crane, Barbieri, Harris, Armstrong, Manwaring, Smith and Jordan. Absent/Excused: Reps. Palmer and Holtzclaw.**

VOTE ON ORIGINAL MOTION: **Chairman Loertscher** called for a vote on the motion to send **H 209** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote. Rep. Luker** will sponsor the bill on the floor.

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

H 197: **Chairman Loertscher** presented **H 197**, a bill that updates the special election provisions in Idaho Code first put into law in 1899, with regard to vacancies to be filled in the U.S. House of Representatives.

MOTION: **Rep. Palmer** made a motion to send **H 197** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote. Chairman Loertscher** will sponsor the bill on the floor.

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

Representative Loertscher
Chair

Kasey Winder
Secretary