

AMENDED AGENDA #1
HOUSE STATE AFFAIRS COMMITTEE
9:30 A.M.
Room EW40
Wednesday, January 10, 2018

SUBJECT	DESCRIPTION	PRESENTER
	Organizational Meeting	
	Rules Review	Chairman Loertscher

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Loertscher	Rep Barbieri	Rep Manwaring
Vice Chairman Monks	Rep Holtzclaw	Rep Zito
Rep Luker	Rep Harris	Rep Scott
Rep Crane	Rep Armstrong	Rep Smith
Rep Palmer	Rep Giddings	Rep Jordan

COMMITTEE SECRETARY

Jayne Feik Spinato
Room: EW46
Phone: 332-1145
email: hstaf@house.idaho.gov

MINUTES
HOUSE STATE AFFAIRS COMMITTEE

DATE: Wednesday, January 10, 2018

TIME: 9:30 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:** Representative Holtzclaw

GUESTS: none

Chairman Loertscher called the meeting to order at 9:30 a.m.

Chairman Loertscher welcomed the committee members and gave instructions on committee procedures. He introduced the committee secretary, **Jayne Feik**, and the page assigned to the committee, **Jacqueline Gallager**.

Chairman Loertscher said that testimony by telephone may be acceptable and written testimonies are always welcome.

ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 10:00 a.m.

Representative Loertscher
Chair

Jayne Feik Spinato
Secretary

AMENDED AGENDA #2
HOUSE STATE AFFAIRS COMMITTEE
9:30 A.M.
Room EW40
Monday, January 15, 2018

SUBJECT	DESCRIPTION	PRESENTER
Docket No. <u>31-1101-1701</u>	Safety and Accident Reporting Rules for Utilities Regulated by the Idaho Public Utilities Commission	Paul Kjellander, Public Utilities Commission

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Loertscher	Rep Barbieri	Rep Manwaring
Vice Chairman Monks	Rep Holtzclaw	Rep Zito
Rep Luker	Rep Harris	Rep Scott
Rep Crane	Rep Armstrong	Rep Smith
Rep Palmer	Rep Giddings	Rep Jordan

COMMITTEE SECRETARY

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MINUTES
HOUSE STATE AFFAIRS COMMITTEE

DATE: Monday, January 15, 2018
TIME: 9:30 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:** Representative Jordan
GUESTS: Russell Westerburg, RMP; Paul Kjellander, IPUC; Joe Leckie, IPUC; Kim Westlund-Lira, Planned Parenthood; Hannah Campbel, Planned Parenthood; Kayla McNay, Planned Parenthood.
Chairman Loertscher called the meeting to order at 9:34 a.m.
Chairman Loertscher assigned the proofreading to **Rep. Smith** and **Rep. Armstrong**.
DOCKET NO. 31-1101-1701: **Paul Kjellander**, Commissioner, Idaho Public Utilities Commission, presented **Docket NO. 31-1101-1701**, rules governing Safety and Accident Reporting for Utilities Regulated by the Idaho Public Utilities Commission (IPUC). He stated there are two changes: (1) IPUC is required to inform anyone within 90 days when an inspection has been done. There are standards for underground storage facilities, though IPCU is not responsible for them. (2) Anyone who wants to use pipelines to transport carbon dioxide has to comply with the rules for the pipeline.
MOTION: **Rep. Luker** made a motion to approve **Docket No. 31-1101-1701**. **Rep. Zito** requested time to read **Docket No. 31-1101-1701**.
SUBSTITUTE MOTION: **Rep. Zito** made a substitute motion to **HOLD Docket No. 31-1101-1701** for time certain, January 17, 2018. **Substitute Motion carried by voice vote**.
ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 10:00 a.m.

Representative Loertscher
Chair

Jayne Feik Spinato
Secretary

AGENDA
HOUSE STATE AFFAIRS COMMITTEE
9:30 A.M.
Room EW40
Tuesday, January 16, 2018

SUBJECT	DESCRIPTION	PRESENTER
<u>RS25755</u>	Statement of Termination Fee for Partnership	Chad Houck, Deputy Secretary of State
<u>RS25752</u>	Signatures of Non-profit Corporations	Chad Houck, Deputy Secretary of State

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Loertscher	Rep Barbieri	Rep Manwaring
Vice Chairman Monks	Rep Holtzclaw	Rep Zito
Rep Luker	Rep Harris	Rep Scott
Rep Crane	Rep Armstrong	Rep Smith
Rep Palmer	Rep Giddings	Rep Jordan

COMMITTEE SECRETARY

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MINUTES
HOUSE STATE AFFAIRS COMMITTEE

DATE: Tuesday, January 16, 2018

TIME: 9:34 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:** Representative(s) Armstrong, Jordan

GUESTS: Will Hart, ICUA; Earl Bennett, AHASA

Chairman Loertscher called the meeting to order at 9:34 a.m.

RS 25755: **Chad Houck**, Deputy Secretary of State, presented **RS 25755**, proposed legislation to remove the fee associated with filing a Statement of Termination for a partnership. This avoids the process of having to administratively terminate the partnership. It also modernizes an existing \$20 surcharge that currently is charged for filing a non-typed record. This proposal would apply the surcharge to any form that is not generated by the Secretary of State's Electronic Filing System, applying the surcharge only to documents that will require manual data entry processes. It also sets the effective date at the projected launch of the new electronic filing system. Based on the 2017 data, 45 statements filed by partnerships were administratively dissolved, a reduction of revenue to the General Fund of \$1350 annually.

MOTION: **Rep. Zito** made a motion to introduce **RS 25755**. **Motion carried by voice vote.**

RS 25752: **Chad Houck**, Deputy Secretary of State presented **RS 25752**, proposed legislation to reduce the requirement to only one signature by incorporator, and makes additional modifications to bring the statute consistent with the filing requirements for corporations, allowing an incorporator to file a record. It also removes a reference to signature requirements for filing if "directors have not been selected", as directors are required to be named within the articles of incorporation.

MOTION: **Rep. Manwaring** made a motion to introduce **RS 25752** with a change in language to; (1) Replace the "or" at the end of line 15 page one; (2) Strike the ", by its incorporator" from line 16; (3) Will then read...", by its president, or by another of its officers;" **Motion carried by voice vote.**

ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 9:45 a.m.

Representative Loertscher
Chair

Jayne Feik Spinato
Secretary

AMENDED AGENDA #1
HOUSE STATE AFFAIRS COMMITTEE
9:30 A.M.
Room EW40
Wednesday, January 17, 2018

SUBJECT	DESCRIPTION	PRESENTER
DOCKET NO. <u>31-1101-1701</u>	Idaho Public Utilities Commission	Paul Kjellander, Idaho Public Utilities Commission
<u>RS25776</u>	Remove Requirement that Candidates for File Campaign Finance Reports Electronically.	Tim Hurst, Chief Deputy Secretary of State
<u>RS25767</u>	Public and Candidate Financial Disclosures	Rep. Loertscher, Chairman State Affairs, Idaho House of Representatives

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Loertscher	Rep Barbieri	Rep Manwaring
Vice Chairman Monks	Rep Holtzclaw	Rep Zito
Rep Luker	Rep Harris	Rep Scott
Rep Crane	Rep Armstrong	Rep Smith
Rep Palmer	Rep Giddings	Rep Jordan

COMMITTEE SECRETARY

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MINUTES
HOUSE STATE AFFAIRS COMMITTEE

DATE: Wednesday, January 17, 2018

TIME: 9:30 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:** Rep. Palmer

GUESTS: Joe Leckie, Program Manager, Idaho Public Utilities Commission; Russell Westerberg, RMD, Fred Birnbaum, IFF.

Chairman Loertscher called the meeting to order at 9:30 a.m.

MOTION: **Rep. Smith** made a motion to approve the minutes of Wednesday, January 10, 2018; Monday, January 15, 2018; and Tuesday, January 16, 2018. **Motion carried by voice vote.**

DOCKET NO. 31-1101-1701: **Commissioner Anderson**, Idaho Public Utilities Commission, came to answer any follow up questions regarding **Docket No. 31-1101-1701**.

Joe Leckie, Idaho Public Utilities Commission, testified **Docket No. 31-1101-1701** may mirror international standards, but no international standards are adopted by this code.

MOTION: **Rep. Crane** made a motion to approve **Docket No. 31-1101-1701**. **Motion carried by voice vote.**

RS 25776: **Tim Hurst**, Chief Deputy, Secretary of State, proposed legislation intended to remove the requirement candidates for local political subdivision offices, and allow the filing of campaign finance reports electronically. Local governments are not able to accept electronic filings at this time. It is the intent of the Secretary of State to begin accepting on-line filings of campaign finance reports and make them available to local entities in 2019.

MOTION: **Rep. Smith** made a motion to introduce **RS 25776**.

SUBSTITUTE MOTION: **Rep. Giddings** made a substitute motion to introduce **RS 25776** and recommend it be sent directly to the Second Reading Calendar. **Motion carried by voice vote.** **Rep. Zito** will sponsor the bill on the floor.

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

RS 25767: **Chairman Loertscher** presented **RS 25767** to the committee. This proposed legislation would require public officers and candidates for office to disclose financial interests of five thousand dollars (\$5000) or more and disclose other potential conflicts of interest. Actual amounts would not be required, nor would it require releasing tax returns. This seems to be the least intrusive manner to achieve such disclosure. In answer to committee questions Chairman Loertscher said that Idaho is one of two states that does not require any disclosure. The perception of the public is that public officials have numerous conflicts of interest and should be disclosed. If this were to be enacted by initiative, it might be much more intrusive and might require more extensive reporting that could discourage good people from running for office.

MOTION: **Rep. Barbieri** made a motion to return **RS 25767** to the sponsor.

**SUBSTITUTE
MOTION:**

Rep. Jordan made a substitute motion to introduce **RS 25767**.

**VOTE ON
SUBSTITUTE
MOTION:**

Substitute Motion failed by voice vote.

**VOTE ON
ORIGINAL
MOTION:**

Vice Chairman Monks called for the vote on the original motion to return **RS 25767** to the sponsor. **Motion carried by voice vote.**

ADJOURN:

There being no further business to come before the committee, the meeting adjourned at 10:25 a.m.

Representative Loertscher
Chair

Jayne Feik Spinato
Secretary

AMENDED AGENDA #2
HOUSE STATE AFFAIRS COMMITTEE
9:30 A.M.
Room EW40
Monday, January 22, 2018

SUBJECT	DESCRIPTION	PRESENTER
RS25737	This legislation clarifies election processes currently in Idaho Code.	Tim Hurst, Chief Deputy State of Idaho
RS25784	This legislation clarifies how long certain election records are kept.	Tim Hurst, Chief Deputy State of Idaho
Docket No. 11-0406-1701	Rules governing racing officials.	Ardie Noyes, Idaho State Racing Commission

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Loertscher	Rep Barbieri	Rep Manwaring
Vice Chairman Monks	Rep Holtzclaw	Rep Zito
Rep Luker	Rep Harris	Rep Scott
Rep Crane	Rep Armstrong	Rep Smith
Rep Palmer	Rep Giddings	Rep Jordan

COMMITTEE SECRETARY

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MINUTES
HOUSE STATE AFFAIRS COMMITTEE

DATE: Monday, January 22, 2018

TIME: 9:30 A.M.

PLACE: Room EW40

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

**ABSENT/
EXCUSED:** None

GUESTS: Russell Westerberg, Ardie Noyes, Idaho Racing Commission, Nick Veldhouse, IAHD.

Rep. Loertscher called the meeting to order at 9:30 a.m.

RS 25737: **Tim Hurst**, Deputy Secretary of State, said this proposed legislation clarifies election processes currently in Idaho Code, moves the various deadlines so they fall on a Friday instead of the weekend when offices are closed, and corrects the citations to federal law addressed in Title 34. Part of the legislation of the voter registration card in section 4 asks to remove references to gender on the registration card. Scanning the registration card satisfies the requirement of the card being physically unalterable.

ORIGINAL MOTION: **Rep. Crane** made a motion to introduce **RS 25737** with page 3, line 36, and sex, left in, dealing with them at a future point.

SUBSTITUTE MOTION: **Rep. Harris** made a substitute motion to introduce **RS 25737. Substitute motion carried by voice vote. Rep.(s) Crane and Scott** requested to be recorded as voting **NAY**.

RS 25784: **Tim Hurst**, Deputy Secretary of State, presented **RS 25784**. This proposed legislation clarifies how long certain election records are kept, and designates the statewide voter registration database, maintained by the Secretary of State and accessed by the counties as the official register of electors.

MOTION: **Rep. Monks** made a motion to introduce **RS 25784. Motion carried by voice vote.**

DOCKET NO. 11-0406-1701: **Ardie Noyes**, Idaho Racing Commission, Business Operations Manager, presented **Docket No. 11-0406-1701**. This rule outlines the time frame for drug violations. Two sections of the rules outline the time frame for procedures related to hearings regarding equine drug violations. The time frames in these sections don't match well. **Rule 11.04.06.051.01** states a Steward's jurisdiction lasts for 30 days after a race meet is held. This means the Stewards must hold all hearings, and make all determinations which haven't already been settled, within 30 days after the last day of racing. The second, **Rule 11.04.11.160** which there is no change to, provides a time line of a horseman's right to due process through the split sample procedures. After a race has been run, it can take up to more than 44 days for the final determination of the Racing Commission. If a Steward's jurisdiction expires, the Racing Commission will be forced to hire attorneys to act in the place of the Stewards, to bring the case forward once the split sample result comes in. The process at that point is to hire a hearing officer to decide the case. Such an action causes several negative impacts to the horseman in question, but also negatively impacts other horsemen involved in the race.

MOTION: Rep. Smith made a motion to approve **Docket No. 11-0406-1701. Motion carried by voice vote.**

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

Representative Loertscher
Chair

Jayne Feik Spinato
Secretary

AMENDED AGENDA #1
HOUSE STATE AFFAIRS COMMITTEE
9:30 A.M.
Room EW40
Wednesday, January 24, 2018

SUBJECT	DESCRIPTION	PRESENTER
<u>RS25792</u>	This legislation clarifies that to invest in a corporate bond, the Treasurer requires a corporation's jurisdiction and venue.	Edelene Ohman, Director of Investments, Treasurer's Office
<u>RS25790</u>	This legislation would change the due date of the Credit Rating Enhancement Committee's annual report.	Edelene Ohman, Director of Investments, Treasurer's Office
<u>RS25833</u>	The purpose of this legislation is to repeal the Unfair Sale Act, Chapter 4, Title 48, Idaho Code.	Rep. Harris

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Loertscher	Rep Barbieri	Rep Manwaring
Vice Chairman Monks	Rep Holtzclaw	Rep Zito
Rep Luker	Rep Harris	Rep Scott
Rep Crane	Rep Armstrong	Rep Smith
Rep Palmer	Rep Giddings	Rep Jordan

COMMITTEE SECRETARY

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MINUTES
HOUSE STATE AFFAIRS COMMITTEE

DATE: Wednesday, January 24, 2018

TIME: 9:30 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 (Wolf)

**ABSENT/
EXCUSED:** None

GUESTS: Maria Kenneby, ACLU, Edelene Ohman, STO, Laura Steffler, STO.
Chairman Loertscher called the meeting to order at 9:30 a.m.

RS 25792: **Edelene Ohman**, Director of Investments, Treasurer's Office, presented **RS 25792**. This proposed legislation, by replacing the word "controlled" with "Domiciled", further clarifies that to invest in a corporate bond, the Treasurer requires a corporation's jurisdiction and venue for the legal process to be in the United States.

MOTION: **Rep. Luker** made a motion to introduce **RS 25792**. **Motion carried by voice vote.**

RS 25790: **Edelene Ohman**, Director of Investments, Treasurer's Office, presented **RS 25790**. This proposed legislation would change the date that the Credit Rating Enhancement Committee's annual report is due to the governor and the legislature to December 1 (currently August 1). This date change would allow the time needed to prepare the report and have a committee meeting, if needed, in advance of report issuance. Currently, the one month window is too short to facilitate both report preparation and a committee meeting between the end of the fiscal year and August 1. The December 1 date would allow time for the legislature to review in advance of the upcoming legislative session.

MOTION: **Rep. Harris** made a motion to introduce **RS 25790**. **Motion carried by voice vote.**

RS 25833: **Rep. Harris** presented **RS 25833**. This proposed legislation will repeal the Unfair Sale Act, Chapter 4, Title 48, Idaho Code. This depression-era statute became law in 1939 and, with limited exceptions, required merchandise to be marked-up over cost by a minimum, statutorily-set amount. Today, it is common for merchants to offer their wares at or below cost as an inducement to patronize the merchandiser and purchase other goods. Other merchants, such as grocery stores, commonly set prices at very low margins, making their profits through high volume. Although the law is generally not enforced, its violation is a misdemeanor carrying fines and jail time. As the enforcement of such a price-fixing scheme would harm consumers and reduce competition, this Act should be repealed.

MOTION: **Rep. Palmer** made a motion to introduce **RS 25833**. **Motion carried by voice vote.**

ADJOURN: There being no further business to come before the committee, the meeting adjourned at 10:20 a.m.

Representative Loertscher
Chair

Jayne Feik Spinato
Secretary

**AMENDED AGENDA #3
HOUSE STATE AFFAIRS COMMITTEE
8:00 A.M.
Room EW40
Thursday, January 25, 2018**

SUBJECT	DESCRIPTION	PRESENTER
<u>RS25607:</u>	Legislation to insure that Idaho State Historical Society collections are not treated as capitalized or financial assets.	Janet Gallimore, Idaho Historical Society
<u>RS25662:</u>	The powers and duties of the Idaho State Historical Society Trustees.	Janet Gallimore, Idaho Historical Society
<u>RS25721:</u>	This legislation affects Section 34-320; Section 49-119; 65-801.	Rep.Giddings, House of Representatives
<u>RS25780:</u>	This is legislation to prohibiting state agency personnel from communicating with legislators or the governor for the purpose of influence.	Rep.Giddings, House of Representatives
<u>RS25779C1:</u>	This legislation "American and Idaho Laws for Idaho Courts" is written to be the public policy of the State of Idaho.	Rep. Redman, House of Representatives
<u>RS25805:</u>	The legislation will allow government entities to publish legal notices on government websites.	Rep. Nate, House of Representatives
<u>RS25834C1:</u>	Under Article V of the U.S. Constitution, Congress and two thirds of the states may apply for a convention to purpose amendments.	Rep. Loertscher, State Affairs Committee Chairman

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Loertscher	Rep Barbieri	Rep Manwaring
Vice Chairman Monks	Rep Holtzclaw	Rep Zito
Rep Luker	Rep Harris	Rep Scott
Rep Crane	Rep Armstrong	Rep Smith
Rep Palmer	Rep Giddings	Rep Jordan

COMMITTEE SECRETARY

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MINUTES
HOUSE STATE AFFAIRS COMMITTEE

DATE: Thursday, January 25, 2018

TIME: 8:00 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 (Wolf)

**ABSENT/
EXCUSED:** None

GUESTS: Maria Kenneby, ACLU, Edelene Ohman,STO, Laura Steffler, STO.

Chairman Loertscher called the meeting to order at 8:00 a.m.

RS 25607: **Janet Gallimore**, Idaho Historical Society, presented **RS 256607**, proposed legislation that ensures the Idaho State Historical Society (ISHS) collections, held in trust for the people of the State of Idaho, are not treated as capitalized or financial assets; the collections in ISHS custody support its mission and public trust responsibilities; and the collections in its custody are protected, secure, unencumbered, cared for, and preserved.

MOTION: **Rep. Luker** made a motion to introduce **RS 25607**. **Motion carried by voice vote.**

RS 25662: **Janet Gallimore**, Idaho Historical Society, presented **RS 25662**. The powers and duties of the Idaho State Historical Society trustees are broadly written. The specific agency facilities, programs, and functions, and those that drive the agency's strategic plan, services, and budget, need to be clearly articulated in the enabling legislation. These include the Idaho State Museum, Idaho State Archives, State Historic Preservation Office, and Historic Sites functions. Ms. Gallimore agreed to change the phrase from "is comprised of" to "the society holds in trust".

MOTION: **Rep. Luker** made a motion to return **RS 25662** to the sponsor. **Motion carried by voice vote.**

RS 25780: **Rep. Giddings** presented **RS 25780**, proposed legislation creates a new section of code prohibiting state agency personnel from communicating with legislators or the governor for the purpose of influencing the passage, defeat, amendment or postponement of a legislative action or an executive action with certain caveats. Most tax payers are unaware they are paying lobbyist to support issues they do not support.

MOTION: **Rep. Barbieri** made a motion to introduce **RS 25780**. **Motion carried by voice vote.** **Rep.(s) Smith, Wolf, and Armstrong** requested to be recorded as voting **NAY**.

RS 25779C1: **Rep. Redman** presented **RS 25779C1**. The proposed legislation, "American and Idaho Laws for Idaho Courts", is written to be the public policy of the State of Idaho to protect its citizens from the application of foreign laws when the application of a foreign law will result in the violation of a fundamental right guaranteed by the Constitution of the United States or the Constitution of the State of Idaho, including, but not limited to, due process, freedom, religion, speech, press, and equal protection, the right to bare arms and any right of privacy or marriage embodied in the Constitution of the State of Idaho. The potential impact of using foreign laws in our courts are profound. The purpose of this law is to preserve the sovereignty of the United States and Idaho and their respective constitutions.

- MOTION:** **Rep. Holtzclaw** made a motion to introduce **RS 25779C1**. **Motion carried by voice vote.**
- RS 25805:** **Rep. Nate** presented **RS 25805**. The proposed legislation would allow government entities to publish legal notices on government websites in lieu of the requirement to have them printed in a newspaper. The electronic publication of legal notices is optional, has the same legal effect as printed notification, and will not alter any of the advance notice requirements currently in statutes. Similar to other records requirements, government entities would be required to maintain historical records of notices provided online. The Department of Administration currently spends about \$130,000 on public notice publishing, which could be eliminated or reduced via electronic public notice. Not all people have internet access and it is important other ways are provided for access to this information.
- MOTION:** **Rep. Harris** made a motion to introduce **RS 25805**. **Motion carried by voice vote.**
Chairman Loertscher turned the gavel over to **Vice Chairman Monks**.
- RS 25834C1:** **Rep. Loertscher** presented **RS 25834C1**. Under Article V of the U.S. Constitution, there are two methods of proposing amendments. Congress can do so, and two thirds of the states may apply for a convention to propose amendments. This resolution makes Idaho's application, and sets forth how the commissioners will be chosen, and who is eligible to be a commissioner. It also provides that the legislature, by resolution, sets the rules under which the commissioners would operate. The total cost would depend on how long the convention would take to complete its work. This is Idaho's call for an Article V Convention, which has nothing to do with a Constitutional convention. This resolution doesn't go before the governor, who has no authority when it comes to the amendments of the Constitution of the United States, the states have authority. Congress has two roles; it sets the time and place for the convention, and determines the method of ratification. This application urges congress to use the legislatures for the ratification process. Commissioners, who act on Idaho's behalf, are chosen by the House of Representatives and Senate. Commissioners are required to do what Congress asks, or they could be called to come home.
- MOTION:** **Rep. Holtzclaw** made a motion to introduce **RS 25834C1**. **Motion carried by voice vote.** **Rep.(s) Wolf, Smith, and Zito** requested to be recorded as voting **NAY**.
- ADJOURN:** There being no further business to come before the committee, the meeting was adjourned at 9:14 a.m.

Representative Loertscher
Chair

Jayne Feik Spinato
Secretary

AMENDED AGENDA #3
HOUSE STATE AFFAIRS COMMITTEE
9:30 A.M.
Room EW40
Monday, January 29, 2018

SUBJECT	DESCRIPTION	PRESENTER
<u>RS25747C1</u>	This bill is to update Idaho's current self-defense statutes.	Rep. Zito, House of Representatives
<u>RS25925</u>	This legislation would allow wineries and vintners to use customized private labels on wines.	Roger Batt
<u>RS25781</u>	This proposed legislation amends the existing statutes for notaries public.	Chad Houck, Assistant Deputy, Secretary of State
<u>H 361</u>	Relating to filing fees for the Secretary of State.	Chad Houck, Assistant Deputy, Secretary of State

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COMMITTEE MEMBERS

Chairman Loertscher	Rep Barbieri	Rep Manwaring
Vice Chairman Monks	Rep Holtzclaw	Rep Zito
Rep Luker	Rep Harris	Rep Scott
Rep Crane	Rep Armstrong	Rep Smith
Rep Palmer	Rep Giddings	Rep Jordan(Wolf)

COMMITTEE SECRETARY

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MINUTES
HOUSE STATE AFFAIRS COMMITTEE

DATE: Monday, January 29, 2018

TIME: 9:30 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: Russell Westerberg, RMP, Roger Batt, Idaho Grape and Wine Producers Jim Langley; IL Ling New.

Rep. Loertscher called the meeting to order at 9:30 a.m.

MOTION: **Rep. Smith** made a motion to approve the minutes of the January 24, 2018 meeting. **Motion carried by voice vote.**

RS 25747C1: **Rep. Zito** presented **RS 25747C1**, legislation to update Idaho's current self-defense statutes. The victims, or those who have fired in self-defense, will be presumed innocent whereas the current law presumes the criminal is innocent in a self-defense situation. Prosecutorial discretion is available for situations where law enforcement feel a shooting was unjustified. Provisions also exist to protect law enforcement officers acting in an official capacity. The bill provides reimbursement of legal expenses by the State of Idaho to the victim in the event they are found "not guilty" using a self-defense claim. The ability to defend oneself is extended to vehicles and one's place of business. The bill will also codify Idaho's current "Stand Your Ground" law, and the Castle doctrine.

Rep. Zito introduced **Alexandria Kincaid**, attorney, Second Amendment Alliance. Ms. Kincaid stated the law is not strong enough. If found not guilty when justifiable force is used, there should be no prosecution.

MOTION: **Rep. Crane** made a motion to introduce **RS 25747C1** with change on page 2 line 46, to put a period after the word "committed", and strike "or to suppress a riot".

**ROLL CALL
VOTE:** **Rep. Giddings** called for a roll call vote on **RS 25747C1**. **Motion carried by voice vote of 14 AYE, 1 NAY. Voting in favor** of the motion: **Chairman Loertscher, Rep(s). Monks, Luker, Crane, Palmer, Barbieri, Holtzclaw, Harris, Armstrong, Giddings, Manwaring, Zito, Scott, and Jordan. Voting in opposition** to the motion: **Rep. Smith.**

RS 25925: **Roger Batt**, Idaho Grape and Wine Producers, presented **RS 25925**. This proposed legislation would allow wineries and vintners to use customized private labels on wines for hotels and restaurants produced by that winery or vintner, and personalized private labels on wines for consumers produced by the winery or vintner. Federal labeling standards shall be followed and the label approved by the Alcohol and Tobacco Tax and Trade Bureau of the United States Department of the Treasury.

MOTION: **Rep. Zito** made a motion to introduce **RS 25925**. **Motion carried by voice vote.**

RS 25781: **Chad Houck**, Deputy, Secretary of State presented **RS 25781** legislation to amend the existing statutes for notaries public, amending sections of Title 51 to further clarify requirements for stamping devices and provide specific differentiated details for tangible versus electronic records. The language pertaining to the qualifications for application of a notary have been reworded for clarity, and removes a line pertaining to "disqualifications", as the existing reference points to statute that says that certain conditions "may" prompt the Secretary of State to refuse to issue a commission, not that an applicant "shall be disqualified". Finally, this proposal removes all references to a "renewal", as notaries are not renewed, but rather submit a new application and are recommissioned every 6 years.

MOTION: **Rep. Barbieri** made a motion to introduce **RS 25781**. **Motion carried by voice vote.**

H 361: **Chad Houck**, Deputy, Secretary of State, presented **H 361**, legislation is to remove the fee associated with filing a Statement of Termination for a partnership, consistent with legislation enacted in 2017 that removed similar fees for dissolving other business entities. This avoids the process of having to administratively terminate the partnership. It modernizes an existing \$20 surcharge currently charged for filing a non-typed record. This proposal would apply the surcharge to any form not generated by the Secretary of State's Electronic Filing System, applying the surcharge only to documents requiring manual data entry processes. It sets the effective date at the projected launch of the new electronic filing system. Based on 2017 data, there were 45 Statements of Termination filed with the SOS in FY 2017.

MOTION: **Rep. Barbieri** made a motion to send **H 361** to the floor with a **DO PASS** recommendation. **Motion carried with a voice vote.** **Rep. Manwaring** will sponsor the bill on the floor.

ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 10:44 a.m.

Representative Loertscher
Chair

Jayne Feik Spinato
Secretary

AMENDED AGENDA #1
HOUSE STATE AFFAIRS COMMITTEE
9:30 A.M.
Room EW40
Tuesday, January 30, 2018

SUBJECT	DESCRIPTION	PRESENTER
<u>RS25847:</u>	Relating to the investment of public funds.	Rep. Armstrong
<u>RS25867:</u>	Bring checks and balances to all Federal Government action.	Rep. Shepherd

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Loertscher	Rep Barbieri	Rep Manwaring
Vice Chairman Monks	Rep Holtzclaw	Rep Zito
Rep Luker	Rep Harris	Rep Scott
Rep Crane	Rep Armstrong	Rep Smith
Rep Palmer	Rep Giddings	Rep Jordan(Wolf)

COMMITTEE SECRETARY

Jayne Feik Spinato
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MINUTES
HOUSE STATE AFFAIRS COMMITTEE

DATE: Tuesday, January 30, 2018

TIME: 9:30 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: Edelene Ohman, State Treasure's Office

Rep. Loertscher called the meeting to order at 9:30 a.m.

MOTION: **Rep. Smith** made a motion to approve the minutes of January 17, 2018. **Motion carried by voice vote.**

RS 25847: **Rep. Armstrong** presented **RS 25847**. This proposed legislation broadens the language of Section 25-720 of the Idaho Code which specifies the authority of the investment Endowment Board to invest in certain pools of money. This new section allows the Board to receive and invest monies from State Agencies and Municipalities. The ultimate control in the decisions of whether to accept and invest such funds remains with the State Land Commissioners and the Investment Board.

MOTION: **Rep. Monk** made a motion to introduce **RS 25847**. **Motion carried by voice vote.**

RS 25867: **Rep. Shepherd** presented **RS 25867**. The proposed legislation is to provide a legal process to bring checks and balances to all Federal Government action that may be unconstitutional when Article 1 Section 8 or legal amendments is applied to those actions. There are many Federal Court decisions, Federal laws and executive orders that have been enacted that are not compliant with the original intent of the United States Constitution. All elected officials and appointed judges are required to take an oath of office to uphold the Constitution. The oath of office requires us to uphold the Constitution, therefore to have a legal process in statute is the best way we can keep the oath.

MOTION: **Rep. Harris** made a motion to introduce **RS 25867**. **Motion carried by voice vote.**

ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 9:37 a.m.

Representative Loertscher
Chair

Jayne Feik Spinato
Secretary

AMENDED AGENDA #1
HOUSE STATE AFFAIRS COMMITTEE
9:30 A.M.
Room EW40
Wednesday, January 31, 2018

SUBJECT	DESCRIPTION	PRESENTER
<u>RS25938:</u>	Restore the constitutional protections usurped by certain provisions in the 2012 National Defense Authorization Act.	Rep. Zollinger
<u>RS25783:</u>	This proposed legislation moves the applicable code sections out of Chapter 9 (duties of the Secretary of State).	Tim Hurst, Chief Deputy Secretary of State

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Loertscher	Rep Barbieri	Rep Manwaring
Vice Chairman Monks	Rep Holtzclaw	Rep Zito
Rep Luker	Rep Harris	Rep Scott
Rep Crane	Rep Armstrong	Rep Smith
Rep Palmer	Rep Giddings	Rep Jordan(Wolf)

COMMITTEE SECRETARY

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MINUTES
HOUSE STATE AFFAIRS COMMITTEE

DATE: Wednesday, January 31, 2018

TIME: 9:30 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: Russell Westerberg, LAMAR

Chairman Loertscher called the meeting to order at 9:30 a.m.

MOTION: **Rep. Smith** made a motion to approve the minutes of January 22, 2018. **Motion carried by voice vote.**

RS 25938: **Rep. Zollinger** presented **RS 25938**. The purpose of the Restoring Constitutional Governance Act is to restore the constitutional protections usurped by certain provisions in the 2012 National Defense Authorization Act ("NDAA"). Sections 1021 and 1022 of the 2012 NDAA, Public Law 50 U.S.C. 1541, authorize the violation of no fewer than 14 provisions of the Constitution, including over half of the Bill of Rights. The sovereign government of the Great State of Idaho has a duty to protect the rights of citizens and other persons within Idaho's jurisdiction against such violations, and from Federal overreach. By enacting this bill, the Idaho legislature holds that indefinite detention without due process, or transfer to jurisdictions outside the United States, of persons within Idaho in particular, and citizens of Idaho in general, are unlawful and violate the Constitution of the State of Idaho and the Constitution of the United States of America. Multiple states are currently considering this, and Alaska, Michigan, and California, have passed this bill. Rep. Zollinger said he is representing PANDA, People Against the National Defense Authorization Act, signed by **President Obama** in 2011.

MOTION: **Rep. Scott** made a motion to introduce **RS 25938**. **Motion carried by voice vote.**

RS 25783: **Tim Hurst**, Chief Deputy Secretary of State, presented **RS 25783**. In 2015 the legislature moved the responsibility to print, publish and distribute the session laws from the Secretary of State to the joint publishing committees of the legislature, however, the legislation was left in Chapter 9, Section 67, Idaho Code. This proposed legislation moves the applicable code sections out of Chapter 9 (duties of the Secretary of State) and puts them in Chapter 5 relating to the duties of the legislature.

MOTION: **Rep. Zito** made a motion to introduce **RS 25783**. **Motion carried by voice vote.**

ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 9:44.

Representative Loertscher
Chair

Jayne Feik Spinato
Secretary

**AMENDED AGENDA #7
HOUSE STATE AFFAIRS COMMITTEE
9:00 A.M.
Room EW40
Thursday, February 01, 2018**

SUBJECT	DESCRIPTION	PRESENTER
<u>RS26031:</u>	The powers and duties of the Idaho State Historical Society trustees.	Janet Gallimore, Idaho Historical Society
<u>H 416:</u>	Amending Section 37-4121, Idaho Code, to provide that certain artifacts and collections are held in trust.	Janet Gallimore, Idaho Historical Society
<u>RS25903:</u>	The proposed legislation requires taxing districts to wait a period of twelve months.	Rep. Scott
<u>H 365:</u>	Distribution of Moneys in Liquor Account	Tracie Bent, Office of the State Board of Education

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Loertscher	Rep Barbieri	Rep Manwaring
Vice Chairman Monks	Rep Holtzclaw	Rep Zito
Rep Luker	Rep Harris	Rep Scott
Rep Crane	Rep Armstrong	Rep Smith
Rep Palmer	Rep Giddings	Rep Jordan(Wolf)

COMMITTEE SECRETARY

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MINUTES
HOUSE STATE AFFAIRS COMMITTEE

DATE: Thursday, February 01, 2018

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:** Vice Chairman Monks, Rep.(s) Jordan and Harris

GUESTS: Rick Aman, President, College of Eastern Idaho, Phil Haunschuld, IFF, Jeff Anderson, ISLD, Brody Aston, Westerberg and Associates.

Chairman Loertscher called the meeting to order at 9:00 a.m. Chairman Loertscher recognized State Affairs Page, **Jacqueline Gallager**, for winning the "Wild Driving" trophy at Fast Lanes Go Cart. A fund will be set up in her name for Driver's Training class.

MOTION: **Rep. Smith** made a motion to approve the minutes of the January 30, 2018 meeting. **Motion carried by voice vote.**

RS 26031: **Janet Gallimore**, Idaho Historical Society, presented **RS 26031** The powers and duties of the Idaho State Historical Society (ISHS). trustees are broadly written. This provides for an enormous amount of flexibility. The very specific agency facilities, programs, and functions, and those that drive the agency's strategic plan, services, and budget, need to be clearly articulated in the enabling legislation. These include the Idaho State Museum, Idaho State Archives, State Historic Preservation Office, and Historic Sites functions. (Amend Code 67-4112).The purpose of this proposed legislation is to ensure Idaho State Historical Society collections, held in trust for the people of the State of Idaho, are not treated as capitalized or financial assets; that the collections in its custody support its mission and public trust responsibilities; and the collections in its custody are protected, secure, unencumbered, cared for, and preserved. ISHS relies primarily on the generosity of donors to acquire collections on behalf of Idaho's citizens. Donor trust could be severely impacted if people think ISHS is acting contrary to best practices. A recent example to the AAM Code of Ethics include the Detroit Art Museum, whose collections were recently presented as saleable assets in the City of Detroit's bankruptcy jeopardizing the Museum, its sustainability, and the public's cultural assets. Adhering to ethical and professional standards, this demonstrates to Idaho's citizens ISHS holds collections for the benefit of present and future generations and advances public confidence and respect.

MOTION: **Rep. Luker** made a motion to introduce **RS 26031**. **Motion carried by voice vote.**

H 416: **Janet Gallimore**, Idaho Historical Society, presented **H 416**, a bill to ensure that the Idaho State Historical Society (ISHS) collections, held in trust for the people of the State of Idaho, are not treated as capitalized or financial assets; that the collections in ISHS's custody support its mission and public trust responsibilities; and that the collections in its custody are protected, secure, unencumbered, cared for, and preserved. Changes on line 16 include the use of the word "includes" rather than "is comprised of" referencing sub departments of the Agency and on line 17, inclusion of the word's "operates in the public trust" state historic sites, comprised primarily of historic buildings and structures. The Deputy AG made the final changes so noted, pursuant to the committee's request. The intent, to make clear the major program areas of responsibilities of the Idaho State Historical Society, remains the same.

MOTION: **Rep. Luker** made a motion to send **H 416** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Manwaring** will sponsor the bill on the floor.

RS 25903: **Rep. Scott** presented **RS 25903**, proposed legislation requiring taxing districts to wait a period of twelve months after a failed bond or levy election before it can re-run a bond or levy in the same district. A passing bond or levy is permanent. A defeated bond or levy can be challenged up to four times per year. The committee would like to insert "of the same type or subject" on line 25. Waiting twelve months before presenting a previous bond or levy gives appropriate time to consider changes and saves the cost of repeated voting during the year.

MOTION: **Rep. Armstrong** made a motion to introduce **RS 25903** with the change on line 25 to insert "of the same type or subject". **Motion carried by voice vote.** **Rep. Smith** requested to be recorded as voting **NAY**.

H 365: **Tracie Bent**, Office of the State Board of Education, presented **H 365**. This legislation would amend Section 23-404, Idaho Code, increasing the distribution from the Liquor Account to the Community College Account from \$600,000 to \$800,000. Currently, the monies transferred to the Community College Account are equally divided and distributed to the three community colleges. With the addition of a fourth community college, the College of Eastern Idaho, the FY 2019 allocation to each community college would decrease by \$50,000, resulting in four equal allocations of \$150,000. Increasing distribution amounts from \$600,000 to \$800,000 will allow all four community colleges to receive the current allocation rate of \$200,000 each. The Liquor Account is created through Section 23-401, Idaho Code, and consists of revenues derived from sales of alcoholic beverages and other merchandise, excise taxes, licenses, permits, fees, profits on sales, sales of properties, buildings, plants, apparatus, real estate, and securities acquired by or through the moneys belonging to the Liquor Account. Funds in the Liquor Account first cover expenses and operations of the Liquor Division. The remaining funds are evenly divided into two pools for distribution. The first pool is distributed to the Community College Account, Substance Abuse Treatment Fund, Public School Income Fund, Cooperative Welfare Account, and the Drug and Mental Health Court Supervision Fund based on amounts specified in Section 23-404, Idaho Code. The balance is distributed to the General Fund. The second pool is divided between cities and counties, with 60% to cities and 40% to counties. The proposed amendments would increase monies distributed from the Liquor Fund to the Community College Account and allow each four community colleges to receive \$200,000. Without the amendment, the allocation to each of the three community colleges in FY 2018 will be reduced by \$50,000 in FY 2019, resulting in each four community colleges receiving an allocation of \$150,000. The balance of the Liquor Account transferred to the General Fund would be reduced by \$200,000.

Rick Aman, President of the College of Eastern Idaho, shared gratitude for funds allocated to the new community college.

MOTION: **Rep. Smith** made a motion to send **H 365** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Smith** will sponsor the bill on the floor.

ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 9:30 a.m.

Representative Loertscher
Chair

Jayne Feik Spinato
Secretary

**AMENDED AGENDA #1
HOUSE STATE AFFAIRS COMMITTEE
9:30 A.M.
Room EW40
Monday, February 05, 2018**

SUBJECT	DESCRIPTION	PRESENTER
<u>RS26005:</u>	This concurrent resolution recognizes and extends congratulation and best wishes for success to the Idahoans selected to represent the United States at the 2018 Winter Olympics.	Rep. Dustin Manwaring
<u>RS25798C1:</u>	This legislation will move three Director positions from serving at the pleasure of the respective Boards to serving at the pleasure of the Governor.	Rep. Joe Palmer
<u>H 403:</u>	State treasurer, investments.	Edelene Ohman, Director of Investments, Idaho State Treasurer's Office
<u>H 404:</u>	Credit enhancement committee.	Edelene Ohman, Director of Investments, Idaho State Treasurer's Office

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Loertscher	Rep Barbieri	Rep Manwaring
Vice Chairman Monks	Rep Holtzclaw	Rep Zito
Rep Luker	Rep Harris	Rep Scott
Rep Crane	Rep Armstrong	Rep Smith
Rep Palmer	Rep Giddings	Rep Jordan

COMMITTEE SECRETARY

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MINUTES
HOUSE STATE AFFAIRS COMMITTEE

- DATE:** Monday, February 05, 2018
- TIME:** 9:30 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:** Roger Seiber, Capital West.
- Chairman Loertscher** called the meeting to order at 9:30 a.m.
- RS 26005:** **Rep. Manwaring** presented **RS 26005**. This concurrent resolution recognizes and extends congratulations and best wishes for success to the Idahoans selected to represent the United States at the 2018 Winter Olympics. **Hillary Knight**, of Sun Valley, a two-time Olympian and two-time silver medalist in ice hockey; **Jessika Jensen**, of Rigby, returning Olympian in snowboarding and competing in slopestyle and big air events; **Chase Josey**, of Hailey, debuting in the halfpipe event of snowboarding; **Nick Cunningham**, former Boise State University track athlete and two-time Olympian, and **Sam Michener**, former University of Idaho athlete, in his Olympic debut, competing as members of the USA bobsled team.
- MOTION:** **Rep. Smith** made a motion to introduce **RS 26005** and send directly to the **Second Reading Calendar**. **Motion carried by voice vote**. **Rep. Manwaring** will sponsor the bill on the floor.
- RS 25798C1:** **Rep. Palmer** presented **RS 25798C1**. The purpose of this legislation moves three Director positions from serving at the pleasure of the respective Boards to serving at the pleasure of the Governor. The Governor should have Directors working directly for him: The Director(s) of the Corrections Department, the Transportation Department; and the Parks and Recreation Department, with no preferential treatment for any governor. The Governor could choose the Directors.
- MOTION:** **Rep. Harris** made a motion to introduce **RS 26005**. **Motion carried by voice vote**.
- H 403:** **Edelene Ohman**, Director of Investments, Idaho State Treasurer's Office, presented **H 403**, which would replace the word "controlled" with "domiciled", further clarifies that to invest in a corporate bond, the Treasurer requires a corporation's jurisdiction and venue for the legal process to be in the United States. Controlled, while it can have a legal meaning, is not the proper term for this purpose.
- MOTION:** **Rep. Scott** made a motion to send **H 403** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote**. **Rep. Scott** will sponsor the bill on the floor.
- H 404:** **Edelene Ohman**, Director of Investments, Idaho State Treasurer's Office, presented **H 403**, which would change the date the Credit Rating Enhancement Committee's annual report is due to the governor and the legislature to December 1 (currently August 1). This date change would allow the time needed to prepare the report and have a committee meeting, in advance of report issuance. The one month window is too short to facilitate both report preparation and a committee meeting between the end of the fiscal year and August 1. The December 1 date would allow time for the legislature to review in advance of the upcoming legislative session.

MOTION: **Rep. Luker** made a motion to send **H 404** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Armstrong** will sponsor the bill on the floor.

ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 9:50 a.m.

Representative Loertscher
Chair

Jayne Feik Spinato
Secretary

AMENDED AGENDA #3
HOUSE STATE AFFAIRS COMMITTEE
8:00 A.M.
Lincoln Auditorium
Tuesday, February 06, 2018

SUBJECT	DESCRIPTION	PRESENTER
<u>HCR 32</u>	Applying to the Congress of the United States to call an Amendment Convention of the States Pursuant to Article V of the United States Constitution.	Rep. Thomas Loertscher, Chairman, Senate Affairs, House of Representatives

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Loertscher	Rep Barbieri	Rep Manwaring
Vice Chairman Monks	Rep Holtzclaw	Rep Zito
Rep Luker	Rep Harris	Rep Scott
Rep Crane	Rep Armstrong	Rep Smith
Rep Palmer	Rep Giddings	Rep Jordan

COMMITTEE SECRETARY

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MINUTES
HOUSE STATE AFFAIRS COMMITTEE

DATE: Tuesday, February 06, 2018

TIME: 8:00 A.M.

PLACE: Lincoln Auditorium

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

**ABSENT/
EXCUSED:** None

GUESTS: The sign-in sheet will be retained with the minutes in the committee secretary's office until the end of the session. Following the end of the session, the sign-in will be filed with the minutes in the Legislative Services Library.

Vice Chairman Monks called the meeting to order at 8:00 a.m.

HCR 32: **Rep. Loertscher** presented **HCR 32**, proposed legislation to call an Amendment Convention of the States pursuant to Article V of the United States Constitution for specific and limited purposes relating to the reduction of the abuse of power by the Federal Government. It is Idaho's call to a convention pursuant to Article V of the United States Constitution. Petitions have already been passed by 12 other states; Georgia, Florida, Alaska, Alabama, Tennessee, Indiana, Oklahoma, Louisiana, Texas, Missouri, North Dakota, and Arizona. A call for a Constitutional Convention would be an unconstitutional call pursuant to Article V. This is call for a Convention of States to propose amendments to the Constitution, subject to ratifications. Two thirds of the states have to apply and three fourths have to ratify. Concurrent resolution 32 outlines the procedure Idaho will follow. Congress has no power, only administrative duties, and can only set the time and place for the initial meeting of the convention, and determine how it would be ratified, either by the legislators or by conventions of several states. No member of Congress or the House can participate in this, and cannot be delegates from Idaho. Anyone who would otherwise be qualified would be eligible, and would be elected by the two bodies in the legislature, three from the senate and three from the house. A Convention of State is based on One State, One Vote. Congress has no ability to determine how many delegates are sent. Six members are elected by those bodies. The two bodies each choose two more. The legislators have full authority over them. If their service isn't satisfactory they may be recalled and others may be sent. This is one way states can use their authority. It is granted to us in Article V and by our Creator. Congress would not call a convention if petitions in other states were not substantially the same.

Walt Donovan, V.F.W. Paula Davina, McKay Cunningham, Adrienne Evans, United Vision for Idaho, Peggy Jordan, Elinor Cheney, League of Women Voters, Anne Hausrath, Duncan Farris, Gerald Harbel, McKay Cunningham, Yvonne Sandmire, Shawn Neehan, Bonnie Carter, Tammy Nichols, Duncan Farris, spoke in opposition to H 32. A balanced budget is a bridge, a process, not an outcome. We the people are responsible for our government. They were concerned about a runaway convention.

Tim Neilson, Kyle Key, Convention of States (COS), Brian Gross, COS, Robert Haggard, LeRoy Benson, Ralph Johnson, Dan M. Dunne, Ann Stout, Senator Marv Hagadorn, Don Fotheringham, Robert Haggard, Ralph Johnson, Dan Dunne, COS, spoke in support of H 32. There is hope that a Convention of States can bring some control to legislators. Our federal government is the largest creditor, debtor, lender, employer, consumer, property owner, tenant, and insurer. It regulate your children's toy, cribs, and lunches in the lunch room. The question isn't what the government controls, it is what it does not. The conventions are the people. Legislators don't create governors or make laws, rules come from the conventions. **George Mason, 1775,** "considered a reference of a plea to the authority of the people as one of the most important and essential of the resolutions. The legislators have no power to ratify it. They are the mere creatures of the state constitutions, and cannot be greater than their creators."

ADJOURN: Due to time restraints the meeting will resume February 7, 2018, at 8:00 a.m. The meeting adjourned at 10:50 a.m.

Representative Loertscher
Chair

Jayne Feik Spinato
Secretary

AMENDED AGENDA #1
HOUSE STATE AFFAIRS COMMITTEE
8:00 A.M.
Room EW42
Wednesday, February 07, 2018

SUBJECT	DESCRIPTION	PRESENTER
<u>HCR 32:</u>	Applying to the Congress of the United States to call an Amendment Convention of the States Pursuant to Article V of the United States Constitution.	Rep. Thomas Loertscher, Chairman, State Affairs, House of Representatives

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Loertscher	Rep Barbieri	Rep Manwaring
Vice Chairman Monks	Rep Holtzclaw	Rep Zito
Rep Luker	Rep Harris	Rep Scott
Rep Crane	Rep Armstrong	Rep Smith
Rep Palmer	Rep Giddings	Rep Jordan

COMMITTEE SECRETARY

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MINUTES
HOUSE STATE AFFAIRS COMMITTEE

DATE: Wednesday, February 07, 2018

TIME: 8:00 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: The sign-in sheet will be retained with the minutes in the committee secretary's office until the end of the session. Following the end of the session, the sign-in will be filed with the minutes in the Legislative Services Library.

Vice Chairman Monks called the meeting to order at 8:00 a.m.

HCR 32: Continuation of legislation from February 6, 2018.

Carol Menges, Focus Idaho, **Trent Clark**, **Paul Hodson**, COS Action, **John Rumft**, Idaho resident, Army, Lawyer; Constitution prize, Constitutional Law, **Laurie Lister Frost**, Lawyer, **Robert Kelly**, Convention of the States Action, spoke **in support** of **HCR 32**. The Constitution was divinely inspired. A balanced budget is probably the only thing that would be approved by a Convention of States. Freedom has always come from a box, ballot box, jury box, and cartridge box. A real flaw is the greediness of the politicians out-ways the interest of the people. **George Mason**, 1775, said of amending the Constitution, "it is extraordinary and dangerous to leave the power with congress." We get the express opportunity to address amendments to the constitution, what a great opportunity. Federalism is the distribution of power. Article V is the solution of what people can do about when the Federal Government exceeds it's power. The only power is to propose amendments. All proposals have to come back to be voted on. **Chairman Loertscher** opined we have more power than we think, that power is in the 10th amendment.

Regina Bayer, **Dale Pearce**, **Michael Law**, **Kathy Griesmyer**, ACLU, **Eric Lecht**, Boise Police Department, **Karen Smith**, **Sheila Ford**, **Darryl Ford**, **David Monsees**, **Carmen Tyack**, **Steve Smith**, County Commissioner for District 3, **Janelle Winterstein**, **Karen Sayko**, **James Vandermaaz**, **Gwen McElhinney**, **Stephen L. Pugmire**, **Jane Rohling**, spoke **in opposition** of **HCR 32**. Article V is a dangerous threat to the Constitution and our liberties. It is alarming someone would defend rights physically. Given the times we shouldn't have a convention of States. Amending the Constitution is wrong, the Convention of the Constitution is erroneous. It would open up doors to term limits. The real problem is agency government. Many expressed fear of a runaway convention.

ADJOURN: Due to time constraints, it was determined to continue meeting on February 9, 2018, at 8:00 a.m. The meeting adjourned at 11:16 a.m.

Representative Loertscher
Chair

Jayne Feik Spinato
Secretary

AMENDED AGENDA #3
HOUSE STATE AFFAIRS COMMITTEE
8:00 A.M.
Room EW40
Friday, February 09, 2018

SUBJECT	DESCRIPTION	PRESENTER
HCR 32	A Convention of the States, Article V	Rep. Thomas Loertscher, State Affairs Committee Chairman
RS26135	Relating to the rights of crime victims.	Jason Kreizenbeck
RS26113	To allow wineries and vintners to use customized private labels.	Roger Batt
RS26045	To recognize the importance of the need for organ donors.	Rep. Jason A. Monks
RS26057	To change the allowable age from 16 to 15 to be an organ donor.	Rep. Jason A. Monks
RS26063	Create Public Integrity in Elections Act.	Rep. Jason A. Monks
RS25967	To protect sensitive voter information from being released.	Rep. Mat Erpelding

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Loertscher	Rep Barbieri	Rep Manwaring
Vice Chairman Monks	Rep Holtzclaw	Rep Zito
Rep Luker	Rep Harris	Rep Scott
Rep Crane	Rep Armstrong	Rep Smith
Rep Palmer	Rep Giddings	Rep Jordan

COMMITTEE SECRETARY

Jayne Feik Spinato
Room: EW46
Phone: 332-1145
email: hstaf@house.idaho.gov

MINUTES
HOUSE STATE AFFAIRS COMMITTEE

DATE: Friday, February 09, 2018

TIME: 8:00 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: Lila Havens, Marv Patten, MPI, Debbie Mallis, Arlie Bledsoe, Meridian MYAC, Avalyn Hine, Meridian MYAC, Susan Lambeisen, Judy Cross, The interfaith Alliance of Idaho, Roger Batt, Idaho Grape & Wine Commission, Savannah Renslow, IAHD, Sara Westbrook, Eric Lecbit, Carmen Tyack, COS, Sandy Jones, Parole Commission, Holly Koole, IPAA, Jason Kreizzenbeck, Lobby Idaho, LLC, Carlie Foster, Lobby Idaho, Lori Burelle

Vice Chairman Monks called the meeting to order at 8:00 a.m.

MOTION: **Rep. Smith** made a motion to approve minutes of January 31 and February 1, 2018. **Motion carried by voice vote.**

HCR 032: **Rep. Loertscher** was recognized to close testimony on **HCR 032**. It has been exhausting because of the emotions that have been expressed. He said we are at a crossroads in the United States and we are in a tough circumstance. The crisis is the Constitution is a reminder of our responsibility as a citizen and a legislator. This was inspired, these were men who were just like us. From the testimony we have heard is an expression of fear. He stated he understood the emotion of fear when expressed. This is not a call for a Constitutional Convention, it would be illegal to do this. Are we less entitled to inspiration today?

Rep. Armstrong opined a lot of people in this room really love the constitution, I believe it was inspired and Article V was put in there for a reason. People are afraid that something will happen. It still has to be ratified. A group of rag tag people took a leap of faith. Do we have the faith necessary faith to believe the constitution? We believe in the integrity of man? It was a huge risk in 1779, but now is not the time? When is the time? America is not ruled by fear. Recognize truth and confidence. Reject the rancid stench of fear, and be a patriot.

Rep. Holtzclaw reminded us the Constitution was ratified in 1778, and ratified 27 times.. This is just to add amendments, sometimes it is okay to add amendments.

Rep. Luker spoke in opposition of **H 32**, a convention for proposing amendments. Believes it was inspired, but we don't live in the same society they did. The divisions that divided them are not the same as today.

Rep. Loertscher, stated what's happening now is broken. Is congress really stepping up to the plate for us? Is Congress the only vehicle we have? Our states rights are being trampled all the time. Our lack of trust in each other magnifies all the time.

MOTION: **Rep. Holtzclaw** made a motion to send **H 032** to the floor with no recommendation.

ROLL CALL VOTE: **Rep. Smith** requested a roll call vote on **H 032**. **Motion failed by a vote of 5 AYE and 10 NAY. Voting in favor of the motion: Chairman Loertscher, Rep.(s) Monks, Holtzclaw, Armstrong, and Manwaring. Voting in opposition to the motion: Rep.(s) Luker, Crane, Palmer, Barbieri, Harris, Giddings, Zito, Scott, Smith, and Jordan.**

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

RS 26113: **Roger Batt** presented **RS 26113**, proposed legislation to allow wineries and vintners to use customized private labels on wines for hotels and restaurants that are produced by that winery or vintner, and personalized private labels on wines for consumers that are produced by that winery or vintner. Federal labeling standards shall be followed and the label approved by the Alcohol and Tobacco Tax and Trade Bureau of the United States Department of the Treasury.

MOTION: **Rep Scott** made a motion to introduce **RS 26113**. **Motion carried by voice vote.**

RS 26135: **Jason Kreizenbeck** contract lobbyist, Lobby Idaho, LLC, presented **RS 26135** proposed legislation of additional rights to crime victims. The purpose is to ensure constitutional rights of victims so they can have an effective voice in the criminal justice process in Idaho, and be including the right to reasonable and timely notification of open criminal justice proceedings, reasonable protection from the accused, the right to be heard at certain open criminal justice proceedings, and to provide standing to assert their rights. The goal of this proposal is to have a voice in the criminal justice. Victims of crime do not choose to be part of this system. They want to understand what is happening to them. The accused have rights in the Constitution, so victims need the rights in the Constitution as well. We should give the same level of protection to the victims as the accused.

MOTION: **Rep. Monks** made a motion to introduce **RS 26135**. **Motion carried by voice vote. Rep(s), Monks, Armstrong, Palmer, Jordan, and Chairman Loertscher** , are recorded as voting **NAY**.

RS 26045: **Rep. Jason Monks** introduced **Ardi Bledsoe**, Meridian Mayors Youth Council, who presented **RS 26045**, proposed legislation to recognize the importance and need for organ donors. The focus on the role of adolescence that would make a large difference for organ recipients.

MOTION: **Rep. Palmer** made a motion to introduce **RS 26045**. **Motion carried by voice vote.**

RS 26057: **Rep. Jason Monks** introduced **Avelyn Hyde**, Meridian Mayors Youth Council, who presented **RS 26057**, proposed legislation to change the allowable age from 16 to 15 to be an organ donor. **RS 26057** would allow parents to give consent for the child's organ donation. This may result in a larger pool of organs for recipients.

MOTION: **Rep. Harris** made a motion to introduce **RS 26057**. **Motion carried by voice vote.**

RS 26063: **Rep. Jason Monks** presented **RS 26063**, legislation to create the Public Integrity in Elections Act. The act accomplishes the following:

- Codifies and clarifies existing case law that was established by the Idaho Supreme Court in Ameritel Inns, Inc vs Greater Boise Auditorium District (2005). In that case, the Idaho Supreme Court indicated that a public entity may "educate" but may not "advocate" regarding a bond measure
- Protects elected officials and public employees freedom of speech First Amendment rights and ensures that public funds, resources and property are not used to influence the outcome at the ballot box.
- Identifies the proper role of governmental entities with regards to elections.

MOTION: **Rep. Luker** made a motion to introduce **RS 26063**. **Motion carried by voice vote.**

RS 25967: **Rep. Mat Erpelding** presented **RS 25967**, proposed legislation to prohibit the Secretary of State from disseminating voter information to the interstate voter registration crosscheck system. This action would protect sensitive voter information from being released to an unsecured digital destination beyond the jurisdiction and control of the State of Idaho. It will help prevent further accidental purges of legitimately registered voters based on faulty information provided by the interstate voter registration crosscheck system. Interstate voting has resulting in more false verifications than true ones. However, those promises have proven to be false. Most double voting occurs in a cross state voting system. Idaho is enrolled because it is free.

MOTION: **Rep. Luker** made a motion to **HOLD RS 25967** for time certain, February 13, 2018. **Motion carried by voice vote.**

ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 10:09 a.m.

Representative Loertscher
Chair

Jayne Feik Spinato
Secretary

AMENDED AGENDA #1
HOUSE STATE AFFAIRS COMMITTEE
8:00 A.M.
Room EW40
Monday, February 12, 2018

SUBJECT	DESCRIPTION	PRESENTER
H 386	County Election Records: Amending section 34-217.	Tim Hurst, Deputy Secretary of State
RS26002	The purpose of this House Concurrent Resolution is to recognize the contributions of Catholics to Idaho history and to congratulate the Diocese of Boise.	Rep. Troy
RS26163	To amend the firearm code to allow qualified retired law enforcement officers to have the same privileges as other persons identified on campus and public school property.	Rep. Heather Scott
RS25970	The purpose of this resolution is to authorize the Legislative Council to appoint an interim committee to undertake a thorough study of issues related to workforce and affordable housing in our state.	Rep. Wintrow

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Loertscher	Rep Barbieri	Rep Manwaring
Vice Chairman Monks	Rep Holtzclaw	Rep Zito
Rep Luker	Rep Harris	Rep Scott
Rep Crane	Rep Armstrong	Rep Smith
Rep Palmer	Rep Giddings	Rep Jordan

COMMITTEE SECRETARY

Jayne Feik Spinato
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MINUTES
HOUSE STATE AFFAIRS COMMITTEE

DATE: Monday, February 12, 2018
TIME: 8:00 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 (Gannon)
**ABSENT/
EXCUSED:** Rep. Barbieri, Rep. Monks
GUESTS:

Chairman Loertscher called the meeting to order at 8:00 a.m.

H 386: **Tim Hurst**, Deputy Secretary of State, presented **H 386**, legislation to clarify how long certain election records are kept, and designates the statewide voter registration database, maintained by the Secretary of State and accessed by the counties as the official register of electors.

MOTION: **Rep. Smith** made a motion to send **H 386** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Smith** will sponsor the bill on the floor.

RS 26002: **Rep. Troy** presented **RS 26002**, legislation to recognize the contributions of Catholics to Idaho history and to congratulate the Diocese of Boise.

MOTION: **Rep. Crane** made a motion to recommend **RS 26002** be sent directly to the Second Reading Calendar. **Motion carried by voice vote.** **Rep. Troy** will sponsor the bill on the floor.

RS 26163: **Rep. Scott** presented **RS 26163**, proposed legislation to amend the firearm code to allow qualified retired law enforcement officers to have the same privileges as other persons identified on campus and public school property. This would allow them to carry concealed weapons on campus, upon completion of yearly training and obtaining the federally issued card.

MOTION: **Rep. Harris** made a motion to introduce **RS 26163.** **Motion carried by voice vote.**

RS 25970: **Rep. Wintrow** presented **RS 25970**, legislation to address work force housing, and authorize the Legislative Council to appoint an interim committee to study issues related to workforce and affordable housing in Idaho.

Rep. Wintrow introduced **Rep. Miller**, District 26, who stated available housing is used up and stress is put on lack of housing.

MOTION: **Rep. Palmer** made a motion to return **RS 25970** to the sponsor. **Motion carried by voice vote.**

Chairman Loertscher introduced **Rep. Gannon (5)** .

ADJOURN: There being no further business to come before the committee, the meeting adjourned at 9:03 a.m.

Representative Loertscher
Chair

Jayne Feik Spinato
Secretary

**AMENDED AGENDA #1
HOUSE STATE AFFAIRS COMMITTEE
8:00 A.M.
Room EW40
Tuesday, February 13, 2018**

SUBJECT	DESCRIPTION	PRESENTER
<u>RS26125</u>	This legislation requires reporting health complications from the performance of abortions.	David Ripley
<u>RS26133</u>	This legislation would prioritize the distribution of funds for family planning services to public agencies.	David Ripley
<u>RS25967</u>	Prohibits the Secretary of State from dissemination any voter information to the interstate any voter information to the interstate voter registration crosscheck system.	Rep. Mathew W. Erpleding
<u>RS25751</u>	Its purpose is to shine more light on dark money, grey money and to require the listing of PAC leadership.	Lawerence Denney, Secretary of State
<u>RS25922</u>	This legislation amends Title 31, Chapter 7 of Idaho Code by adding a new subsection to provide for County Commissioner elections to include only voters of the same commissioner district.	Rep. Ronald Nate
<u>RS25881</u>	The purpose of this legislation is to amend Chapter 45, Title 67 of the Idaho Code by the addition of Section 67-5415 designating the Huckleberry Pie, a delicious treat, as the Idaho State Dessert.	Rep. Ronald Nate

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Loertscher	Rep Barbieri	Rep Manwaring
Vice Chairman Monks	Rep Holtzclaw	Rep Zito
Rep Luker	Rep Harris	Rep Scott
Rep Crane	Rep Armstrong	Rep Smith
Rep Palmer	Rep Giddings	Rep Jordan

COMMITTEE SECRETARY

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MINUTES
HOUSE STATE AFFAIRS COMMITTEE

DATE: Tuesday, February 13, 2018

TIME: 8:00 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 (Gannon)

**ABSENT/
EXCUSED:** None

GUESTS: Fred Birnbaum, Idaho Freedom Foundation Campaign, Russell Westerburg, RMP, Tracy Olson, Jonathan Parker, PPA

Chairman Loertscher called the meeting to order at 8:00 a.m.

RS 26125: **David Ripley**, Executive Director of Idaho Chooses Life, presented **RS 26125**, proposed legislation to require reporting of health complications arising from performance of an abortion to the Department of Health & Welfare. Annual statistical reports will be provided to the Idaho Legislature and made available to the public. Doctors are required to report complications to the FDA, however, there is no data from them since 2011. Idaho is one of two states in the country to dispense RU486, without a direct physical examination for women considering an abortion. It is imperative Idaho create a system to find out the impact this procedure is having on women's health. This legislation would apply to all medical staff in the state. It addresses both chemical and surgical abortions, and provides serious penalties to protect patient confidentiality. It does not restrict access to abortion.

MOTION: **Rep. Harris** made a motion to introduce **RS 26125**. **Motion carried by voice vote.** **Rep.(s) Gannon** and **Smith** requested to be recorded as voting **NAY**.

RS 26133: **David Ripley** presented **RS 26133**, proposed legislation to prioritize the distribution of Title 10 funds received by the Department of Health and Welfare, to ensure public tax dollars are going to publicly accountable health agencies, and encourage women and girls to receive health care from qualified medical institutions who provide comprehensive health care services. It would not prevent organizations such as planned Parenthood from applying for and receiving tax payer funds.

MOTION: **Rep. Monks** made a motion to introduce **RS 26133**. **Motion carried by voice vote.** **Rep.(s) Smith** and **Gannon** requested to be recorded as voting **NAY**.

RS 25751: **Lawrence Denney**, Secretary of State, presented **RS 25751**, proposed legislation from the interim Campaign Finance Legislative workgroup. Its purpose is to shine more light on dark money, grey money and to require the listing of PAC leadership. It extends the law to local special and recall election and requires the establishment of a single, searchable online database to accommodate all filings required under the Sunshine Law. A budget request of 1.29 million dollars has been made to upgrade software solutions for campaign finance, lobbyist registration and our overall election management. This upgrade needs to be done regardless of the outcome of this legislation. With the upgrade we can handle all changes purposed to the Sunshine Law with no additional fiscal impact. If money is being spent it should be transparent enough to show where it is coming from.

Tim Hurst, Deputy Secretary, stated the Attorney General supplied us the definition of dark money and grey money. Dark money is money coming in from outside that isn't reported. Grey money is transferred from PAC to PAC and becomes hard to track. There is no inference to candidates.

MOTION: **Rep. Monks** made a motion to introduce **RS 25751**. **Motion carried by voice vote.** **Rep.(s) Giddings** and **Scott** requested to be recorded as voting **NAY**.

RS 25922: **Rep. Nate** of District 34, presented **RS 25922**, proposed legislation to amend Title 31, Chapter 7 of Idaho Code by adding a new subsection to provide for County Commissioner elections to include only voters of the same commissioner district. It is possible for a commissioner to be elected without enough votes in the district he/she is running in. The committee responded that county government sit as all three, make laws, administer, and adjudicate. That is the reason they were elected at large, it is unique on the county level.

MOTION: **Rep. Monks** made a motion to introduce **RS 25922**. **Motion carried by voice vote.** **Rep. (s) Smith, Gannon, and Chairman Loertscher** requested to be recorded as voting **NAY**.

RS 25881: **Rep. Nate** presented **RS 25881**, proposed legislation to amend Chapter 45, Title 67 of the Idaho Code by the addition Section 67-5415, designating the Huckleberry Pie, a delicious treat, as the Idaho State Dessert. If the state has the Huckleberry as a representation of the state, then it is natural that the Huckleberry Pie would be the official state dessert. Oh man the huckleberry is my jam. Discussion ensued regarding the forms huckleberries could be represented, such as shakes, jam, and ice cream. One Representative was recorded as liking cakes rather than pie, one not at all, and some who like huckleberries.

MOTION: **Rep. Manwaring** made a motion to introduce **RS 25881**. **Motion carried by voice vote.** **Rep.(s) Barbieri, Monks, Harris,** and **Chairman Loertscher** requested to be recorded as voting **NAY**.

ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 9:33 a.m.

Representative Loertscher
Chair

Jayne Feik Spinato
Secretary

AGENDA
HOUSE STATE AFFAIRS COMMITTEE
8:00 A.M.
Room EW40
Wednesday, February 14, 2018

SUBJECT	DESCRIPTION	PRESENTER
H 446	This proposed legislation amends the existing statutes for notaries public, amending sections of Title 51 to further clarify requirements for stamping devices and provide specific differentiated details for tangible versus electronic records.	Chad Houck, Deputy Secretary of State
H 461	The purposed legislation is to provide a legal process to bring checks and balances to all Federal Government action that may be unconstitutional when Article 1 Section 8 or legal amendments is applied to those actions.	Rep. Paul Shepherd
RS26050	The legislation removes language preventing public agencies and political subdivisions from using a person or firm's rates, overhead and multipliers.	Rep. Megan Blanksma
RS26100	This legislation sets forth that the commission may not engage the services of a contract lobbyist.	Jeremy P. Pisca, Idaho Beer and Wine Distributors Association
RS26103	This legislation amends the definition of "dessert wine" to clarify that dessert wines must be grape-based.	Jeremy P. Pisca, Idaho Beer and Wine Distributors Association
RS26173	This bill prohibits the Secretary of State from disseminating any voter information to the interstate voter registration crosscheck system.	Rep. Mathew W. Erpleding
RS25909	This bill adds a provision to Idaho Code 72-1506 to provide that to the maximum extent possible, districts shall be bounded by at least two other districts.	Rep. Stephen Hartgen

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Loertscher Rep Barbieri
Vice Chairman Monks Rep Holtzclaw
Rep Luker Rep Harris
Rep Crane Rep Armstrong
Rep Palmer Rep Giddings

Rep Manwaring
Rep Zito
Rep Scott
Rep Smith
Rep Jordan(Gannon)

COMMITTEE SECRETARY

Jayne Feik Spinato
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MINUTES
HOUSE STATE AFFAIRS COMMITTEE

DATE: Wednesday, February 14, 2018

TIME: 8:00 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 (Gannon)

**ABSENT/
EXCUSED:** Rep. Holtzclaw

GUESTS: Dale Thutison, Moose Creek Mining District, Don Smith, Lee Barron, Moya Dolsby, Idaho Wine Commission (IWC), Tony Dominges, IWC, Michael Williamson, Williams Orchard and Vineyards, Earl Sullivan, T Wine Co., IWC, Eric Degerman, Great Northwest Wine, LLC, Jeremy Pisca, Idaho Beer and Wine Distribution Association.

Chairman Loertscher called the meeting to order at 8:03 a.m.

MOTION: **Rep. Smith** made a motion to approve the minutes of the January 25, 2018 meeting. **Motion carried by voice vote.**

H 446: **Chad Houck**, Deputy Secretary of State, presented **H 446** legislation to amend existing statutes for notaries public, amending sections of Title 51 to further clarify requirements for stamping devices and provide specific differentiated details for tangible versus electronic records. The language pertaining to the qualifications for application of a notary have been reworded for clarity, and removes a line pertaining to "disqualifications", as the existing reference points to statute that says certain conditions "may" prompt the Secretary of State to refuse to issue a commission, not that an applicant "shall be disqualified". This removes all references to a "renewal", as notaries are not renewed, but submit a new application and are recommissioned every 6 years.

MOTION: **Rep. Smith** made a motion to send **H 446** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Zito** will sponsor the bill on the floor.

H 461: **Rep. Paul Shepherd** presented **H 461**, providing a legal process to bring checks and balances to all federal government action that may be unconstitutional when Article 1 Section 8 or legal amendment is applied to those actions. Federal court decisions, federal laws and executive orders have been enacted that are not compliant with the original intent of the United States Constitution. Elected officials and appointed judges are required to take an oath of office to uphold the Constitution.

Dale Tustison, Moose Creek Mining District, **Don Smith**, **Lee Barron**, opined **H 461** would give guidelines to the state to support people who need to make a living. This bill outlines a way that it could be done. Environmentalists make the laws, and say any suction creates pollution. Nothing is added to the water, it only moves it faster. It is difficult to fight against them.

MOTION: **Rep. Harris** made a motion to send **H 461** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep.(s) Manwaring, Luker, Gannon**, and **Smith** requested to be recorded as voting **NAY**. **Rep. Shepherd** will sponsor the bill on the floor.

- RS 26050:** **Rep. Blanksma** presented **RS 26050**, proposed legislation which removes language preventing public agencies and political subdivisions from using a person or firm's rates, overhead and multipliers. Information gathered can be used in the bid but can't be used as scoring the bid ranking. The intent is to allow them to use design cost.
- MOTION:** **Rep. Scott** made a motion to introduce **RS 26050**. **Motion carried by vote voice.**
- RS 26100:** **Jeremy P. Pisca**, Idaho Beer and Wine Distributors Association, presented **RS 26100**, proposed legislation that the Idaho Grape Growers and Wine Commission is a governmental entity of the state of Idaho and receives funding through Idaho's wine tax. This sets forth that the commission may not engage the services of a contract lobbyist. Those services should be obtained by a trade association rather than a government commission funded with tax dollars.
- MOTION:** **Rep. Smith** made a motion to introduce **RS 26100**. **Motion carried by voice vote.** **Rep.(s) Zito, Palmer, and Crane** requested they be recorded as voting **NAY**.
- RS 26103:** **Jeremy P. Pisca**, of Idaho Beer and Wine Distributors Association, presented **RS 26103**, proposed legislation to amend the definition of "dessert wine" to clarify that dessert wines must be grape-based. The new definition clarifies that Marsala, Vermouth, Quinquina, and Americano are not considered "dessert wines." The legislation also includes a definition of "hard cider". Hard cider is being taxed as wine because it is over 4% alcohol.
- MOTION:** **Rep. Manwaring** made a motion to introduce **RS 26103**. **Motion carried by voice vote.**
- RS 26173:** **Rep. Erpelding** presented **RS 26173**, proposed legislation prohibiting the Secretary of State from disseminating any voter information to the interstate voter registration crosscheck system. This action would protect sensitive voter information from being released to an unsecured digital destination beyond the jurisdiction and control of the State of Idaho. It will also help prevent further accidental purges of legitimately registered voters based on faulty information provided by the interstate voter registration crosscheck system. The ERIC system is available and used in our neighboring states, Oregon and Washington.
- MOTION:** **Rep. Monks** made a motion to introduce **RS 26173** with elimination of line 15 through line 17. **Motion carried by voice vote.** **Rep. Zito** requested to be recorded as voting **NAY**.
- RS 25909:** **Rep. Stephen Hartgen** presented **RS 25909**, proposed legislation to add a provision to Idaho Code 72-1506 to provide the maximum extent possible, districts shall be bounded by at least two other districts. The measure allows for waiver if the provision cannot be implemented.
- MOTION:** **Rep. Luker** made a motion to introduce **RS 25909**. **Motion carried by voice vote.**
- ADJOURN:** There being no further business to come before the committee, the meeting was adjourned at 10:03 a.m.

Representative Loertscher
Chair

Jayne Feik Spinato
Secretary

AGENDA
HOUSE STATE AFFAIRS COMMITTEE
8:00 A.M.
Room EW40
Thursday, February 15, 2018

SUBJECT	DESCRIPTION	PRESENTER
H 419	"American and Idaho Laws for Idaho Courts" is written to be the public policy of the State of Idaho	Rep. Eric Redman
RS26187C2	Applies the Law to all Public agencies established by Executive Order.	Rep. Thomas F. Loertscher, and Roy Eiguren, Public Policy
RS26186	Recognizes and honors the achievements of Marilyn Tate Shuler.	Rep. Ilana Rubel
RS26116	Provide that higher education research facilities that receive public money, shall offer healthy cats and dogs used for research to be adopted.	Rep. Elaine Smith
RS26176	Provides for a license issued pursuant to this section 23-948 to remain valid.	Rep. Dorothy Moon

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Loertscher	Rep Barbieri	Rep Manwaring
Vice Chairman Monks	Rep Holtzclaw	Rep Zito
Rep Luker	Rep Harris	Rep Scott
Rep Crane	Rep Armstrong	Rep Smith
Rep Palmer	Rep Giddings	Rep Jordan(Gannon)

COMMITTEE SECRETARY

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MINUTES
HOUSE STATE AFFAIRS COMMITTEE

DATE: Thursday, February 15, 2018

TIME: 8:00 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 (Gannon)

**ABSENT/
EXCUSED:** None

GUESTS: The sign-in sheets will be retained with the minutes in the committee secretary's office until the end of session. Following the end of session, the sign-in sheets will be filed with the minutes in the Legislative Services Library.

Chairman Loertscher called the meeting to order at 8:05 a.m.

H 419: **Rep. Redman** presented **H 419**, legislation saying "American and Idaho Laws for Idaho Courts" is written to be the public policy of the State of Idaho to protect its citizens from the application of foreign laws when the application of a foreign law will result in the violation of a fundamental right guaranteed by the Constitution of the United States or the Constitution of the State of Idaho including, but not limited to, due process, freedom, of religion, speech, or press, and any right of privacy or marriage embodied in the Constitution of the State of Idaho. Some foreign laws are hostile to our laws and no foreign laws should be allowed.

Debora Mesmarian, Foad Roghani, Darcy James, Michael Witry, Julianne Donnelly Tzul, Steven Martin, Kathy Griesmeyer, Naffie Barh Christina Avadalla, Rev. Sara LuWall, Ahmed Abdelnaby, Lori Burelle, Phillip Thompson, Rabbi Daniel Fink, feel that **H 419** speaks against the Muslim religion. Muslim members in the United States are taught to obey the laws of this country and want to be here. Some fear unintended consequences. Not all testifying have read **H 419**. **Gerald Harbel, Warren Grover, Mary Grover, Randal Garrett, Doug Davina, Rev. William Thomas Howie, Freda Wanta, Steve Sherer, Darryl Ford, Ruth? Victor Bedia, and Steve Hyatt,** spoke in support of **H 419**.

It was found offensive by some who were told "we make it difficult for Muslims and we don't want them here".

MOTION: **Rep. Barbieri** made a motion to send **H 419** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep.(s) Smith, Gannon, and Manwaring** are recorded as voting **NAY**. Rep. Redman will sponsor the bill on the floor.

RS 26187C2: **Roy Eiguren** presented **RS 26187C2**, legislation stating the Idaho Open Meetings Law applies to all public agencies of state and local government created by statute. The law does not apply to the 28 public agencies established by Executive Order of the Governor. This legislation applies the law to all Public agencies established by Executive Order. This is a Sunset law and will end in five years.

MOTION: **Rep. Monks** made a motion to introduce **RS 26187C2**. **Motion carried by voice vote.**

RS 26186: **Rep. Ilana Rubel** presented legislation recognizing and honoring the achievements of **Marilyn Tate Shuler**.

- MOTION:** **Rep. Smith** made a motion to introduce **RS 26116** and recommend it be sent directly to the Second Reading Calendar. **Motion carried by voice vote.** **Rep. Rubel** will sponsor the bill on the floor.
- RS 26116:** **Rep. Smith** introduced **Lisa Kauffmann**, to present **RS 26116**, legislation to amend Title 33, Idaho Code, by adding a new Chapter 61, Title 33, that higher education research facilities who receive public money offer healthy cats and dogs no longer needed for science, testing, education or research purposes be adopted rather than euthanized.
- MOTION:** **Rep. Luker** made a motion to return **RS 26116** to the sponsor. **Motion carried by voice vote.**
- RS 26176:** **Rep. Moon** presented **RS 26176**, legislation to provide for a license issued pursuant to this section 23-948 to remain valid and may be transferred for waterfront resorts even if the body of water on which the resort is situated ceases to meet certain requirements and to make technical corrections.
- MOTION:** **Rep. Barbieri** made a motion to introduce **RS 26176**. **Motion carried by voice vote.**
- ADJOURN:** There being no further business to come before the committee, the meeting adjourned at 10:34 a.m.

Representative Loertscher
Chair

Jayne Feik Spinato
Secretary

**AMENDED AGENDA #3
HOUSE STATE AFFAIRS COMMITTEE
8:00 A.M.
Room EW40
Friday, February 16, 2018**

SUBJECT	DESCRIPTION	PRESENTER
RS26142	A new section to Idaho Code 58 - 157 to provide that additional public lands granted from the federal government to the be public lands.	Rep. Miller
H 487	The proposed legislation requires taxing districts to wait a period of twelve months after a failed bond or levy election before it can re-run a bond or levy in the same district.	Rep. Heather Scott
H 460	RS 25847 broadens the language of Section 25-720 of the Idaho Code which specifies the authority of the investment Endowment Board.	Rep. Randy Armstrong
RS26111	Requiring candidates and regulated officeholders to file potential conflict disclosures.	Rep. Dustin Manwaring
RS25991	This legislation amends Chapter 9 Title 23 with the addition of a new section that allows resort city restaurants the ability to apply for a specialized liquor license.	Rep. Priscilla Giddings
RS26132	This legislation removes the imperative language from the reapportionment statute.	Rep. Thomas Loertscher
RS26093	This proposed legislation provides added transparency to meeting agendas that are subject to Idaho Open Meeting Laws	Rep. Gayann DeMordaunt

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Loertscher
Vice Chairman Monks
Rep Luker
Rep Crane
Rep Palmer

Rep Barbieri
Rep Holtzclaw
Rep Harris
Rep Armstrong
Rep Giddings

Rep Manwaring
Rep Zito
Rep Scott
Rep Smith
Rep Jordan(Gannon)

COMMITTEE SECRETARY

Jayne Feik Spinato
Room: EW46
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MINUTES
HOUSE STATE AFFAIRS COMMITTEE

DATE: Friday, February 16, 2018

TIME: 8:00 A.M.

PLACE: Room EW40

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

**ABSENT/
EXCUSED:** None

GUESTS: Michael Law, Karen Echeverria, ISBA; Jerry Mason, AIC; Phil Haunschild, IFF; Brian Brooks, Idaho Wildlife Federation; Brian Stutzman; Larry Lyon; Mary DeWalt, Ada Community Library; Russell Westerberg, FIRA; Jonathan Parker, PPA;
Chairman Loertscher called the meeting to order at 8:05 a.m.

RS 26142: **Rep. Miller** presented **RS 26142**, proposed legislation adding a new section to Idaho Code 58-157, that should additional public lands be granted from the federal government to the state of Idaho, the lands shall be declared public lands.

MOTION: **Rep. Monks** made a motion to introduce **RS 26142**. **Motion carried by voice vote.**

H 487: **Rep. Scott** presented **H 487**, legislation requiring tax districts to wait a period of twelve months after a failed bond or levy election before rerunning a bond or levy in the same district. Most bonds can be run 2 to 4 times per year. A failing bond can be on the ballot after 2 months. This will prevent exhausting the people and using tax payer funds for special elections.

Michael Law, Phil Haunschild, Brian Stutsman, and Larry Lyon spoke in support of **H 487**.

Speaking in opposition to **H 487:** **Karen Echeverria, Jerry Mason, and Mary DeWalt.** Schools need levies to function. The trend is to run a levy or bond 2 months after the failure of the first. Time is needed to make adjustments to the bond to find out what the people will find acceptable. Interest rates are also a consideration.

MOTION: **Rep. Luker** made a motion to send **H 487** to General Orders, with the following changes; to change line 27 change 12 months to say no subsequent bond or levy question of the same type or subject type shall be submitted to the electors of the same district before 11 months from the date of the election, and add the same change to 63, 1309. **Motion carried with voice vote.** **Rep. Smith and Barbieri** requested to be recorded as voting **NAY**. **Rep. Scott** will sponsor the bill on the floor.

H 460: **Rep. Armstrong** presented **H 460**, legislation which broadens the language of Section 25-720 of the Idaho Code and specifies the authority of the investment Endowment Board to invest in certain pools of money. This section allows the Board to receive and invest monies from State Agencies and Municipalities. The ultimate control in the decisions of whether to accept and invest such funds remains with the State Land Commissioners and Investment Board. The Investment Board can invest money more aggressively, but can only accept monies from state agencies. Municipalities are restricted on types of investments.

MOTION: **Rep. Manwaring** made a motion to send **H 460** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Armstrong** will sponsor the bill on the floor.

RS 26111: **Rep. Manwaring** presented **RS 26111**, this proposed legislation adds a new chapter to Title 74, Idaho Code requiring candidates and regulated officeholders to file potential conflict disclosures. The legislation defines the terms, provides required content, deadlines, record retention for conflict disclosure statements, penalties for failure to file, and requires declarations of a conflict of interest.

MOTION: **Rep. Scott** made a motion to introduce **RS 26111**.

SUBSTITUTE MOTION: **Rep. Giddings** made a substitute motion to return **RS 26111** to the sponsor. **Motion failed by voice vote.**

VOTE ON ORIGINAL MOTION: **Chairman Loertscher** called for a vote on the motion to introduce **RS 26111**. **Motion carried by voice vote.** **Rep.(s) Giddings** and **Barbieri** requested to be recorded as voting **NAY**.

RS 25991: **Rep. Giddings** presented **RS 25991**, proposed legislation to amend Chapter 9 Title 23 with the addition of a new section allowing resort city restaurants the ability to apply for a specialized liquor license. The license would allow restaurants to serve a maximum of two drinks with a meal between the hours of 5:30 p.m. to 10:00 p.m.

MOTION: **Rep. Smith** made a motion to introduce **RS 25991**.

SUBSTITUTE MOTION: **Rep. Palmer** made a substitute motion to return **RS 25991** to the sponsor.

ROLL CALL VOTE ON SUBSTITUTE MOTION: Roll call vote was requested. **Substitute motion carried by a vote of 7 AYE, 5 NAY.** **Voting in favor** of the motion: **Chairman Loertscher, Rep.(s) Monks, Palmer, Holtzclaw, Harris, Armstrong and Manwaring.** **Voting in opposition** to the motion: **Rep.(s) Barbieri, Giddings, Zito, Scott and Smith.**

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

RS 26132: **Rep. Loertscher** presented **RS 26132**, proposed legislation to remove imperative language from the reapportionment statute. The Reapportionment Commission is controlled by the Constitution of the State. It was foreseen that implementing language would be needed. The language precludes the courts from carrying out the mandates of the Constitution. This legislation cleans up the law.

MOTION: **Rep. Harris** made a motion to introduce **RS 26132.** **Motion carried by voice vote.** **Vice Chairman Monks** turned the gavel over to **Chairman Loertscher.**

RS: 26093: **Rep. DeMordaunt** presented **RS 26093**, proposed legislation provides transparency to meeting agendas subject to Idaho Open Meeting Laws by doing two things. First, the proposed legislation requires posting requirements for meeting agendas, notices for meetings and agendas be posted electronically, if the governing entity has an online presence. Second, an item on an agenda requiring a vote by the governing entity be clearly identified as an "action item." Agenda amending requirements remain the same. Additional language was added to allow action on an item to be taken after the start of a meeting if an emergency is declared. The declaration must be justified and reflected in the minutes of the meeting.

MOTION: **Rep. Barbieri** made a motion to introduce **RS 26093.** **Motion carried by voice vote.**

ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 9:59 a.m.

Representative Loertscher
Chair

Jayne Feik Spinato
Secretary

AGENDA
HOUSE STATE AFFAIRS COMMITTEE
8:30 A.M.
Room EW40
Monday, February 19, 2018

SUBJECT	DESCRIPTION	PRESENTER
H 496	This legislation will move three Director positions from leaving at the pleasure of the respective Boards to leaving at the pleasure of the Governor.	Rep. Joe Palmer
RS26208	Changes Idaho's statues with regard to the Attorney General mandating all agencies use who use the office to represent them.	Rep. Thomas Loertscher

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Loertscher	Rep Barbieri	Rep Manwaring
Vice Chairman Monks	Rep Holtzclaw	Rep Zito
Rep Luker	Rep Harris	Rep Scott
Rep Crane	Rep Armstrong	Rep Smith
Rep Palmer	Rep Giddings	Rep Vacant - Dist. 5

COMMITTEE SECRETARY

Jayne Feik Spinato
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MINUTES
HOUSE STATE AFFAIRS COMMITTEE

DATE: Monday, February 19, 2018

TIME: 8:30 A.M.

PLACE: Room EW40

MEMBERS: Chairman Loertscher, Vice Chairman Monks, Representatives Luker, Crane, Palmer, Barbieri, Holtzclaw, Harris, Armstrong, Giddings, Manwaring, Zito, Scott, Smith, Vacant-Dist. 5A

**ABSENT/
EXCUSED:** Rep. Crane

GUESTS: Rick Just, Friends of Idaho State Park, Steve Smylie, Dave Ricks

Chairman Loertscher called the meeting to order at 8:32 a.m.

H 496: **Rep. Palmer** presented **H 496**, amending existing law to provide that the Governor shall appoint the directors of the Department of Correction, the Idaho Transportation Department and the Department of Parks and Recreation, all of whom shall serve at the pleasure of the Governor. Rep. Palmer stated that there may be an issue in this bill affecting Harriman State Park, and does not want it in jeopardy. The bill could go to the amending order for council with the Attorney General to be certain the park isn't at risk.

Rick Just and **Steve Smylie** spoke in opposition to **H 496**. The Railroad Ranch was special to **Roland and Gladys Harriman**, and rather than passing this to their family, it was to be gifted to the people of the State of Idaho. Very specific instructions included the Railroad Ranch be professionally run, managed, and insulated at least one step from the political process. It was proposed that this bill be held until the concerns on both sides could be answered.

MOTION: **Rep. Monks** made a motion to send **H 496** to General Orders.

SUBSTITUTE MOTION: **Rep. Luker** made a substitute motion to **HOLD H 496** for time certain, February 26, 2018.

ROLL CALL VOTE ON SUBSTITUTE MOTION: Roll call vote was requested. **Substitute motion failed by a vote of 6 AYE, 6 NAY, and 2 Absent/ Excused. Voting in favor** of the motion: **Vice Chairman Monks, Rep.(s) Palmer, Holtzclaw, Harris, Armstrong, and Manwaring. Voting in opposition** to the motion: **Rep(s) Luker, Barbieri, Giddings, Zito, Scott, and Smith. Chairman Loertscher and Rep. Crane were absent/ excused.**

VOTE ON ORIGINAL MOTION: Roll call vote requested. **Motion failed by a vote of 6 AYE, 6 NAY, and 2 Absent/ Excused. Voting in favor** of the motion: **Rep(s) Luker, Barbieri, Giddings, Zito, Scott, and Smith.. Voting in opposition** to the motion: **Vice Chairman Monks, Rep.(s) Palmer, Holtzclaw, Harris, Armstrong, and Manwaring. Chairman Loertscher and Rep. Crane were absent/ excused**

MOTION: **Rep. Smith** made a motion to bring **H 496** back to the table.

ROLL CALL VOTE: Roll call vote requested. **Motion failed by a vote of 6 AYE, 6 NAY, and 2 Absent/ Excused. Voting in favor** of the motion: **Vice Chairman Monks, Rep.(s) Palmer, Holtzclaw, Harris, Armstrong, and Smith. Voting in opposition** to the motion: **Rep.(s) Luker, Barbieri, Giddings, Manwaring, Zito, and Scott. Chairman Loertscher and Rep. Crane were absent/ excused.**

Vice Chairman Monks introduced the new page, **Sydney Allen**, a high school senior from Eagle, Idaho.

ADJOURN: There being no further business to come before the committee, the meeting adjourned at 9:16 a.m.

Representative Loertscher
Chair

Jayne Feik Spinato
Secretary

**AMENDED AGENDA #1
HOUSE STATE AFFAIRS COMMITTEE
8:00 A.M.
Room EW40
Tuesday, February 20, 2018**

SUBJECT	DESCRIPTION	PRESENTER
RS26164	Providing a public library's internet safety policy apply to any publicly accessible wireless internet access provided by the library.	Rep. Clow
RS26165	Recognizing that pornography is a public health hazard.	Rep. Clow
H 545	This legislation would allow wineries and vintners to use customized private labels on wines for hotels and restaurants.	Roger Batt
H 473	The purpose of the Restoring Constitutional Governance Act is to restore the constitutional protections usurped by certain provisions in the 2012 National Defense Authorization Act ("NDAA").	Rep. Zollinger
H 600	This purpose of this legislation is to create the Public Integrity in Elections Act. • Identifies the proper role of governmental entities with regards to elections.	Rep. Jason Monks
RS26200	This purpose of this legislation is to create the Public Integrity in Elections Act. • Identifies the proper role of governmental entities with regards to elections.	Rep. Jason Monks

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Loertscher	Rep Barbieri	Rep Manwaring
Vice Chairman Monks	Rep Holtzclaw	Rep Zito
Rep Luker	Rep Harris	Rep Scott
Rep Crane	Rep Armstrong	Rep Smith
Rep Palmer	Rep Giddings	Rep Jordan(Gannon)

COMMITTEE SECRETARY

Jayne Feik Spinato
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MINUTES
HOUSE STATE AFFAIRS COMMITTEE

DATE: Tuesday, February 20, 2018

TIME: 8:00 A.M.

PLACE: Room EW40

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

**ABSENT/
EXCUSED:** None

GUESTS: Roger Batt, Idaho Grape and Wine Commission (IGWC); Moya Dolsby, (IGWC); Michael Williamson, Williamson Orchard & Vineyards; Crystal Potter, Potter Wines; Ashlee Strubie Idaho Wine Commission; Jessica Pauley, Boise State University; Ann Joslin, Idaho Commission for Libraries; Quinn Perry, Idaho School Board Association; Jess Harrison, Association of Idaho Cities; Kathy Griesmyer, ACLU; Fred Birnbaum, Idaho Freedom Foundation; Jeremy Pisca, Idaho Beer and Wine Distributors Association; Skip Smyser, Capitol Cellars; Dodds Hayden, Hayden Beverage; Earl Sullivan, Telaya Wine Co., Pam Eaton, Idaho Lodging & Restaurant Association, Sheila Ford, self; Russ Hendrichs, Matt Scott, PANDA Idaho; Lee Rice, ACLA; Tammy Nichols, PANDA; Larry Stevenson, ISSA.

Chairman Loertscher called the meeting to order at 8:03 a.m.

RS 26164: **Rep. Clow** presented **RS 26164**, legislation to amend Chapter 27, Section 41 of Title 33 Idaho Code. This will update the current requirement for public libraries to filter access to minors of obscene and pornographic material through their internet. Current law did not anticipate the use of personal laptop computers, tablets and smart phones gaining access through publicly provided wireless access to the libraries internet. The legislation adds the language "publicly accessible wireless internet access or" and like terminology to several references of "publicly accessible computers". Idaho's public libraries shall assure their wireless (WiFi) is filtered as is required of computers with internet access. The Library board of trustees shall update their policy to include this amendment. Libraries must comply to state law to be eligible for E-rate.

MOTION: **Rep. Luker** made a motion to introduce **RS 26164**. **Motion carried by voice vote.**

RS 26165: **Rep. Clow** presented **RS 26165**, legislation to raise awareness and declare that pornography has reached the level of a public health hazard leading to a broad spectrum of individual and public health impacts. Pornography has shown to adversely impact healthy relationships and can influence abuse of women and children. The resolution encourages education and policies to address the pornographic epidemic harming people of our state and nation. It encourages Idaho's state agencies, local governments and political subdivisions to establish policies, procedure, and appropriate technology to prevent access to pornography through their internet connections, wired or wireless.

MOTION: **Rep. Crane** made a motion to introduce **RS 26165**.

**SUBSTITUTE
MOTION:** **Rep. Zito** made a substitute motion to introduce **RS 26165** with changes, page 1, line 28, 30, 32, and 34, to read "men, women, and children". Page 2, Line 7, shall read "young men and young women". **Substitute motion carried by voice vote.**

H 545: **Roger Batt**, Idaho Grape Growers and Wine Association, presented **H 545**, legislation to allow wineries and vintners to use customized private labels on wines for hotels and restaurants produced by the winery or vintner, and personalized private labels on wines for consumers. Federal labeling standards shall be followed and the label approved by the Alcohol and Tobacco Tax and Trade Bureau of the United States Department of the Treasury.

Michael Williamson, Crystal Potter, Skip Smyser, Earl Sullivan, Rep. Troy, and Pam Eaton, spoke in support of **H 545**, and believe it changes nothing except the wine label.

Jeremy Pisca, and Dodds Hayden, spoke in opposition to **H 545** as it blends and erodes the three tier system and stops checks and balances. The three tier system provides an orderly market place, independence, fairness, provides variety, and eliminates undue influence.

MOTION: **Rep. Zito** made a motion to send **H 545** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Troy** will sponsor the bill on the floor. **Rep.(s) Luker, Manwaring and Smith** requested to be recorded as voting **NAY**.

H 473: **Rep. Zollinger** presented **H 473**, legislation to the Restoring Constitutional Governance Act, which restores the constitutional protections usurped by certain provisions in the 2012 National Defense Authorization Act ("NDAA"). Sections 1021 and 1022 of the 2012 NDAA, Public Law 50 U.S.C. 1541, authorize the violation of 14 provisions of the Constitution including over half of the Bill of Rights. The sovereign government of the Great State of Idaho has a duty to protect the rights of citizens and other persons within Idaho's jurisdiction against such violations and from Federal overreach. By enacting this bill, the Idaho Legislature holds that indefinite detention without due process or transfer to jurisdictions outside the United States of persons within Idaho in particular and citizens of Idaho in general are unlawful and violate the Constitution of the State of Idaho and the Constitution of the United States of America. **Rep. Zollinger** represents People Against the National Defense ACT (PANDA).

Sheila Ford, Matt Scott, local and national director of People Against the National Defense ACT (PANDA), and **Lee Rice** spoke in support of **H 473**.

MOTION: **Rep. Barbieri** made a motion to send **H 473** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Zollinger** will sponsor the bill on the floor. **Rep.(s) Manwaring and Smith** requested to be recorded as voting **NAY**.

H 600: **Rep. Monks** presented **H 600**, legislation to create the Public Integrity in Elections Act. This identifies the proper role of governmental entities with regards to elections, codifies and clarifies existing case law established by the Idaho Supreme Court in Ameritel Inns, Inc vs Greater Boise Auditorium District (2005). The Idaho Supreme Court indicated a public entity may "educate" but may not "advocate" regarding a bond measure. This protects elected officials and public employees freedom of speech First Amendment rights and ensures public funds, resources and property are not used to influence the outcome at the ballot box.

MOTION: **Rep. Palmer** made a motion to **HOLD H 600** in the committee. **Motion carried by voice vote.**

RS 26200: **Rep. Monks** presented **RS 26200** legislation to create the Public Integrity in Elections Act. **RS 26200** clarifies changes to be made in **H 600**. Page 3, line 10, subsection 7, adds a balanced classroom discussion of current or pending elections: Line 4 subsection 5: Identifies the proper role of governmental entities with regards to elections, and codifies and clarifies existing case law established by the Idaho Supreme Court in Ameritel Inns, Inc vs Greater Boise Auditorium District (2005). The Idaho Supreme Court indicated that a public entity may "educate" but may not "advocate" regarding a bond measure. This protects elected officials and public employees freedom of speech First Amendment rights and ensures public funds, resources and property are not used to influence the outcome at the ballot box.

Kathy Griesmyer, ACLU, spoke in opposition to **RS 26200**.

Fred Brinbaum, **Russell Westerberg**, **Jess Harrison**, Association of Idaho Cities, and **Quinn Perry**, of the school board, spoke in support of **RS 26200**.

MOTION: **Rep. Palmer** made a motion to introduce **RS 26200** and recommend it be sent directly to the second reading calendar. **Motion carried by voice vote.** **Rep. Monks** will sponsor the bill on the floor.

MOTION: **Rep. Crane** made a motion to reintroduce **H 496**.

ROLL CALL VOTE: Roll call vote was requested. **Motion carried by a vote of 9 AYE, 5 NAY.** **Voting in favor** of the motion: **Chairman Loertscher, Rep.(s) Monks, Crane, Palmer, Holtzclaw, Harris, Armstrong, Manwaring, and Zito.** **Voting in opposition** to the motion: **Rep.(s) Luker, Barbieri, Giddings, Scott, and Smith.**

MOTION: **Rep. Luker** made a motion to **HOLD H 496** in the committee for time certain, February 21, 2018.

ROLL CALL VOTE: Roll call vote was requested. **Motion failed** by a vote of **6 AYE** and **8 NAY.** **Voting in favor** of the motion: **Chairman Loertscher, Rep.(s) Luker, Barbieri, Giddings, Zito, and Smith.** **Voting in opposition** to the motion, **Rep.(s) Monks, Crane, Palmer, Holtzclaw, Harris, Armstrong, Manwaring, and Scott.**

MOTION: **Rep. Crane** made a motion to send **H 496** to General Orders. **Motion carried by voice vote.** **Rep.(s) Barbieri, Smith, and Zito** requested to be recorded as voting **NAY.** **Rep. Palmer** will carry the bill on the floor.

ADJOURN: There being no further business to come before the committee, the meeting adjourned at 10:33 a.m.

Representative Loertscher
Chair

Jayne Feik Spinato
Secretary

AMENDED AGENDA #4
HOUSE STATE AFFAIRS COMMITTEE
8:30 A.M.
Room EW40
Wednesday, February 21, 2018

SUBJECT	DESCRIPTION	PRESENTER
HCR 043	The purpose of this resolution is to recognize the importance and need for organ donors.	Rep. Jason Monks
H 606	The Idaho Open Meetings Law applies to all public agencies of state and local government that are created by statute.	Roy Eiguren
SCR 127	This Concurrent Resolution recognizes and honors the Idaho Community Foundation (ICF) on its thirtieth anniversary.	Rep. Troy
H 571	This legislation requires the reporting of health complications arising from the performance of an abortion to the Department of Health & Welfare.	David Ripley
RS26213	This legislation requires the reporting of health complications arising from the performance of an abortion to the Department of Health & Welfare.	Rep. Greg Chaney

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Loertscher	Rep Barbieri	Rep Manwaring
Vice Chairman Monks	Rep Holtzclaw	Rep Zito
Rep Luker	Rep Harris	Rep Scott
Rep Crane	Rep Armstrong	Rep Smith
Rep Palmer	Rep Giddings	Rep Vacant-Dist. 5A

COMMITTEE SECRETARY

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MINUTES
HOUSE STATE AFFAIRS COMMITTEE

DATE: Wednesday, February 21, 2018

TIME: 8:00 A.M.

PLACE: Room EW40

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

**ABSENT/
EXCUSED:** Rep. Crane

GUESTS: Arlie Bledsoe, MYAC; David Ripley, Idaho Chooses Life; Kerry Uhhlenkott, Right to Life of Idaho; Julie Lynde, Family Policy Alliance; Christian Welp, Catholic Church; Jacob Francis, MYAC; Shasta Kilminster-Hadley, IBOM; Skip Smyser, Idaho Press Club; Jeremy Pisca, H. Newspaper Association.

Chairman Loertscher called the meeting to order at 8:35 a.m.

HCR 43: **Rep. Monks** introduced **Arlie Bledsoe and Jacob Frances**, Meridian Youth Advisory Council, who presented **HCR 43**, concurrent resolution to recognize the importance and need for organ donors.

MOTION: **Rep. Monks** made a motion to send **HCR 43** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Monks** will sponsor the bill on the floor.

H 606: **Roy Eiguren** presented **H 606**, legislation regarding Idaho Open Meetings Law which applies to all public agencies of state and local government created by statute. The Law does not apply to the 28 public agencies established by Executive Order of the Governor. This legislation applies the Law to all Public agencies established by Executive Order.

Skip Smyser, Attorney, Idaho Press Club, spoke in support of **H 606**.

MOTION: **Rep. Luker** made a motion to send **H 606** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Chairman Loertscher** will sponsor the bill on the floor.

SCR 127: **Rep. Troy** presented **SCR 127**, concurrent resolution to recognize and honor Idaho Community Foundation (ICF) on its thirtieth anniversary for charitable and philanthropic endeavors and services to the people of Idaho for thirty years. ICF has given more than \$104 million back to Idaho communities.

MOTION: **Rep. Smith** made a motion to send **SCR 127** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Troy** will sponsor the bill on the floor.

Due to time constraints, **Chairman Loertscher** moved **H 571** and **RS 26213** to the schedule on Friday, February 23, 2018.

ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 8:56.

Representative Loertscher
Chair

Jayne Feik Spinato
Secretary

AGENDA
HOUSE STATE AFFAIRS COMMITTEE
8:00 A.M.
Room EW40
Thursday, February 22, 2018

SUBJECT	DESCRIPTION	PRESENTER
H 486	The powers and duties of the Idaho State Historical Society trustees plan, services, and budget, need to be clearly articulated in the enabling legislation.	Janet Gallimore, Idaho State Historical Society
H 608	Should additional public lands be granted from the federal government to the state of Idaho that these lands shall be declared public lands.	Rep. Steve Miller
H 610	This legislation removes the imperative language from the reapportionment statute.	Rep. Thomas Loertscher

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Loertscher	Rep Barbieri	Rep Manwaring
Vice Chairman Monks	Rep Holtzclaw	Rep Zito
Rep Luker	Rep Harris	Rep Scott
Rep Crane	Rep Armstrong	Rep Smith
Rep Palmer	Rep Giddings	Rep Vacant-Dist. 5A

COMMITTEE SECRETARY

Jayne Feik Spinato
Room: EW46
Phone: 332-1145
email: hstaf@house.idaho.gov

MINUTES
HOUSE STATE AFFAIRS COMMITTEE

DATE: Thursday, February 22, 2018

TIME: 8:00 A.M.

PLACE: Room EW40

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

**ABSENT/
EXCUSED:** Representative Palmer

GUESTS: Dax Chizu, Idaho State Historical Society (ISHS), Tricia Canady, ISHS, Jonathan Oppenheimer, Idaho Conservation League.

Chairman Loertscher called the meeting to order at 8:09 a.m.

Chairman Loertscher presented paperless committee work. Agendas, RS's, bills and minutes will be available in the box to look at ahead of time for committee members. This comes with the understanding that RS's are confidential until introduced and should not be public. Members are asked to bring computers.

H 486: **Janet Gallimore** presented **H 486**, the powers and duties of the Idaho State Historical Society. Specific agency facilities, programs, and functions, and ones that drive the agency's strategic plan, services, and budget, need to be clarified in enabling legislation, including the Idaho State Museum, Idaho State Archives, State Historic Preservation Office, and Historic Sites functions. (Amend code 67-4112) Ms. Gallimore requested consideration of **H 486**, as approved changes were made.

MOTION: **Rep. Manwaring** made a motion to send **H 486** to the floor with a **DO PASS** recommendation. **Motion carried with a voice vote.** **Rep. Manwaring** will sponsor the bill on the floor.

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

H 610: **Rep. Loertscher** presented **H 610**, proposed legislation to remove the imperative language from the reapportionment statute. Title 72 gives the way redistricting should be operated and how to draw the districts. This change is from legislature redistricting to a commission doing this process. All other things go through a district court process. The court looks at the constitution as compared to the law. The court said they will look at the constitution first before what is in Title 72. It is determined the statute is not followed. **H 610** straightens the language in statute.

In answer to committee questions regarding if there were several case that specifically say these are not in accordance with the Constitution, **Rep. Loertscher** said the courts have ignored what was in the statute and during the last redistricting before the court, was a complete deadlock and court appointed a new commission to do the work. Rep. Loertscher said in further answer to committee questions regarding this policy being put in place for a reason, but the language in this bill is not speaking to this, and more information being needed on this particular provision, the language is confusing, and the commission needs to know how to proceed when there is a deadlock.

MOTION: **Rep. Luker** made a motion to **HOLD H 610** for time certain, Tuesday, February 27, 2018. **Motion carried by voice vote.**

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

H 608:

Rep. Miller presented **H 608**, legislation to add a new section to Idaho Code 58 – 157 providing that should additional public lands be granted from the federal government to the state of Idaho, the lands shall be declared public lands and provide the lands shall be acquired and managed for public access, multiple use and sustained yield. If Idaho receives federal lands, state officers would be in discussion with federal representatives and lands would be held in perpetuity. This would take effect July 1, 2018.

In answer to committee questions regarding if this new section would bare an ability to mine, **Rep. Miller** said no, this would be managed for public access, multiple use, this would include mining and other impacts. Limited sales for purpose of consolidation, and possibly an exchange of land.

Committee members concern about the growth of the state, and if this would tie the state's hands and with the language, perpetual being permanent, and the best financial benefit for the state. Committee questions also were raised if **H 608** was necessary, the federal government would have many conditions, and the process would take care of itself.

Jonathan Oppenheimer, Idaho Conservation League (ICL), supports the intent of the proposal to protect public lands if transferred to the state and agree with holding lands in perpetuity. Idahoans care about public lands in the state, and is concerned about the sale of these lands and public lands take over. The ICL requests the committee hold **H 608**.

Fred Birnbaum, Freedom Foundation, feels conflicted with this bill, as there is support to maintain public access to public lands, there is a disparity for maintenance. An example would be fire fighting costs and other unknowns. The bill is good but needs more information. **Rep. Crane** stated he could not see the federal government transferring lands to the state. Utah has clear, comprehensive legislation to address this. He asked what should be fixed in this bill. Mr. Birnbaum responded saying he would like examples of cases for transfer of lands, and have more time to look at this issue.

Rep. Miller concluded by stating the costs by fed government managing lands are negative, and the costs of the state managing lands are positive.

Rep. Monks made a statement saying he hears concerns from constituents about not being ready for this, and Idaho would sell off lands. He feels this bill addresses those concerns, and could see this as starting point.

MOTION:

Rep. Monks made a motion to send **H 608** to the floor with a **DO PASS** recommendation.

SUBSTITUTE MOTION:

Rep. Smith made a substitution motion to **HOLD H 608** in committee. Speaking to the motion she said she likes the idea of intent to retain for perpetuity, but has concerns about the definitions.

Speaking to the substitute motion, **Rep. Barbieri** said the intent is clear to make it easier for the federal government to give management to the state, but is unlikely. There will be time to determine how it will happen. He supports the substitute motion.

Speaking to the substitute motion, **Rep. Harris** said he is a fan of receiving federal lands, but doesn't support the opinion being outlined. It is meant to appease those concerned about receiving federal lands, and the purpose is to tie the state's hands. He would want these to go to the endowment. He supports the substitute motion.

VOTE ON SUBSTITUTE MOTION:

Chairman Loertscher called for a vote on the substitute motion to **HOLD H 608** in committee. **Substitute motion carried by voice vote.**

ADJOURN: There being no further business to come before the committee, the meeting adjourned at 9:27 a.m.

Representative Loertscher
Chair

Susan Werlinger
Secretary

AGENDA
HOUSE STATE AFFAIRS COMMITTEE
8:00 A.M.
Room EW40
Friday, February 23, 2018

SUBJECT	DESCRIPTION	PRESENTER
H 611	This proposed legislation provides added transparency to meeting agendas that are subject to Idaho Open Meeting Laws	Rep. Gayann DeMordaunt
H 571	This legislation requires the reporting of health complications arising from the performance of an abortion to the Department of Health & Welfare.	David Ripley
RS26213C2	This legislation requires the reporting of health complications arising from the performance of an abortion to the Department of Health & Welfare.	Rep. Greg Chaney
RS26235	Federal Lands Rights of Way	Rep. Priscilla Giddings
H 418	Create a new section of code prohibiting state agency personnel from communicating with legislators or the governor for the purpose of influencing the passage.	Rep. Priscilla Giddings
RS26234	Relating to Funding of Contract Lobbyists	Rep. Priscilla Giddings

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Loertscher	Rep Barbieri	Rep Manwaring
Vice Chairman Monks	Rep Holtzclaw	Rep Zito
Rep Luker	Rep Harris	Rep Scott
Rep Crane	Rep Armstrong	Rep Smith
Rep Palmer	Rep Giddings	Rep Vacant-Dist. 5A

COMMITTEE SECRETARY

Jayne Feik Spinato
Room: EW46
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MINUTES
HOUSE STATE AFFAIRS COMMITTEE

DATE: Friday, February 23, 2018

TIME: 8:00 A.M.

PLACE: Room EW40

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

**ABSENT/
EXCUSED:** None

GUESTS: Kerry Uhlenkott, Right to Life Idaho; Christian Welp, Diocese of Boise; Julie Lynde Family Policy Alliance of Idaho; Toni Lawson, Idaho Hospital Association; Jan Sylvester; Shasta Kilmaster- Hadley

Chairman Loertscher called the meeting to order at 8:03 a.m.

H 611: **Rep. Gayann DeMordaunt** presented **H 611**, legislation to provide transparency to meeting agendas subject to Idaho Open Meeting Laws. In addition to current posting requirements for meeting agendas, notices for meetings and agendas be posted electronically if the governing entity has an online presence. An item on an agenda requiring a vote by the governing entity be clearly identified as an "action item." Agenda amending requirements remain the same and additional language added to allow for action on an item taken after the start of a meeting if an emergency is declared. The declaration must be justified and reflected in the minutes of the meeting..

Rep. DeMordaunt introduced **Brian Kane**, Attorney General's office explained, if brought up as an action item not marked as an action item it would be in violation. It has to be set aside within 30 days of the violation. If done within 120 days, it can go back and be made right. Smaller towns may not have an internet presence, however most public entities who would be included have an online presence.

MOTION: **Rep. Scott** made a motion to send **H 611** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. DeMordaunt** will sponsor the bill on the floor.

H 571: **David Ripley**, President, Idaho Right to Life, presented **H 571**, legislation to require the reporting of health complications arising from the performance of an abortion to the Department of Health & Welfare.

RS 26213C2: **Rep. Chaney** presented **RS 26213C2**, legislation to require reporting of health complications arising from the performance of an abortion to the Department of Health & Welfare. Annual statistical reports will be provided to the Idaho Legislature and made available to the public. Data is unavailable because a doctor provides the health care, and a different doctor provides the follow up. This will provide data on who is providing procedures, identify trouble providers, and a demographic that may be receiving lower quality health care than others.

ORIGINAL MOTION: **Rep. Barbieri** made a motion to introduce **RS 26132C2** with the following changes: Page 5 strike lines 1 through 6, and line 15, page 6, strike the word "criminal" and recommend it be sent directly to the Second Reading Calendar.

SUBSTITUTE MOTION: **Rep. Luker** made a substitute motion to make changes to the fiscal note, and recommend it be sent directly to the Second Reading Calendar.

David Ripley, Idaho Right to Life, addressed the fiscal note; the information from 2016, 39-261, Idaho code, which the legislature authorized in 1977. There is no requirement to report any complication in this document. This legislation is incorrect because complications aren't included. There is no indication how many reports will be filed. It is impossible to know the cost. If it is determined that there is a large fiscal impact then the problem is much larger.

SUBSTITUTION MOTION WITHDRAWN: **Rep. Luker** withdrew his substitute motion without objection.

Karrie Uhlenkott, Right to Life of Idaho, Inc. spoke in support of **RS 26132C2**. She stated women in the world are suffering from complications associated with abortion drugs. These complications include hemorrhage, infection, cases of ectopic pregnancies and even death. If women tell the doctor they are suffering from a miscarriage the doctor can't tell the difference, and do not get the appropriate treatment, which can result in death.

Julie Lynde, Family Policy Alliance of Idaho, spoke in support of **RS 26213C2**.

David Ripley said this information came from Right to Life, and on page 4 the Idaho Medical Association terminology was added, "in the physicians reasonable medical judgement". The current reporting system isn't mandatory, so any previous report wouldn't be accurate.

VOTE ON ORIGINAL MOTION: **Chairman Loertscher** called for a vote on the motion to introduce **RS 26213C2**, with the following changes: Page 5, strike lines 1 through 6, and page 6, line 15, strike the word "criminal", and recommend it be sent directly to the Second Reading Calendar. **Motion carried by voice vote.** **Rep.(s) Manwaring and Smith** requested to be recorded as voting **NAY**. **Rep. Chaney** will sponsor the bill on the floor.

MOTION: **Rep. Monks** made a motion to **HOLD H 571** in committee. **Motion carried by voice vote.**

RS 26235: **Rep. Giddings** presented **RS 26235** legislation that the current Idaho Statute 402-04(A) recognizes the federal land rights-of-way were granted to the state for public use in perpetuity. The 1976 act allowed for the continuance of rights-of-ways in existence prior to its passage. Abandonment of any rights-of-way shall not occur due to passage of time or frequency of use, but only through eminent domain proceedings. Recently, through the use of federal travel management, resource and land management plans, the federal agencies, primarily the U.S. Forest Service and the Bureau of Land Management, have closed roads and trails across federal lands, sometimes without regard to rights-of-way existing prior to the act. These closures denied the public's access to enjoy the lands' multiple uses and reduced state and county revenues derived from industries related to access and extraction. Closures have created wildfire suppression hazards by delaying response times to re-open the closures or construct new means of access. This bill clarifies federal agency plans desiring to close any existing rights-of-ways cannot circumvent eminent domain proceedings and explains what maintenance actions may be taken by the state or any of its political subdivisions. A change, page 1 line 22, "shall be shown", changed to "says may be shown".

MOTION: **Rep. Barbieri** made a motion to introduce **RS 26235**. **Motion carried by voice vote.**

H 418: **Rep. Giddings** presented **H 418** to create a new section of code prohibiting state agency personnel from communicating with legislators or the governor for the purpose of influencing the passage, defeat, amendment or postponement of a legislative action or an executive action with certain caveats.

- MOTION:** **Rep. Monks** made a motion to **HOLD H 418** in the committee. **Motion carried by voice vote.**
- RS 26234:** **Rep. Giddings** presented **RS 26234**, legislation to create a new section of code to prohibit state agencies or political subdivisions from using appropriated funds or public money to employ contract lobbyists.
- MOTION:** **Rep. Barbieri** made a motion to introduce **RS 26234**. **Motion carried by voice vote.**
- ADJOURN:** There being no further business to come before the committee, the meeting adjourned at 9:45 a.m.

Representative Loertscher
Chair

Jayne Feik Spinato
Secretary

AGENDA
HOUSE STATE AFFAIRS COMMITTEE
8:00 A.M.
Room EW40
Monday, February 26, 2018

SUBJECT	DESCRIPTION	PRESENTER
H 565	This legislation amends the firearm code to allow qualified retired law enforcement officers licensed under 18-3302H, Idaho Code to have the same privileges as other persons identified on campus and public-school property.	Rep. Heather Scott
H 605	This legislation provides for a license issued pursuant to this section 23-948 to remain valid and may be transferred for waterfront resorts.	Rep. Dorothy Moon
S 1213	This legislation increases the per diem honorarium for Endowment Fund Investment Board members from \$50 to \$100.	Senator Kelly Arthur Anthon
RS26266	The proposed legislation requires taxing districts to wait a period of eleven months after a failed bond election before it can re-run a bond in the same district.	Rep. Heather Scott

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Loertscher
Vice Chairman Monks
Rep Luker
Rep Crane
Rep Palmer
Rep Barbieri
Rep Holtzclaw

Rep Harris
Rep Armstrong
Rep Giddings
Rep Manwaring
Rep Zito
Rep Scott
Rep Smith

COMMITTEE SECRETARY

Jayne Feik Spinato
Room: EW46
Phone: 332-1145
email: hstaf@house.idaho.gov

MINUTES
HOUSE STATE AFFAIRS COMMITTEE

- DATE:** Monday, February 26, 2018
- TIME:** 8:00 A.M.
- PLACE:** Room EW40
- MEMBERS:** Chairman Loertscher, Vice Chairman Monks, Representatives Luker, Crane, Palmer, Barbieri, Holtzclaw, Harris, Armstrong, Giddings, Manwaring, Zito, Scott, Smith
- ABSENT/
EXCUSED:** NONE
- GUESTS:** Chris Anton, EFIB; Tracy Olson, Mark Estess, ICOPA; Lynn Tominaga, IGWA
Vice Chairman Monks called the meeting to order at 8:05 a.m.
- H 565:** **Rep. Heather Scott** presented **H 565**, legislation to amend the firearm code to allow qualified retired law enforcement officers licensed under 18-3302 H, Idaho Code to have the same privileges as other persons identified on campus and public-school property. This gives a group of highly trained individuals to provide assistance when needed. This will require annual renewal and annual background checks, and psychological examinations for emotional stability. The officer must be retired and in good standing from a government agency where the officer worked for a minimum of 10 years as a law enforcement officer. Standards for training and qualification at the range must be passed annually. A letter from the Idaho Fraternal Order of Police in support of **H 565** was presented. (Attachment 1).
- MOTION:** **Rep. Palmer** made a motion to send **H 565** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Scott** will sponsor the bill on the floor.
- H 605:** **Rep. Dorothy Moon** presented **H 605**, legislation to provide for a license issued pursuant to this section 23-948 to remain valid and may be transferred for waterfront resorts even if the body of water on which the resort is situated ceases to meet certain requirements and to make technical corrections. The license became an issue because of the sale of the land, and the flow in the river lowered. This is not an isolated incident.
- MOTION:** **Rep. Barbieri** made a motion to send **H 605** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Moon** will sponsor the bill on the floor.
- S 1213:** **Chris Anton**, EFIB, presented **SB 1213**, legislation to assist in recruiting and retaining qualified board members and recognizes the significant commitment expected of fiduciaries responsible for over \$2.6 billion in investment funds. The per diem was last increased in 1992. This will increase personnel costs by less than \$2,000 per year. The cost will be paid by Investment Board clients (primarily the Land Grant Endowment Fund and the State Insurance Fund) and no General Funds will be required.
- MOTION:** **Rep. Smith** made a motion to send **S 1213** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Armstrong** will sponsor the bill on the floor.

- RS 26266:** **Rep. Heather Scott** presented **RS 26266** The legislation requires taxing districts to wait a period of eleven months after a failed bond election before it can re-run a bond in the same district. There may be taxing reasons to run a bond more than 4 times per year. This legislation removes the word "levy's" and keeps the word "bonds".
- MOTION:** **Rep. Harris** made a motion to introduce **RS 26266** and recommend it be sent directly to the Second Reading Calendar. **Motion carried by voice vote.** **Rep. Smith** requested to be recorded as voting **NAY**. **Rep. Scott** will sponsor the bill on the floor.
- MOTION:** **Rep. Zito** made a motion to schedule **H 444** for a time certain, Friday, March 2, 2018. Speaking to the motion, Rep. Zito explained **H 444** is the castle doctrine, stand your ground bill and she felt that because of the support for the bill, it should have a hearing in committee.
- Chairman Loertscher** spoke in opposition to the motion because there is a bill in the Senate State Affairs Committee that is a simpler and achieves the same objectives in a better way. He said it is the desire of the Chair, to hear the House Bill and the Senate Bill simultaneously at the same hearing.
- ROLL CALL VOTE:** Roll Call vote was requested on introducing **H 444**. **Motion failed by voice vote of 11 NAY and 3 AYE. Voting in favor** of the motion; **Rep.(s) Giddings, Zito, and Scott. Voting in opposition** to the motion; Chairman Loertscher, **Rep.(s) Monks, Luker, Crane, Palmer, Barbieri, Holtzcaw, Harris, Armstrong, Manwaring, and Smith.**
- ADJOURN:** There being no further business to come before the committee, the meeting adjourned at 9:45 a.m.

Representative Loertscher
Chair

Jayne Feik Spinato
Secretary

AGENDA
HOUSE STATE AFFAIRS COMMITTEE
8:00 A.M.
Room EW40
Wednesday, February 28, 2018

SUBJECT	DESCRIPTION	PRESENTER
HJR 8	This Joint Resolution proposes amendments to Section 22, Article I of the Idaho Constitution, relating to the rights of crime victims.	Jason Kreizenbeck

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Loertscher
Vice Chairman Monks
Rep Luker
Rep Crane
Rep Palmer
Rep Barbieri
Rep Holtzclaw

Rep Harris
Rep Armstrong
Rep Giddings
Rep Manwaring
Rep Zito
Rep Scott
Rep Smith

COMMITTEE SECRETARY

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MINUTES
HOUSE STATE AFFAIRS COMMITTEE

DATE: Wednesday, February 28, 2018

TIME: 8:00 A.M.

PLACE: Room EW40

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

**ABSENT/
EXCUSED:** None

GUESTS: The sign in sheet will be retained with the minutes in the committee secretary's office until the end of the session. Following the end of the session, the sign-in sheet will be filed with the minutes in the Legislative Services Library.

Chairman Loertscher called the meeting to order at 8:00 a.m.

MOTION: **Rep. Smith** made a motion to approve the minutes of the January 29, 2018, January 31, 2018, February 1, 2018, and February 5, 2018 meetings. **Motion carried by voice vote.**

HJR 8: **Jason Kreizenbeck** introduced **Retired Judge Maria Verdin**, Maricopa County Superior Court in Phoenix, Arizona. Mr. Kreizenbeck presented **HJR 8**. This joint resolution proposes amendments to Section 22, Article I of the Idaho Constitution, relating to the rights of crime victims. It states the question to the electorate, "Shall Section 22, Article I, of the Constitution of the State of Idaho be amended to provide additional rights to crime victims, including the right to reasonable and timely notification of open criminal justice proceedings, reasonable protection from the accused, the right to be heard at certain open criminal justice proceedings, and to provide standing to assert their rights?" It directs Legislative Council to prepare statements required by Section 67-453, Idaho Code, and file the same, and directs the Secretary of State to publish the proposed amendment and arguments as required by law. The fiscal impact to state and local government is difficult to quantify. There could be increased costs associated with providing notice to the victim of the additional covered aspects of the criminal justice proceedings. Prosecutors and courts are familiar with the notice process in the existing system. Most additional notices can be handled by existing Victims Information Notification Everyday program, or VINE Network, and some general fund impact for state agencies to update systems. There may be additional cost associated with time in criminal justice proceedings where the victim elects to provide a statement or information or in continuing the matter if a notice is not provided. The estimate reflects a total for all of Idaho, but researchers determined the actual price tag would be less because counties would find ways to collaborate and share resources to meet victim notification requirements. There is an estimated cost to the General Fund of \$205,000 for the Idaho Secretary of State to publish the proposed amendment and arguments to the electorate as required by law, and there should be no impact to local units of government as they will be holding a regularly scheduled election.

Retired Judge Maria Verdin, represents Marsy's Law. There is more information now than when the Constitution was written, and the addition of this bill would give standing, elevate the definition, and putting it in the constitution enshrines it. This bill allows victims recourse and the right to be heard. The definition of victim was put in to make sure it was valued and protects that particular person. Crime is defined by statute and includes felony and misdemeanor. Victims are sometimes criminals. Victims deserve the opportunity to ask why the case is taking so long, and what it means. The misconception this would slow down and clog the system has not happened. A victim is a victim, even if the accused is acquitted.

Kathy Griesmyer, ACLU, **Annie Pelletier**, Idaho Coalition Against Sexual & Domestic Violence, **Tom Arkoosh**, Arkoosh Law/ IACOL, **Ian Thompson**, IACOL, spoke **in opposition** of **HJR 8**.

Jan Bennetts, Ada County Prosecutor, spoke **in support** of **HJR 8**. Some victims need a different level of service than others. Each shared a traumatic experience they didn't choose to be a part of, and desire to be safe. We ask what will help them feel safe; sometimes it is being in a different room, not making eye contact, knowing if the offender has escaped, absconded, been released on parole, pardoned, and notified of hearings before they happen with enough notice to attend if desired. Victims want to communicate with people who make a decision about their case and ensure their rights are enforced. These rights don't supersede the accused.

Sheriff Kieran Donohue, Canyon County Sheriff; **Blake and Holly Worthington**, victims, **Susan Nalley**, Bingham County, **Jean Busdon**, and **Lauren Busdon**, spoke **in support** of **HJR 8**.

Jean Fisher, Faces of Hope, Ada County Prosecutor, spoke **in support** of **HJR 8**. Victims should be given more support. She said she is asking for improvement. This wouldn't change the Victims Rights Funds already in place.

Mike Kane, Legal Support. VINE is owned by Apress, located in Louisville Kentucky, and is a for profit system to notify victims and gives information regarding particular victims. Anyone who requests information, the victim or interested party, would be notified. There is not a decision point not covered by VINE. VINE is paid for by a mandatory fee of \$15 imposed on convicted defendants.

Rep.(s) Monks, Smith, Armstrong, spoke **in support** of **HJR 8**.

MOTION: **Rep. Crane** made a motion to send **HJR 8** to the floor with a **DO PASS** recommendation.

Rep.(s) Luker, Manwaring, and Zito, spoke **in opposition** to the motion.

ROLL CALL VOTE: Roll call vote was requested. **Motion carried by a vote of 9 AYE, 6 NAY. Voting in favor** of the motion: **Chairman Loertscher, Rep.(s) Monks, Crane, Palmer, Holtzclaw, Harris, Armstrong, Smith, Tway. Voting in opposition** to the motion: **Rep.(s) Luker, Barbieri, Giddings, Manwaring, Zito, Scott. Rep. Crane** will sponsor the bill on the floor.

ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 10:45 a.m.

Representative Loertscher
Chair

Jayne Feik Spinato
Secretary

AGENDA
HOUSE STATE AFFAIRS COMMITTEE
8:00 A.M.
Room EW40
Thursday, March 01, 2018

SUBJECT	DESCRIPTION	PRESENTER
H 574	Elections , county commissioners	Rep. Nate
H 420	Legal notices, government	Rep. Nate
HCR 50	Pornography, public health hazard	Rep. Clow
H 619	Public Libraries, internet hazard	Rep. Clow

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Loertscher	Rep Harris
Vice Chairman Monks	Rep Armstrong
Rep Luker	Rep Giddings
Rep Crane	Rep Manwaring
Rep Palmer	Rep Zito
Rep Barbieri	Rep Scott
Rep Holtzclaw	Rep Smith

COMMITTEE SECRETARY

Jayne Feik Spinato
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MINUTES
HOUSE STATE AFFAIRS COMMITTEE

DATE: Thursday, March 01, 2018

TIME: 8:00 A.M.

PLACE: Room EW40

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

**ABSENT/
EXCUSED:** None

GUESTS: Nick Veldhouse, Idaho Association of Highway Districts; Tom Dale, IAC; John Thill, Idaho Library Association; Ann Joslin, Idaho Community for Libraries (ICL); Dylan Baker, (ICL); Quinn Perry, School Boards Association; Jerry Seiffert, Idaho Mountain Express (IMS); Rick Visser, Ada County; Brian Hippe, Ada County Sheriff; Matt Davison, Idaho Press Tribune; Craig Cobia, Citizens for Decency; Seth Grigg, IAC; Vic McCraw, Post; Fred Birnbaum, Idaho Freedom Foundation; Jeremy Pisca, Newspaper Association of Idaho; Jim Phillips, (IMS); Sarah Imada, Weiser Signal American; Skip Smyser, Idaho Press Club.

Chairman Loertscher called the meeting to order at 8:02 a.m.

H 574: **Rep. Nate** introduce **H 574**, legislation to amend Title 31, Chapter 7 of Idaho Code by adding a new subsection to provide for County Commissioner elections to include only voters of the same commissioner district. No other election has voters from people without their zone. It is possible for a commissioner to be elected from people without the district they represent.

Tom Dale, IAC; **Seth Grigg**, Executive Director, IAC; **Rick Visser**, Board of Ada County Commissioners; spoke **in opposition** to **H 574**. County Commissioners are intended to represent the whole county, and must reside in the district to run.

MOTION: **Rep. Smith** made a motion to **HOLD H 420** in committee. **Motion carried by voice vote. Rep. Manwaring abstained.**

H 420: **Rep. Nate** presented **H 420**, legislation to allow government entities to publish legal notices on government websites in lieu of the requirement to have them printed in a newspaper. Electronic publication of legal notices is optional, has the same legal effect as printed notification, and will not alter any of the advance notice requirements currently in statutes. Government entities would be required to maintain historical records of notices provided online. The Department of Administration currently spends about \$130,000 on public notice publishing, which could be eliminated or reduced via electronic public notice. If online notices are published online there is no requirement to post in the newspaper.

Jerry Siefert, Jeremy Pisca, Sarah Imada, Skip Smyser, Jim Phillips, spoke **in opposition** to **H 420**. A newspaper is a commercial entity which provides depth, insight and brings people together, which an online entity does not provide. It might be lost in the clouds. (Hehehe) There is a cost of storage, data loss, and internet failure. There is a responsibility to protect individuals and support those who cannot use the internet due to availability or cost.

Quinn Perry, Matt Davison, Rick Visser, Brian Hippe, Seth Grigg, Fred Birnbaum, Ty Palmer, spoke **in support** of **H 420**. There are other means to address those who can't access the internet. Online notifications would increase visibility.

- MOTION:** Rep. Luker made a motion to **HOLD H 420** in committee.
- SUBSTITUTE MOTION:** Rep. Harris made a substitute motion to send **H 420** to the floor with a **DO PASS** recommendation.
- ROLL CALL VOTE ON SUBSTITUTE MOTION:** A Roll Call vote was requested. **Motion failed by a vote of 6 AYE and 9 NAY.** Those **voting in support** of the motion: **Rep.(s) Palmer, Harris, Giddings, Zito, and Scott.** **Voting in opposition** to the motion: **Chairman Loertscher, Rep.(s) Luker, Crane, Barbieri, Holtzclaw, Armstrong, Manwaring, Smith, Tway.**
- ROLL CALL VOTE ON ORIGINAL MOTION:** A Roll Call vote was requested. **Original motion carried by a vote of 10 AYE and 5 NAY.** **Voting in favor** of the motion: **Chairman Loertscher, Rep.(s) Monks, Luker, Crane, Barbieri, Holtzclaw, Armstrong, Manwaring, Smith, Tway.** **Voting in opposition** to the motion: **Rep.(s) Palmer, Harris, Giddings, Zito, and Scott.**
- HCR 50:** Rep. Clow presented **HCR 50**, legislation to raise awareness and declare pornography has reached the level of a public health hazard leading to a broad spectrum of individual and public health impacts. Pornography has shown to adversely impact healthy relationships and can influence abuse of men, women and children. The resolution encourages education and policies to address the pornographic epidemic which is harming the people of our state and nation. It encourages all of Idaho's state agencies, local governments and political subdivisions to establish policies, procedure and appropriate technology to prevent access to pornography through their internet connections, whether wired or wireless.
- H 619:** Rep. Clow presented **H 619**, legislation to amend Chapter 27, Section 41 of Title 33 Idaho Code. The change will update public libraries requirement to filter access to minors of obscene and pornographic material through their internet. Current law did not anticipate use of personal laptop computers, tablets and smart phones gaining access through publicly provided wireless access to the libraries internet. The bill adds the language "publicly accessible wireless internet access or" and like terminology to several references of "publicly accessible computers". This legislation confirms that Idaho's public libraries assure their wireless (WiFi) is filtered as is required of the use of their available computers with internet access. The Library board of trustees need to update their policy to include this amendment.
- ADJOURN:** Due to time constraints, **HCR 50**, and **H 619** will be carried over to the meeting of Friday, March 2, 2018 at 9:00 a.m. There being no further business to come before the committee, the meeting adjourned at 10:33 a.m.

Representative Loertscher
Chair

Jayne Feik Spinato
Secretary

AGENDA
HOUSE STATE AFFAIRS COMMITTEE
8:00 A.M.
Room EW40
Friday, March 02, 2018

SUBJECT	DESCRIPTION	PRESENTER
HCR 50	Pornography, public health hazard	Rep. Clow
H 619	Public Libraries, internet hazard	Rep. Clow
H 636	Lobbyists, State Agencies	Rep. Giddings
H 637	Federal Rights of Way	Rep. Giddings

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Loertscher	Rep Barbieri	Rep Manwaring
Vice Chairman Monks	Rep Holtzclaw	Rep Zito
Rep Luker	Rep Harris	Rep Scott
Rep Crane	Rep Armstrong	Rep Smith
Rep Palmer	Rep Giddings	Rep Kloc(Tway)

COMMITTEE SECRETARY

Jayne Feik Spinato
Room: EW46
Phone: 332-1145
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MINUTES
HOUSE STATE AFFAIRS COMMITTEE

DATE: Friday, March 02, 2018

TIME: 8:30 A.M.

PLACE: Room EW40

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

**ABSENT/
EXCUSED:** None

GUESTS: Dale Tustison, Moose Creek Mining District; John Thill, Idaho Library Association; Don Smith, Public Lands for the People; Dylan Baxter, Idaho Council for Libraries; Russell Westerberg, LAMAR; Jonathan Openheimer, Idaho Conservation League; Beverly Richmond, ILA-Priest Lake Public Library; Jana Reeves Streibel, Lizard Butte Library, LeAnn Gelskey, Hailey Public Library; Kate Lovan, Middleton Public Library; Cindy Erickson, Soda Springs Public Library; Mary DeWalt, Ada Community Library; Ann Joslin; Bette Ammon, Couer d' Alene Public Libraries; John Watts, Legislative Advisor for the Idaho Library Association; Craig Cobia, Citizens for Decency; Nick Veldhouse, Idaho Association of Highway Districts.

Chairman Loertscher called the meeting to order at 8:02 a.m.

HCR 50: **Rep. Clow** presented **HCR 50**, legislation to raise awareness and declare pornography has reached the level of a public health hazard leading to a broad spectrum of individual and public health impacts. Pornography shows to adversely impact healthy relationships and influence abuse of men, women and children. The resolution encourages education and policies to address the pornographic epidemic which is harming the people of our state and nation. It encourages all of Idaho's state agencies, local governments and political subdivisions to establish policies, procedure and appropriate technology to prevent access to pornography through their internet connections, whether wired or wireless.

Craig Cobia, self; spoke in support of **HCR 50**.

MOTION: **Rep. Harris** made a motion to send **HCR 50** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Clow** will sponsor the bill on the floor.

H 619: **Rep. Clow** presented **H 619**, legislation to amend Chapter 27, Section 41 of Title 33 Idaho Code. The change will update public libraries requirement to filter access to minors of obscene and pornographic material through their internet. Current law did not anticipate use of personal laptop computers, tablets and smart phones gaining access through publicly provided wireless access to the libraries internet. The bill adds the language "publicly accessible wireless internet access or" and like terminology to several references of "publicly accessible computers". This legislation confirms Idaho's public libraries assure their wireless (WiFi) is filtered as is required of the use of their available computers with internet access. The Library Board of Trustees shall update their policy to include this amendment. Child Protection Internet Access is required to be eligible for E-Rate.

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

John Thill, Jana Reeves Streibel, LeeAnn Gelskey, Kate Lovan, Cindy Erickson, Tammy Gray, Mary DeWalt, Bette Ammon, Ann Joslin, John Watts, Spoke in opposition to **H 619**. Behavior and safety are a priority to librarians. Libraries are aware of issues and are on top of them. This is an unfunded mandate, and would cause a financial burden on libraries. **Craig Cobia** spoke in support of **H 619**.

- MOTION:** **Rep. Zito** made a motion to **HOLD H 619** in the committee.
- SUBSTITUTE MOTION:** **Rep. Crane** made a substitute motion to send **H 619** to the floor with a **DO PASS** recommendation.
- ROLL CALL VOTE ON SUBSTITUTE MOTION:** A Roll Call vote was requested. **Substitute Motion failed** by a vote of **7 AYE** and **7 NAY**. **Voting in favor** of the motion: **Vice Chairman Monks; Rep.(s) Crane, Palmer, Holtzclaw, Harris, Armstrong, Manwaring**. **Voting in opposition** to the motion: **Chairman Loertscher; Rep.(s) Barbieri, Giddings, Zito, Scott, Smith, and Tway**.
- ROLL CALL VOTE ON ORIGINAL MOTION:** A Roll Call vote was requested. **Motion failed** by a vote of **7 AYE** and **7 NAY**. **Voting in favor** of the motion: **Chairman Loertscher, Rep.(s) Barbieri, Giddings, Zito, Scott, Smith, and Tway**. **Voting in opposition** to the motion: **Vice Chairman Monks; Rep.(s) Crane, Palmer, Holtzclaw, Harris, Armstrong, Manwaring**.
- H 637:** **Rep. Giddings** presented **H 637**, current Idaho Statute 402-04(A) recognizes the federal land rights-of-way were granted to the state for public use in perpetuity. The 1976 act allowed for the continuance of rights-of-ways in existence prior to its passage. Abandonment of any rights-of-way shall not occur due to passage of time or frequency of use, but through eminent domain proceedings. Through the use of federal travel management, resource and land management plans, the federal agencies, primarily the U.S. Forest Service and the Bureau of Land Management, have closed roads and trails across federal lands, sometimes without regard to rights-of-way existing prior to the act. These closures have denied the public's access to enjoy the lands' multiple uses and has reduced state and county revenues derived from all industries related to access and extraction. These closures have also created wildfire suppression hazards by delaying response times to either re-open the closures or construct new means of access.
- Dale Tustison, Don Smith, and Sandra Mitchell** spoke in support of **H 636**. **Jonathan Oppenhiemer** spoke in opposition of **H 636**. He stated that the bill could raise questions with regards to property rights, and result in a loss of rights of way.
- MOTION:** **Rep. Scott** made a motion to send **H 637** to the floor with a **DO PASS** recommendation.
- SUBSTITUTE MOTION:** **Rep. Luker** made a substitute motion to send **H 637** to General Orders. **Motion carried by voice vote**. **Rep. Giddings** will sponsor the bill on the floor.
- H 636:** **Rep. Giddings** presented **H 636**, This legislation creates a new section of code that prohibits state agencies or political subdivisions from using appropriated funds or public money to employ contract lobbyists.
- ADJOURN:** Due to time constraints, **H 636** will be heard at time certain, Monday, March 5, 2018. There being no further business to come before the committee, the meeting adjourned at 10:05 a.m.

Representative Loertscher
Chair

Jayne Feik Spinato
Secretary

AMENDED AGENDA #2
HOUSE STATE AFFAIRS COMMITTEE
8:00 A.M.
Room EW40
Monday, March 05, 2018

SUBJECT	DESCRIPTION	PRESENTER
H 636	Approval of Minutes for February 23, 2018 Relating to Funding of Contract Lobbyists.	Rep. Giddings

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Loertscher

Vice Chairman Monks

Rep Luker

Rep Crane

Rep Palmer

Rep Barbieri

Rep Holtzclaw

Rep Harris

Rep Armstrong

Rep Giddings

Rep Manwaring

Rep Zito

Rep Scott

Rep Smith

Rep Kloc(Tway)

COMMITTEE SECRETARY

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MINUTES
HOUSE STATE AFFAIRS COMMITTEE

DATE: Monday, March 05, 2018
TIME: 8:00 A.M.
PLACE: Room EW40
MEMBERS: Chairman Loertscher, Vice Chairman Monks, Representatives Luker, Crane, Palmer, Barbieri, Holtzclaw, Harris, Armstrong, Giddings, Manwaring, Zito, Scott, Smith, Kloc (Tway)
**ABSENT/
EXCUSED:** None
GUESTS: Russell Westerberg, CCDC
Chairman Loertscher called the meeting to order at 8:07 a.m.
H 636: **Rep. Giddings** presented **H 636**, This legislation creates a new section of code that prohibits state agencies or political subdivisions from using appropriated funds or public money to employ contract lobbyists.
MOTION: **Rep. Zito** made a motion to introduce **H 636** to the floor with a **DO PASS** recommendation. A division was requested. **By a show of hands, the motion failed.**
ADJOURN: There being no further business to come before the committee, the meeting adjourned at 8:17 a.m.

Representative Loertscher
Chair

Jayne Feik Spinato
Secretary

AMENDED AGENDA #3
HOUSE STATE AFFAIRS COMMITTEE
8:30 A.M.
Room EW40
Tuesday, March 06, 2018

SUBJECT	DESCRIPTION	PRESENTER
S 1274	Public Records.	Senator Mary Souza
SCR 128	19th Amendment.	Rep. Maxine Bell
SCR 138	Mountain Standard Time.	Senator Steve Vick

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Loertscher	Rep Barbieri	Rep Manwaring
Vice Chairman Monks	Rep Holtzclaw	Rep Zito
Rep Luker	Rep Harris	Rep Scott
Rep Crane	Rep Armstrong	Rep Smith
Rep Palmer	Rep Giddings	Rep Kloc(Tway)

COMMITTEE SECRETARY

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MINUTES
HOUSE STATE AFFAIRS COMMITTEE

DATE: Tuesday, March 06, 2018

TIME: 8:30 A.M.

PLACE: Room EW40

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

**ABSENT/
EXCUSED:** None

GUESTS: Bill Campbell, Russell Westerberg, RMP; Amanda Visosky, I-WIL; Dr. Gloria Totoricaguena, Idaho Policy and Consulting; Teri Murrison, ISWRC, I WILL; Dax Clason, Idaho State Historical Society (ISHS); Janet Gallimore, ISHS; Tricia Canaday, ISHS; Ann Joslin, Idaho Commission for Libraries; Gail Kirkpatrick, AAUW; Berlyn Neumann, Eagle High School (EHS); Lauren Spencer, EHS; Jake Pewe, EHS; Connor Walter, EHS; Cameron Mitchell, EHS; Preston Flake, EHS; Rylan Wood, EHS; Preston Vandergriff, EHS; Luke Majors, EHS; Kevin Howard, EHS; Griffin Haynes, EHS; Josie Ewing, EHS; Edenrraine Empey, EHS; Cravin Daher, EHS.

Chairman Loertscher called the meeting to order at 8:34 a.m.

MOTION: **Rep. Smith** made a motion to approve the minutes of the February 12 and 15, 2018 meetings, and the March 1, and 2, 2018 meetings. **Motion carried by voice vote.**

S 1274: **Senator Souza** presented **S 1274**, legislation to add language to our current Public Records Request law for three purposes: First to designate a custodian within each agency or body for these requests, secondly to update the types of compensation information available to public request, and third to add important identity numbers as exempt from public disclosure.

MOTION: **Rep. Barbieri** made a motion to send **S 1274** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Amador** will sponsor the bill on the floor.

SCR 128: **Rep. Bell** presented **SCR 128**, legislation regarding the 19th Amendment. August 18, 2020 marks the 100th anniversary of the passage of the 19th Amendment to the United States Constitution. "Idaho Women 100" is a grassroots effort among government agencies, communities, and individuals across the state to educate Idahoans and others throughout the country about their heritage and commemorate the centennial of the passage of the 19th Amendment. The Idaho State Historical Society (ISHS) and Idaho Women in Leadership (I-WIL) are leading the state in planning and commemorating the centennial of the passage of the 19th Amendment through "Idaho Women 100" activities and events. The concurrent resolution seeks to support and encourage Idahoans to explore and appreciate the Women's Suffrage Movement in Idaho and across the country. There is no request for additional General Fund to support this commemorative effort. The ISHS and I-WIL are championing this commemoration in a unique manner, serving as a catalyst for a statewide grassroots effort that is created at the community level and branded and co-promoted for maximum impact. The ISHS and I-WIL will create a free, easy-to-use "Idaho Women 100" toolkit to make planning and implementation of this effort cost-effective and efficient.

Janet Gallimore stated Idaho was the fourth state to allow women to vote, with a nearly two to one in favor.

MOTION: **Rep. Smith** made a motion to send **SCR 128** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Bell** will sponsor the bill on the floor.

SCR 138: **Senator Vick** presented **SCR 138**, legislation regarding Mountain Standard Time. The northern ten counties in Idaho are in the Pacific Time Zone, Pacific Standard Time in the winter and Pacific Daylight Time in the summer. This resolution requests that Idaho notify the State of Washington and the U.S. Congress that if Washington makes the request to move to Mountain Standard Time and exempt itself from daylight savings time, the northern 10 counties in Idaho support the change and would make the same change. Since Pacific Daylight Time and Mountain Standard Time are the same, this change would have the same affect as staying on daylight savings time year around. Washington is tied to Idaho due it's close proximity and exchange of commerce.

MOTION: **Rep. Barbieri** made a motion to send **SCR 138** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Barbieri** will sponsor the bill on the floor.

ADJOURN: There being no further business to come before the committee, the meeting adjourned at 9:07 a.m.

Representative Loertscher
Chair

Jayne Feik Spinato
Secretary

AMENDED AGENDA #1
HOUSE STATE AFFAIRS COMMITTEE
8:00 A.M.
Room EW40
Wednesday, March 07, 2018

SUBJECT	DESCRIPTION	PRESENTER
S 1243	Abortion reversal	Rep. Gayann DeMordaunt

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Loertscher
Vice Chairman Monks
Rep Luker
Rep Crane
Rep Palmer
Rep Barbieri
Rep Holtzclaw

Rep Harris
Rep Armstrong
Rep Giddings
Rep Manwaring
Rep Zito
Rep Scott
Rep Smith

COMMITTEE SECRETARY

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MINUTES
HOUSE STATE AFFAIRS COMMITTEE

DATE: Wednesday, March 07, 2018

TIME: 8:00 A.M.

PLACE: Room EW40

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

**ABSENT/
EXCUSED:** None

GUESTS: The sign in sheet will be retained with the minutes in the committee secretary's office until the end of the session. Following the end of the session, the sign-in sheet will be filed with the minutes in the Legislative Services Library.

Chairman Loertscher called the meeting to order at 8:05 a.m.

S 1243: **Rep. DeMordaunt** stated the purpose of **S 1243** is to require the Department of Health and Welfare to provide additional information, within existing informed consent materials, to a patient considering a chemical abortion, including information on contacting health care professionals with whom she can consult about treatment decisions and potential outcome options. This adds where a woman can obtain this information to make a well informed decision about her child. Language is changed to "observe the heartbeat", rather than "hearing the heartbeat."

Rep. DeMordaunt introduced **Dr. Matthew Harrison** who spoke in support of Abortion Pill Reversal (APR), **S 1243**. APR is supported by real science, is safe, and effective. Proper, informed consent is necessary for women to understand a second chance is available. Progesterone is a bioidentical, natural hormone, FDA approved, Category B safe for pregnant women, and in the same category as Tylenol. Used for 50 years in fertility care for pregnant women, case studies of over 500 women using progesterone had a birth defect rate of less than or equal to the national average of 3%, mainly minor issues such as birthmarks. Unsafe medications involve two pills used for abortion; Mifepristone causes death, the second pill, Misoprostol, can cause facial nerve paralysis and limb abnormalities if the fetus survives. Under our protocol, the second pill has not been taken, and children who survive the abortion pill show no other birth defects. Mifepristone, the abortion pill, is a progesterone receptor antagonist blocking the action of progesterone by blocking the receptor, and prevents formation of healthy blood vessels to the developing embryo, and the mother's body is tricked into thinking there is no progesterone. The lining of the uterus sloughs off like in a normal menstrual cycle and the embryo dies. The second pill, taken 24-48 hours later, induces contractions, expelling the embryo. APR is able to compete with Mifepristone, activate the progesterone receptor, and sustain the life of the embryo. Mothers not successful with reversal have expressed gratitude and relief that they tried to save their children.

Mistie Tolman, Planned Parenthood, **Julie Custer**, AAUW, **Alice Durrand**, **Kathy Griesmyer**, ACLU, **Paige McMahan** (speaking for **Jackie**), **Kendra Sanford**, **Jacqueline Perez**, **Rev. Duval**, Unitarian, spoke in opposition of **S 1243** stating this medicine has not been proven medically sound, and Planned Parenthood wants to give women accurate information.

Rebekah Buell presented testimony **in support** of Abortion Pill Reversal (APR). In desperation, 19 year old Rebekah Buell sought a medication abortion, feeling she had no other option. She took the first pill at Planned Parenthood, and was told to take the second pill the next evening. After taking the chemical abortion pill, Ms. Buell wanted to stop the abortion. A phone search led her to the APR website. She contacted them and received professional medical help, including taking the APR. Ms. Buell had a successful pregnancy, delivering a healthy baby boy.

Kerry Uhlenkott, Right to Life Idaho, spoke **in support** of **S 1243**. This legislation gives mother's a choice by giving them information. Over 2600 women have called the professionally staffed Hot Line.

Terry Lenox, RN, stated nurses practice with compassion and respect for the inherent dignity, worth, and unique attributes of every person. The American Nurses Association interprets this provision to insure patients have "the right to self-determination" including "a moral and legal right to determine what will be done with and to their person. A nurse's obligation is to assure the patient has accurate, complete, and understandable information to base her decision on regarding a course of treatment. A woman who chooses drug-induced abortion has little time to grapple with a life altering decision, made under harrowing circumstances. Stories portray themes of fear, ambivalence, coercion, abandonment, and lack of support. Each Abortion Pill Reversal medical encounter begins with informed consent and ends with a comprehensive discharge plan.

Angie Duier and **Nicki Kruse**, Stanton Health Care, **Christian Welp**, **Bishop Peter Christenson**, Roman Catholic Diocese, **Julie Lynde**, Family Policy of Idaho, **Brittany Jones**, Attorney, Family Policy Alliance, spoke **in support** of **S 1243**. Chemical abortions account for over 50% of abortions in Idaho. These decisions are made under stress, duress, and trauma. It would be tragic to not inform a woman of options such as abortion reversal. Regret is such a cruel burden to carry.

David Ripley, Executive Director, Right to Life of Idaho, requested support for **S 1243**, stating Rebekah is not alone, and this offers hope to desperate women. In violation of the law, **Susan Thayer**, Planned Parenthood, created a protocol by conducting an experiment on abortion using web cams, and gave Misoprostol incorrectly, in violation of the FDA. There were 8 reported deaths. Based upon this information, the FDA changed in 2016.

Rep. Smith spoke **in opposition** of **S 1243**, stating the Abortion Reversal Pill hasn't been tested for safety or side affects. Louisiana came to the conclusion there was no scientifically sound evidence. Arizona passed the first law and repealed it unanimously in 2016.

MOTION: **Rep. Monks** made a motion to send **S 1243** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep.(s) Smith** and **Tway** requested to be recorded as voting **NAY**. **Rep. DeMordaunt** will sponsor the bill on the floor.

ADJOURN: There being no further business to come before the committee, the meeting adjourned at 9:48 a.m.

Representative Loertscher
Chair

Jayne Feik Spinato
Secretary

AMENDED AGENDA #1
HOUSE STATE AFFAIRS COMMITTEE
8:00 A.M.
Room EW42
Thursday, March 08, 2018

SUBJECT	DESCRIPTION	PRESENTER
<u>S 1313</u>	Self Defense, Castle, Stand your Ground.	Senator Todd Lakey

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Loertscher	Rep Barbieri	Rep Manwaring
Vice Chairman Monks	Rep Holtzclaw	Rep Zito
Rep Luker	Rep Harris	Rep Scott
Rep Crane	Rep Armstrong	Rep Smith
Rep Palmer	Rep Giddings	Rep Kloc(Tway)

COMMITTEE SECRETARY

Jayne Feik Spinato
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MINUTES
HOUSE STATE AFFAIRS COMMITTEE

DATE: Thursday, March 08, 2018

TIME: 8:00 A.M.

PLACE: Room EW40

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

**ABSENT/
EXCUSED:** None

GUESTS: The sign in sheet will be retained with the minutes in the committee secretary's office until the end of the session. Following the end of the session, the sign-in sheet will be filed with the minutes in the Legislative Services Library.

Chairman Loertscher called the meeting to order at 8:04 a.m.

S 1313: **Senator Lakey** presented **S 1313**, legislation to include in Code the Castle Doctrine and Stand Your Ground principles recognized in case law and jury instructions. This would provide a law-abiding person has no duty to retreat from an attack if the person is in any place the person has a right to be, and would also codify a legal presumption known as the Castle Doctrine. The Castle Doctrine says if a criminal breaks into your home, occupied vehicle, or place of business, you may presume he is there to do bodily harm and you may use force against him.

Diana David, Amber Labelle, Elana Story, Mom's Demand Action (MDA) **Eric Lecht, Jennifer Laforge**, MDA, **Amber Labelle**, Veterinarian, mother, scientist, **Rev. Sara LaWall**, Interfaith Equality Coalition, **Kate Bell Brusse**, MDA, **Kathy Griesmyer**, ACLU, spoke **in opposition**. Stand Your Ground is a permit to commit murder. Citizens decide the law is on their side and shoot. People of color deemed 11 times more likely to be convicted.

Nicole Brown, MDA, retired Air Force Intelligence Officer, states that **S 1313** legally authorizes citizens to use deadly force. To become members of the US Air Force, training is required for each troop. Targets are selected prior to combat. This creates a combat among citizens.

Terri Pickens Manweiler, Attorney, past public defender, gun owner. This is not a 2nd amendment case. Idaho is already a Stand Your Ground State. There isn't a case in Idaho where someone has been convicted for Stand Your Ground. The jury decides presumptions and intent. This is for self defence only, and ceases to apply when danger ends. Self defense doesn't extend to an aggressive act. She opined it increases danger and is justifiable homicide.

Speaking **in support** of **S 1313**, **Matthew Faulks**, Attorney, Idaho State Rifle & Pistol, **Seth Rosequist**, Idaho Second Amendment, **Mike Kane**, Attorney, **Keely Hopkins**, State Liaison for NRA.

Grant Loebs, Prosecuting Attorney, Twin Falls. **S 1313** would pervade all law. One need not retreat. The burden of proof is clear, is always on the prosecutor, and always beyond a reasonable doubt. Self defense is a legitimate defense. No one wants to prosecute anyone defending themselves or family. There is no duty to retreat from any place you have a right to be. When you retreat you put yourself in greater danger.

MOTION: **Rep. Palmer** made a motion to send **S 1313** to the floor with a **DO PASS** recommendation. **Rep. Tway** states he will vote **in opposition** to **S 1313** as it doesn't solve problems.

ROLL CALL VOTE: Chairman Loertscher requested a roll call vote on **S 1313**. Motion carried by a vote of **12 AYE** and **3 NAY**. Voting in favor of the motion: **Chairman Loertscher, Rep.(s) Monks, Luker, Crane, Palmer, Barbieri, Holtzclaw, Harris, Armstrong, Manwaring, Zito, and Scott**. Voting in opposition to the motion: **Rep.(s) Giddings, Smith, and Tway**. Rep. Boyle will sponsor the bill on the floor.

ADJOURN: There being no further business to come before the committee, the meeting adjourned at 10:05 a.m.

Representative Loertscher
Chair

Jayne Feik Spinato
Secretary

AGENDA
HOUSE STATE AFFAIRS COMMITTEE
8:00 A.M.
Room EW40
Friday, March 09, 2018

SUBJECT	DESCRIPTION	PRESENTER
H 666	Administrative Rules.	Speaker Bedke
S 1228	Precincts Board, Students, Age.	Phil McGrane, Chief Deputy Clerk
S 1229	Elections, Early Voting.	Phil McGrane, Chief Deputy Clerk

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Loertscher	Rep Barbieri	Rep Manwaring
Vice Chairman Monks	Rep Holtzclaw	Rep Zito
Rep Luker	Rep Harris	Rep Scott
Rep Crane	Rep Armstrong	Rep Smith
Rep Palmer	Rep Giddings	Rep Kloc(Tway)

COMMITTEE SECRETARY

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MINUTES
HOUSE STATE AFFAIRS COMMITTEE

DATE: Friday, March 09, 2018

TIME: 8:00 A.M.

PLACE: Room EW40

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

**ABSENT/
EXCUSED:** Rep.(s) Monks, Luker, Crane, and Smith.

GUESTS: None

Chairman Loertscher called the meeting to order at 8:03 a.m.

MOTION: **Rep. Armstrong** made a motion to approve the minutes of the March 5, March 6, and February 28, 2018 meetings. **Motion carried by voice vote.**

H 666: **Chairman Loertscher** presented **H 666**, legislation to continue certain administrative rules in full force and effect until July 1, 2019.

MOTION: **Rep. Palmer** made a motion to send **H 666** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Scott** requested to be recorded as voting **NAY.** **Rep. Palmer** will sponsor the bill on the floor.

S 1228: **Phil McGrane**, Chief Deputy Clerk, presented **S 1228.** Students must be 17 years of age at the time of the election to which he or she is serving as a member of an election board, limiting students to mostly senior high school students who don't have the time to dedicate, and the age qualification can limit students to working one election. This legislation would lower the age to 16, giving students the ability to work more than one election in a year and make them available to work in more than one calendar year of elections.

MOTION: **Rep. Zito** made a motion to send **S 1228** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Zito** will sponsor the bill on the floor.

S 1229: **Phil McGrane**, Chief Deputy Clerk, presented **S 1229.** This bill would allow counties to submit an early voting plan once a year rather than submitting the same plan for every election, simplifying the process for the county and Secretary of State's Office. The county clerk will notify the Secretary of State's Office of the intent for early voting but not require them to submit a new plan for every election unless the original plan is modified.

MOTION: **Rep. Manwaring** made a motion to send **S 1229** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Manwaring** will sponsor the bill on the floor.

ADJOURN: There being no further business to come before the committee, the meeting adjourned at 8:24 a.m.

Representative Loertscher
Chair

Jayne Feik Spinato
Secretary

AMENDED AGENDA #2
HOUSE STATE AFFAIRS COMMITTEE
9:30 A.M.
Room EW40
Monday, March 12, 2018

SUBJECT	DESCRIPTION	PRESENTER
H 474 aaS	Publication and Distribution of Session Laws.	Tim Hurst
H 671	Juvenile offenders, records.	Rep. Luker

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Loertscher

Vice Chairman Monks

Rep Luker

Rep Crane

Rep Palmer

Rep Barbieri

Rep Holtzclaw

Rep Harris

Rep Armstrong

Rep Giddings

Rep Manwaring

Rep Zito

Rep Scott

Rep Smith

Rep Kloc(Tway)

COMMITTEE SECRETARY

Jayne Feik Spinato

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MINUTES
HOUSE STATE AFFAIRS COMMITTEE

DATE: Monday, March 12, 2018

TIME: 9:30 A.M.

PLACE: Room EW40

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

**ABSENT/
EXCUSED:** Rep.(s) Manwaring, Armstrong, Monks, and Crane.

GUESTS: None

Chairman Loertscher called the meeting to order at 9:33 a.m.

MOTION: **Rep. Smith** made a motion to approve the minutes of March 9, 2018 meeting. **Motion carried by voice vote.**

H 474aaS: **Tim Hurst** Deputy Secretary of State, presented **H 474aaS**, legislation to move the responsibility to print, publish and distribute the session laws from the Secretary of State to the joint publishing committees of the legislature, however, the legislation was left in Chapter 9, Section 67, Idaho Code. This legislation moves the applicable code sections out of Chapter 9 (duties of the Secretary of State) and puts them in Chapter 5 relating to the duties of the legislature.

MOTION: **Rep. Harris** made a motion to concur with the amendments made in the Senate to **H 474aaS**. **Motion carried by voice vote.** **Rep. Gannon (17)** will sponsor the bill on the floor.

H 671: **Rep. Luker** presented **H 671**, legislation which reduces from five years to three years the waiting period for a juvenile offender to petition the Court for expungement of his or her criminal records.

MOTION: **Rep. Smith** made a motion to send **H 671** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Luker** will sponsor the bill on the floor.

ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 9:44 a.m.

Representative Loertscher
Chair

Jayne Feik Spinato
Secretary

AMENDED AGENDA #1
HOUSE STATE AFFAIRS COMMITTEE
8:30 A.M.
Room EW40
Tuesday, March 13, 2018

SUBJECT	DESCRIPTION	PRESENTER
SCR 143	Campaign Finance Committee.	Rep. Fred Wood
S 1318	Codifier's Corrections.	Katherine Gerrity, LSO
S 1331	Concealed Weapons, State Bar Member.	Rep. Bryan Zollinger

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Loertscher	Rep Barbieri	Rep Manwaring
Vice Chairman Monks	Rep Holtzclaw	Rep Zito
Rep Luker	Rep Harris	Rep Scott
Rep Crane	Rep Armstrong	Rep Smith
Rep Palmer	Rep Giddings	Rep Kloc(Tway)

COMMITTEE SECRETARY

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MINUTES
HOUSE STATE AFFAIRS COMMITTEE

DATE: Tuesday, March 13, 2018

TIME: 8:30 A.M.

PLACE: Room EW40

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

**ABSENT/
EXCUSED:** None

GUESTS: None

Chairman Loertscher called the meeting to order at 8:30 a.m.

MOTION: **Rep. Smith** made a motion to approve the minutes of the March 12, 2018 meeting. **Motion carried by voice vote.**

SCR 143: **Rep. Fred Wood** presented **SCR 143**, legislation to authorize the Legislative Council to reappoint members of the Campaign Finance Working Group as an interim committee to study issues relating to campaign Finance Reform. Non-legislative members may be appointed for advice, may not have voting privileges, nor be reimbursed from legislative funds for per diem, mileage or other expenses.

MOTION: **Rep. Manwaring** made a motion to send **SCR 143** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Wood** will sponsor the bill on the floor.

S 1318: **Katherine Gerrity**, LSO presented **S 1318**, legislation to make codifier and technical corrections to the Idaho Code. The codifier may find minor changes need to be made in compiling new laws. Editors of code sections affected are notified, and include code sections in the yearly codifier bill. Codifier corrections are due to the enactment of multiple amendments to a code section, chapter or title. Conflicts due to multiple amendments are indicated in brackets. Technical corrections are identified by the Legislative Services staff.

MOTION: **Rep. Smith** made a motion to send **S 1318** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Smith** will sponsor the bill on the floor.

S 1331: **Rep. Bryan Zollinger** presented **S 1331**, a bill to allow attorneys on senior and emeritus status to teach enhanced concealed weapons courses.

MOTION: **Rep. Harris** made a motion to send **S 1331** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Zollinger** will sponsor the bill on the floor.

ADJOURN: There being no further business to come before the committee, the meeting adjourned at 8:46 a.m.

Representative Loertscher
Chair

Jayne Feik Spinato
Secretary

AGENDA
HOUSE STATE AFFAIRS COMMITTEE
8:00 A.M.
Room EW40
Thursday, March 15, 2018

SUBJECT	DESCRIPTION	PRESENTER
HP 1	Stockwater Rights, Fee Payments.	Rep. Blanksma, Rep. Boyle

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Loertscher	Rep Barbieri	Rep Manwaring
Vice Chairman Monks	Rep Holtzclaw	Rep Zito
Rep Luker	Rep Harris	Rep Scott
Rep Crane	Rep Armstrong	Rep Smith
Rep Palmer	Rep Giddings	Rep Kloc(Tway)

COMMITTEE SECRETARY

Jayne Feik Spinato
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MINUTES
HOUSE STATE AFFAIRS COMMITTEE

DATE: Thursday, March 15, 2018

TIME: 8:00 A.M.

PLACE: Room EW40

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

**ABSENT/
EXCUSED:** Rep.(s) Scott, Holtzclaw, and Barbieri

GUESTS: Lynn Bachman, Owyhee Cattleman Association, Braden Jensen, Idaho Farm Bureau, Paul Arrington, IWVA, Jonathan Oppenheimer, Idaho Conservation League

Chairman Loertscher called the meeting to order at 8:04 a.m.

HP 1: **Rep. Blanksma** presented **HP 1**, to encourage the Constitutional Defense Council, I.C. 67-6301, to use its funds to offset attorney fees incurred by Joyce Livestock Co. and LU Ranching Co. in vindicating at the Idaho Supreme Court, the State's sovereignty, and authority over stockwater rights on federal lands in Idaho, and use \$600,000 from the Constitutional Defense Council Fund. The State of Idaho has been codifying water law rulings that restored, maintained, and advanced the sovereignty of the State of Idaho over Federal Overreach for the benefit of Idahoans. Appropriations of non-navigable waters on federal lands became a matter of state law. Requirement for constitutional stockwater right became determinate on use of water by livestock. Water rights on federal lands became pertinent to deeded ranches. A pertinent water right can pass with the land unmentioned in the deed of transfer. The last two years the State of Idaho has been codifying results of Joyce and LU, and the last eleven years ranchers have continued to pay legal fees that perfected a public right, benefiting the entire state, and 17,000 stockwater right holders. Attorney fees were two million dollars, and have been negotiated to \$600,000. In answer to committee questions, Rep. Blanksma reported no requests for fees by the cattlemen had been made. The Constitutional Defense Council Fund currently is \$1.8 million.

Lynn Bachman, President of Owyhee Cattleman's Association, and **Braden Jensen**, Idaho Farm Bureau, spoke **in support** of **HP 1**. Idaho is a majority of public land. The federal government owns 76% of the land. This case set a precedence in our state and across the west. Our water rights have been protected. The Department of Water Resources failed to recognize the federal government couldn't put stockwater rights to beneficial use, and recommended it to the adjudication court in error. The Attorney General didn't stand up to defend these rights. This burden was placed upon these ranchers. It is a constitutional right to have water rights. In response to committee questions, the federal government has no cattle so would not need the water rights.

Rep. Blanksma deferred to **Bill Meyers**, attorney, council to Speaker of the House. The Idaho Supreme Court denied a claim by the ranchers for attorney's fees. The defense council has extraordinary discretion in how they are going to dispense Constitutional Defense Council funds. Mr. Meyers' firm does not receive money for this case.

Chairman Loertscher explained it is difficult for an individual to file not knowing if anyone else had filed. There are those who would say constitutional funds have been used in the past. Doing the proclamation states we feel an injustice has been done, and will allow it to be heard by those who can make a decision.

Rep. Palmer stated that ranchers participate in search and rescue missions, fight fires, and battle to keep ranches and businesses operating, and help keep Idaho's economy.

Rep. Crane spoke **in support** of the proclamation. The State of Idaho needs to send a message that Idaho stands in support of the cattlemen.

Rep. Monks initially felt legal fees shouldn't be paid, and now feels Idaho's Constitutional Rights should be defended, and the fees be paid.

Rep. Luker spoke **in support** of the proclamation.

MOTION: **Rep. Palmer** made a motion to send **HP 1** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Blanksma** will sponsor the proclamation on the floor.

MOTION: **Rep. Smith** made a motion to approve the minutes of the February 19, and March 13, 2018 meetings. **Motion carried by voice vote.**

ADJOURN: There being no further business to come before the committee, the meeting adjourned at 8:48 a.m.

Representative Loertscher
Chair

Jayne Feik Spinato
Secretary

AGENDA
HOUSE STATE AFFAIRS COMMITTEE
9:30 A.M.
Room EW40
Monday, March 19, 2018

SUBJECT	DESCRIPTION	PRESENTER
H 711	Clarifies who Correctional Industries can sell products to.	Rep. Joe Palmer

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Loertscher	Rep Barbieri	Rep Manwaring
Vice Chairman Monks	Rep Holtzclaw	Rep Zito
Rep Luker	Rep Harris	Rep Scott
Rep Crane	Rep Armstrong	Rep Smith
Rep Palmer	Rep Giddings	Rep Kloc(Tway)

COMMITTEE SECRETARY

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MINUTES
HOUSE STATE AFFAIRS COMMITTEE

DATE: Monday, March 19, 2018

TIME: 9:30 A.M.

PLACE: Room EW40

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

**ABSENT/
EXCUSED:** None

GUESTS: Kevin Mickelson, ICI, Henry Atencil, Director, Idaho Correctional Industries (ICI), Dan Romero, IdaPac, Shaun Fickes, Owner, Greyloch Cabinetry

Chairman Loertscher called the meeting to order at 9:31 a.m.

MOTION: **Rep. Smith** made a motion to approve the minutes of the March 7, and March 15, 2018 meeting. **Motion approved by voice vote.**

H 711: **Rep. Palmer** presented **H 711**, legislation to remove a provision regarding the board entering into contracts, that inmates in the state prison be employed in rendering services and in production and manufacturing articles, materials, and supplies needed by any public institution or agency of the state or political subdivision, including counties, districts, municipalities, schools, nonprofit organizations, and other public use. Inmates may be employed in rendering services, producing and manufacturing articles, materials, and supplies as needed for use by the federal government department, agency or corporation. The board may contract with other state and federal penal institutions and out of state governmental entities for production, manufacture, exchange, sale, or purchase of goods and merchandise manufactured or produced by inmates of the Idaho state penitentiary, or any state or federal penal institution. Contracts entered into must comply with pricing requirements in section 20-418, Idaho Code. The board shall make all reasonable efforts to ensure non-inmate workers are not displaced when determining prices. There are no direct sales with consumers.

Kevin Mickelson, General Manager, ICI, **Henry Atencil** Director, ICI, and **Dan Ramero**, Idaho Pacific Lumber Co. spoke **in opposition** to **H 711**, stating this is a training program to teach technical and life skills to people who need to become part of society and return to the state and pay taxes. This legislation would eliminate the Pie Program, including all programs, license plates, and agriculture programs. In response to committee questions about competing with outside markets, Mr. Mickelson stated ICI is competitive in the market. ICI inmates are trained to work in places with whom they are in competition. No tracking of the effectiveness of this program, nor job placement, is available. Mr. Ramero stated all of the companies he works with bring employees from out of state.

Shaun Fickes, owner, Greyloch Cabinets, spoke **in support** of **H 711**, stating a large amount of money is invested in training his employees. ICI doesn't have to invest in machinery, buildings, and ICI inmate employees are paid 1/50 of the cost of his employees, a disadvantage for his business. He would like to grow his business, and needs a larger building. The government pays one work hour for what he pays 40 work hours. The second largest cabinet manufacture in the valley, Greyloch hasn't benefited from ICI training program.

Kevin Mickelson, stated ICI is totally self funded and has a large overhead. In response to questions from the committee, Mr. Mickelson replied his overhead is higher than the private industry, though there is no unemployment insurance, or medical costs for employees. A private employer has a larger pool to hire from. ICI sales staff is divided into territories to market and sell products. ICI's only goal is to train and give people skills.

Rep. Palmer said \$250,000 is not small to a business owner. The language added to **H 711** is already in the Agriculture Work Program.

Debbie Field, Board of Corrections, spoke **in opposition** of **H 711**, stating the same classes are being offered in other places. This gives inmates hope and an opportunity to give back. It has helped control violence in other prisons.

Rep. Monks spoke **in support** of **H 711** stating overhead is not the same. It isn't appropriate for government to compete with other businesses. The pool for employees inside the prison is probably greater than outside.

MOTION: **Rep. Monks** made a motion to send **H 711** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep.(s) Tway, Smith, Giddings, Barbieri, Chairman Loertscher** requested to be recorded as voting **NAY**. **Rep. Palmer** will sponsor the bill on the floor.

ADJOURN: There being no further business to come before the committee, the meeting adjourned at 2:50 p.m.

Representative Loertscher
Chair

Jayne Feik Spinato
Secretary

AGENDA
HOUSE STATE AFFAIRS COMMITTEE
8:30 A.M.
Room EW40
Wednesday, March 21, 2018

SUBJECT	DESCRIPTION	PRESENTER
	Approval of Minutes.	

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Loertscher

Vice Chairman Monks

Rep Luker

Rep Crane

Rep Palmer

Rep Barbieri

Rep Holtzclaw

Rep Harris

Rep Armstrong

Rep Giddings

Rep Manwaring

Rep Zito

Rep Scott

Rep Smith

Rep Kloc(Tway)

COMMITTEE SECRETARY

Jayne Feik Spinato

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MINUTES
HOUSE STATE AFFAIRS COMMITTEE

DATE: Wednesday, March 21, 2018

TIME: 8:30 A.M.

PLACE: Room EW40

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

**ABSENT/
EXCUSED:** None

GUESTS: None

Chairman Loertscher called the meeting to order at 8:35 a.m.

MOTION: **Rep. Smith** made a motion to approve the minutes of the February 6, 7, 9, 13,14, and March 8, and 19, 2018 meetings. **Motion carried by voice vote.**

Chairman Loertscher thanked Committee Page, **Sydney Allen**, for her work this session, eshe also thanked the Secretary, **Jayne Feik Spinato**. Chairman Loertscher expressed appreciation to the Committee members for their hard work this session.

ADJOURN: There being no further business to come before the committee, the meeting adjourned at 8:45 a.m.

Representative Loertscher
Chair

Jayne Feik Spinato
Secretary