

MINUTES
SENATE STATE AFFAIRS COMMITTEE

DATE: Wednesday, March 02, 2016

TIME: 8:00 A.M.

PLACE: Room WW55

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

ABSENT/ EXCUSED: None

NOTE: The sign-in sheet, testimonies and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

CONVENED: **Chairman McKenzie** called the Senate State Affairs Committee (Committee) to order at 8:04 a.m. with a quorum present.

RS 24637 UNANIMOUS CONSENT REQUEST from the Senate Education Committee related to public charter schools.

Blake E. Youde, Idaho State Board of Education (Board), presented **RS 24637** to the Committee. This RS addresses the replication of charter schools across the State and provides more transparency in regard to the contracts between education service providers, otherwise known as charter management organizations, and the charter holders themselves. A previous bill, **S 1337**, was related to same topic but there was language in that bill regarding the contracts between the service provider and the charter holder and how that contract would comply with the State purchasing contracts. That item raised significant questions regarding how charter schools can be treated as an independent nonprofit organization or as an organization that is part of a school district; organizations treated as school districts are considered political subdivisions. All of the stakeholders including the Board, agreed to meet over the summer and resolve this particular issue. The parties agreed to move forward with a bill that contains the parts that all stakeholders agrees on; **RS 24637** accomplishes that goal.

Chairman McKenzie restated that **RS 24637**, is an Unanimous Consent Request from the Senate Education Committee. It is a bill they have been working on but there were some parts that caused some controversy with the stakeholders. They are going forward with the parts that had consent from everyone and will work on the problematic issues over the interim.

MOTION: **Senator Hill** move to print **RS 24637**. **Senator Lakey** seconded the motion. The motion carried by **voice vote**.

H 447 RELATING TO PUBLIC RECORDS regarding disclosure of any public record that contains sensitive information regarding critical infrastructure.

Will Hart, Executive Director and Legislative Advisor, Idaho Consumer-Owned Utilities Association (ICUA), presented **H 447**. **Mr. Hart** introduced several guests who were with him including Rebecca Casper, Mayor of Idaho Falls; Jackie Flowers, General Manager of Idaho Falls Power; Randy Fife, City Attorney for Idaho Falls, Bear Prairie and the Assistant General Manager for Idaho Falls Power. In addition to representing all of the rural electric cooperatives in Idaho, ICUA represents nine municipal power companies: Albion, Bonners Ferry, Burley, Heyburn, Idaho Falls, Plummer, Rupert, Soda Springs and Weiser. These municipal power companies are required to comply with the State public request laws.

Currently Idaho Code § 74-105 only protects records disclosure where the custodian can prove that disclosure of sensitive records "would jeopardize the safety of persons or the public safety." **Mr. Hart** outlined three major problems with current law:

- 1.) It is an impossible burden on the custodian to prove what would jeopardize persons or the public safety. This proposal allows the custodian to withhold disclosure until they can determine if that disclosure could be used to jeopardize safety. The change would make it a practical and fact-based approach that is fair to the custodian, the public and the requester of the records.
- 2.) Current law does not protect property, only persons and safety. Items like blueprints for critical infrastructure are available where there is no proof that people would be injured. That could mean a building or bridge, a power line or dam, or a school out of session could be at risk.
- 3.) Most important, there is no current definition of "critical infrastructure" so there is no agreement or direction on what types of documents are exempt. The proposed definition will allow the custodian and requester to focus on "critical infrastructure" and eliminates arguments about what the exemption covers.

Mr. Hart listed the associations and entities that supported **H 447**. He noted that they recognize the importance of public access to information and, they believe that this is a minor and narrow exemption to the code to prevent the States critical infrastructure from potential physical and cybersecurity threats and does not put undue burden on the requester of the records.

The bill does not exempt budget information, monitoring or testing required by statute, adherence to safety audits, internal or external oversight or external or internal regulation. **Mr. Hart** continued to list what items would not be exempted. All the exemptions in the Public Records Law balance the public's right to know with other values important to the public.

TESTIMONY:

Rebecca Casper, Mayor of Idaho Falls, stated that this proposed legislation has great meaning for the City of Idaho Falls (City). **Ms. Casper** expressed full support of the State's many efforts to ensure that the people's work is conducted in the open. It is nearly always in the best interest of the public for the officials who serve the public to embrace openness and transparency. **Ms. Casper** restated "nearly always." There are already a few important exceptions to Idaho's openness requirements, such as judicial decision-making and some law enforcement records, juvenile records, custody records and corrections records. There are other exceptions known as "perfect openness" that could be certain confidential personnel matters, real estate purchase transactions and pending litigation legal matters. These exceptions to "perfect openness" have long been granted in Idaho State law for defensible and common sense reasons.

Ms. Casper provided a detailed description about how the open records laws operate. She explained the impetus behind this legislation from the City's point of view, given that they are also a utility. As such, they are required to follow many federal rules and regulations that ensure that the power they supply is reliable and delivered safely. In meeting these requirements, it is sometimes necessary to create records that apply to both physical and cyber infrastructure that could jeopardize millions of dollars of public infrastructure if those records fell into the wrong hands.

Ms. Casper noted that **H 447**, as written, retains the burden of the public agency to demonstrate why the public health and safety may be at risk. This legislation would provide a needed tool to sort out legitimate requests from potentially nefarious ones. It is not possible to mitigate or eliminate all risk; some risks are unknown and unknowable. However, when risk is known, then the guardians of public safety must

act. The City custodians know they have vulnerabilities and they have a good sense of what might be prudent to share, but right now they can't ask why and, even if they could, they couldn't say no. **Ms. Casper** asked for the ability to inject common sense into the way current open records laws apply when risks are involved.

Wayne Hoffman, President, Idaho Freedom Foundation, stated their opposition to **H 447**. **Mr. Hoffman** stated his history on both sides of this issue. In his tenure at the Department of Agriculture he served as Custodian of Records, where he had to review public records and decide whether documents should be disclosed or not. **Mr. Hoffman** provided examples of requests he would deny and provided the Committee with an example document that showed where certain items could be deemed exempt from disclosure (see attachment 1). It shows exactly what the language on page 2, lines 14-22 contemplates. That is his concern. **Mr. Hoffman** submitted some language that he thought would be appropriate and still allow some give and take. It is a very difficult area of public law. If the law is moved to far in the opposite direction, it will cause denial of requests from the government for basic information.

Senator Davis stated that much of the materials that have been provided to him centers around the word "could" in relation to the word "would." Nothing that has been provided speaks about the two-pronged nature of this language. In reference to the "critical infrastructure," which is a defined term, page 2, line 20, indicates that the "incapacity or destruction" would have a debilitating impact. An entity that did not want to disclose would have to satisfy: Would it have? The next question is: Could it be used to jeopardize? **Mr. Hoffman** responded that when he looks at this language, he thinks that there is no question that a custodian of record would look at a simple document and think that it is exactly the type of infrastructure that is being used and where it is located; if people see that information, they could go there and cause irreparable harm to public safety.

Senator Davis asked if you first have to clear the "would" before you can get to the "could." **Senator Davis** seeks understanding of the bill and he indicated Mr. Hoffman wants to attribute motive. Focus should be on the words, not the motives. The definition section, a portion of ILines 17-18, says that the "would" must be proven before going on the lines 20-21 to get to the "could." How does the "would" and the "could" work together? **Mr. Hoffman** indicated that the word "would" is stricken out on line 9 and the word "could" is inserted. In this context, the word "could" means that the custodian would have to use his/her imagination about whether the disclosure of information "could" be used to jeopardize the safety of persons or property or public safety. **Senator Davis** explained how he arrived at his ultimate conclusions. **Mr. Hoffman** used a previous example to determine if knowing certain information can be used to jeopardize the critical infrastructure and would it have a debilitating effect on security or safety. **Mr. Hoffman** continued to give scenarios of what could happen if a custodian enforced the exemptions.

Seth Grigg, Executive Director, Association of Idaho Cities (Association), distributed a letter of support from the Association of Idaho Cities (see attachment 2). This legislation was voted to be a priority for the session. Cities manage a vast amount of critical public works infrastructure in the State, and this legislation strikes an appropriate balance in protecting the safety of that infrastructure and the safety of the public at large.

Betsy Russell, President, Idaho Press Club, stated that they stand in opposition to **H 447**. **Ms. Russell** addressed Senator Davis' question about "would" on line 20, page 2, of the bill. That "would" says the incapacity or destruction of such a system or asset would have a debilitating impact on economic security and safety. That "would" says if this entire system were destroyed, it would have impact. **Ms. Russell** focused on line 9, page 2, and suggested striking "could be used to" and

add "s" to the word "jeopardize." Then discussion would be about information, the release of which jeopardizes public safety. **Ms. Russell** suggests that **H 447** be held in Committee or sent to the 14th Order with the changes she presented.

Senator Davis asked what the Newspaper Association's position is on the bill. **Ms. Russell** said the Newspaper Association is neutral and is not represented at this hearing. **Senator Davis** said that "would" on line 9 suggests a knowing standard. A custodian would have to know of a terrorist attack before they could begin to use the language. **Senator Davis** acknowledged Ms. Russell's point on the "could be used," but the "would" requires a standard that the government may not be able to meet; that is the genesis of the problem. Why wouldn't the knowing standard provide the type of meaningful protection that should be in place for the State's public policy? **Ms. Russell** responded that by taking out the "would," the bill would just say "information, the disclosure of which jeopardizes public safety." It would then be exempt from disclosure.

Senator Davis asked what would be the standard? **Ms. Russell** answered by example. If a records request was submitted for the locking codes for State prisons, it is clear that disclosure of that information jeopardizes public safety and that information would be exempt from disclosure under the wording Ms. Russell has suggested.

Senator Lakey inquired if the city, when deciding whether or not to release the information, would be the one to reasonably determine whether the information would jeopardize public safety. If the person requesting the information disagrees with that decision, would they seek to overturn that determination of jeopardy to public safety. **Ms. Russell** said that if the requester disagreed with the decision, they could go to court and challenge it. The judge would decide if the situation fits the exemption. That is the sole remedy when a citizen has received a rejection to a public records request.

Senator Hill asked if Ms. Russell had seen Mr. Hoffman's proposed amendment. Is that something that would get past the "would" and "could" dilemma? **Ms. Russell** said she reviewed it briefly. The proposed amendment focuses on narrowing down the definition and she has no problem with that. However, the most important thing is dealing with page 2, line 9, "could be used to."

Dan Blocksom, Policy Analyst for the Idaho Association of Counties, said that the counties are in support of this legislation. This legislation applies to the counties because they operate jails and dispatch centers. If information on infrastructure fell into the wrong hands, it could be problematic for the safety and security of the jails and dispatch centers.

Senator Davis asked if Randy Fife, City Attorney for the City, would yield to some questions. **Mr. Fife** agreed. **Senator Davis** stated that striking "would" and only having the word jeopardize provides more discretion to the City. Does it create some vacuum in providing legal counsel that is problematic? **Mr. Fife** responded in the affirmative. That proposal does nothing because it just shifts the verb from "would" to "jeopardizes." The standard is still that the custodian would need to show that the request jeopardizes by its release. There is also a legal issue as to whether or not the document is what jeopardizes the critical infrastructure.

Mr. Fife referred to the earlier conversation about the "would" related to critical infrastructure. It is Mr. Fife's understanding that the way Idaho law works is that a requestor can request any public document and the default is that the requestor gets the public document. That is the way it should be without questioning why they want the document or who they are when they make the request. All documents are public unless there is an exception. The Idaho Supreme Court has said that all exceptions are to be read narrowly. The analysis has to be on what the exemption

means. Is it critical infrastructure? If not, the requestor gets the document. **Mr. Fife** discussed this in detail.

Senator Davis asked if Mr. Fife had seen Mr. Hoffman's proposed language. **Mr. Fife** responded in the affirmative and said there is a problem. There is a provision in the State Public Records Law that allows someone to obtain a document if they don't have the resources to do it. As a judge tries to make an interpretation, will he or she be mixing up the balance for an indigent requestor with what is available in the code? Mr. Hoffman's change is unnecessary because it is already built into the fabric of the Public Records Law.

Senator Davis admitted that the "could be used to" standard is a broad standard. He agrees that the current "would" jeopardize is an unrealistic standard because of the requirement inflicted on the custodian. There is not a reasonableness standard in **H 447**. There is not a check that says "just because you think it doesn't make it so." **Senator Davis** wants to have a policy that protects the City. **Mr. Fife** responded that it would be up to the Legislators to determine what is the appropriate standard to balance the public's right to be safe with the public's right to know; that is what the exemptions do. The standard should be somewhere between "could," which is a possibility, or "would," which is a certainty.

Senator Hill asked how Mr. Hoffman's amendment would or could hurt this legislation. **Mr. Fife** said that when good legislation is written, it is clear and parties understand what the expectations are; both the requestor and the custodian need to understand what the judge could look at or what the dialogue should be regarding the records. **Mr. Fife** explained what he thought were types of records that would be requested. **Senator Hill** noted that the words were being analyzed rather than looking at the concept. Is the legislation about concept; is it a valid addition that would or wouldn't be valuable? **Senator Hill** said he didn't disagree with anything Mr. Fife has said.

Senator Stennett commented that Mr. Fife had mentioned that public records are something that would be given out upon request. Some of those that wouldn't be given out would be narrowly construed. There is nothing in this legislation that can be narrowly construed. "Could be used to" is not narrowly construed. Where are the changes in this legislation the shows where it would be on a limited basis and narrowly construed. **Mr. Fife** responded that this document doesn't speak to that because the Idaho Supreme Court has said in numerous cases, that the public has the right to know and that documents are public. Any exemption must be narrowly construed when interpreted by the custodian because the burden is on the custodian to react to the request, and by the courts that assess whether or not those documents should have been given. All documents are public unless there is an exemption.

Senator Stennett asked where, in the initial rejection or acceptance of a request, is the determination made about whether or not the document is released. **Mr. Fife** explained how the process works and what the basic functionality is when a request is received. All instructions are in State code. **Senator Stennett** observed that it is a lengthy process to deal with public records. The reason this legislation is being considered is because of someone's willfulness to attack or cripple the system. It is difficult to understand why someone would go through such a long process in order to do harm.

Mr. Hart addressed Senator Stennett's question. Changing the "would, " which is almost impossible to meet, to the "could" is being tied to what, in Mr. Hart's belief, is a specific definition of critical infrastructure. Those changes are being balanced. **Mr. Hart** said they had a broad group of stakeholders working on this legislation. The Idaho Newspaper Association, which represents the publishers, helped write the bill but took a neutral position. **Mr. Hart** listed supporters of this bill. **Mr. Hart**

stated that the supporters of the bill recognize the importance of public access to information. This narrow exemption to the code is vitally important to prevent critical infrastructure from potential physical and cybersecurity threats and does not place an undue burden on the public.

Senator Davis observed that the "would jeopardize" standard requires a knowing standard that is an impossible standard for city to meet. He is troubled by the "could be used to" standard. **Senator Davis** finds great value in the definition and "would have debilitating impact" and Ms. Russell's explanation of how that would incorporate into the "could be" standard is a fair reading of the bill.

Senator Davis expressed his desire to resolve the concerns with this bill and possibly hold it in Committee until the next meeting date. **Senator Hill** was not aware of a lot of disagreement about the ultimate goal of the legislation. Interest has been expressed in as much openness and transparency as possible while at the same time no one is interested in jeopardizing security.

Senator Lakey agrees that the "would" standard is unworkable but "could be used to" doesn't promote accountability. If there was a challenge or denial, the court would look at "could it be used" and that reasonableness aspect provides some accountability to the evaluation of the request that the court could apply to the initial determination. **Senator Lakey** would be inclined to insert the reasonableness standard. That would help encompass those requests that do relate to documents that wouldn't lead to jeopardizing public safety. He appreciates the inclusion of the critical infrastructure definition.

**UNANIMOUS
CONSENT
REQUEST:**

Senator Davis asked for an Unanimous Consent Request to hold **H 447** subject to the call of the chair in the hope of finding acceptable language before days end.

Chairman McKenzie stated that seeing no objection to the Unanimous Consent Request, **H 447** will be held subject to the call of the Chair. He stated his appreciation for the work that has gone into this legislation.

Senator Siddoway stated his appreciation about the discussion on the "would" and the "could." He is concerned with the inclusion of the telecommunications and related systems. **Senator Siddoway** didn't think that the physical structures needed to be included with this bill.

S 1354

RELATING TO ALCOHOL BEVERAGE CATERING PERMITS authorizing catering permits for musical and cultural festivals.

Seth Grigg, Executive Director, Association of Idaho Cities, explained that the organization he represents seeks the Committee's consideration of **S 1354**. Idaho law grants cities and counties the authority to issue alcohol catering permits for special events. Those permits are limited to a three-day duration. Many cities around the State have events and activities that last beyond three days; some are week-long events. **Mr. Grigg** explained the convoluted process to provide catering services for those longer events. This bill seeks to remedy some of those issues by proposing to extend the time limit of those permits from three days to five days with the option of a one-time renewal of up to an additional five days. The terms of issuing the permit are at the express wishes of the local governing body. **Mr. Grigg** named the organizations that were included in the development of this legislation.

Senator Davis asked if Mr. Grigg had seen the letter from the City of Lewiston. **Mr. Grigg** responded in the affirmative. There have been discussions with the City of Lewiston to address their concerns. Those have not been fully resolved. There were three concerns: 1.) Relating to the option of extending a permit for up to five days. They thought the language was ambiguous and would present difficulties in making a determination. It is not appropriate in this bill because that is a local issue.

2.) There was a concern regarding the timing for an extension request. That process should be brought up by the governing entity at the beginning of the event.
3.) The bill does not allow for a fee increase for additional administration and enforcement expenses. **Mr. Grigg** said that the fee item could be addressed in the future. These concerns can be resolved by the jurisdiction with the ordinances that they enact that authorize the permitting to occur.

MOTION: **Senator Davis** moved to send **S 1354** to the floor with a **do pass** recommendation. **Senator Winder** seconded the motion. The motion carried by **voice vote**.

H 389 RELATING TO LIENS IN CROPS to state the contents of a notice of a claim.

Senator Davis referred to Article 9 of the Uniform Commercial Code (UCC) and stated that this is the section that provides and defines the relationship between a debtor and a creditor as it relates to a lien holder security interest in personal property; tangible and intangible, including farm crops. **Senator Davis** recalled that in the past, a UCC-1 was recorded in every county where the farmer was farming or had crops stored. Those transactions were set aside by bankruptcy court judges because they filed in all of the right counties. A previous Legislature changed the process to a central filing system and now a UCC-1F is used. Using that information as background, then one must look at Title 45 which includes a "Notice of Claim of Lien." **Senator Davis** indicated that this is some of the information that needs to be reviewed when looking at the claim of lien on the standard form prescribed by the Secretary of State. When Mr. Harvey makes his presentation on the bill, the only question **Senator Davis** has is in reference to page 2, lines 10-12. If the Secretary of State deems that it satisfies the requirements, does this have some binding judicial impact? If the Secretary of State says its good, then the courts have to say it's good.

Jeff Harvey, UCC Supervisor, Office of the Secretary of State, indicated that everything Senator Davis has presented is exactly correct. The reason for this bill is because there is a language discrepancy between Title 45, Chapter 3, and Title 28, Chapter 9, which is the UCC. There was a vast update of the UCC in 2001 known as the Revised Article 9. That defines how secured transactions are handled. Title 45, Chapter 3, is specific to liens for crops, for seed or for farm labor. For the past 15 years, people have been asked to file a "Notice of Lien" on crops or farm labor. The new language in Title 45, Chapter 3, had been overlooked, and a "Notice of Lien" is not equivalent to a financing statement or a farm products financing statement. The intent of the language in **H 389** is to bring those two sections together so they function equally.

Mr. Harvey said that Title 45, Chapter 3, specifically states that under the UCC, a lien in crops is considered an agricultural lien and any discrepancy between Title 45, Chapter 3, and Title 28, Chapter 9, will defer to Title 28, Chapter 9, in the UCC. In Title 28, Chapter 9, the UCC requires that an agricultural lien must file a financing statement. Financing statements have not been filed; there have only been notices of a lien. This change is creating an equivalency between the two. The language used to draft **H 389** is similar to the same steps taken in Texas. **Mr. Harvey** has presented this bill to numerous stakeholders, the major lien filers and others with no resistance, and most are supporting the bill.

MOTION: **Senator Siddoway** moved to send **H 389** to the floor with a **do pass** recommendation. **Senator Lodge** seconded the motion. The motion carried by **voice vote**.

H 390 RELATING TO ANNUAL REPORTS OF BENEFIT CORPORATIONS to remove an annual benefit report.

Mr. Harvey explained that in 2015, the Legislature created the Idaho Benefit Corporation Act, which is a corporation that is empowered to use part of its

resources to create a public benefit beyond their duty to their shareholders. As part of this new

law, it is required that these benefit corporations file an annual benefit report with the Secretary of State's office. In addition to maintaining the report in perpetuity on their website they must provide it to anyone who asks for a copy and automatically send a copy to all of their shareholders. The filing with the Secretary of State is inconsistent with the filings of other entity types. No other business entity type is required to file any kind of documentation of this sort. When a corporation files its registration with the Secretary of State, it is simply a name, who the officers are, who the registered agent is and how many shares they are holding. The filing required of the Idaho Benefit Corporations is inconsistent. The Secretary of State's office is asking that the filing stipulation be removed.

Senator Winder thanked Mr. Harvey for his presentation. The most important parts of the presentation are that they used a national template to initiate the Idaho Benefit Corporation Act. The reporting provision is exceptional to anything else in the State.

MOTION: **Senator Winder** moved to send **H 390** to the floor with a **do pass** recommendation. **Senator Siddoway** seconded the motion. The motion carried by **voice vote**.

S 1356 RELATING TO ALCOHOL BEVERAGE CATERING PERMITS to allow a winery hosting an event to have a catering permit that will cover other wineries demonstrating their wines on the host's premises.

Roger Batt spoke on behalf of the Idaho Grape Growers and Wine Producers to present **S 1356**. **Mr. Batt** said currently, if two or more wineries wish to serve and sell their respective wines at an event, that event has to be sponsored by an organization, group or political subdivision, and the winery is prohibited from being a sponsor of an event.

Senator Davis stated his belief that, since Mr. Batt explained this bill fully at the print hearing and anticipating identical testimony, he is inclined to make a motion.

MOTION: **Senator Davis** moved to send **S 1356** to the floor with a **do pass** recommendation. **Senator Lodge** seconded the motion. The motion carried by **voice vote**.

RS 24633 RELATING TO ELECTIONS to allow election judges to transmit election results electronically.

Senator Winder reminded the Committee that there were other related bills on the floor of the Senate. This bill is a clean up of a problem that is in current code requiring the election judges to actually post the results of the election at the polling place. This legislation would modernize the code to allow for transmittal of a copy electronically.

MOTION: **Senator Siddoway** moved to send **RS 24633** to print. **Senator Lodge** seconded the motion. The motion carried by **voice vote**.

PASSED THE GAVEL: Chairman McKenzie passed the gavel to Vice Chairman Lodge. **Vice Chairman Lodge** introduced the next item on the agenda.

RS 24642 RELATING TO CONCEALED WEAPONS to make consistent State law regarding concealed weapons carry.

Senator McKenzie related that **RS 24642** is language that deals with the concealed carry; § 18-3302, Idaho Code. This bill makes the concealed carry law consistent between counties and cities. Currently, outside city limits if you are not prohibited from possessing firearms, a person can carry a concealed weapon. On page 2, line 21, a section is added that says someone over the age of 21, a resident of Idaho and not disqualified from being issued a license under subsection 11 can

conceal carry a weapon within the city limits. Section 11, Idaho Code, contains all the grounds where a county sheriff would not issue a concealed weapons permit. **Senator McKenzie** listed all of those items from page 4, lines 27-49, and page 5, lines 1-22.

Senator McKenzie said that the only other change is on page 8, lines 3-18, regarding prohibited conduct. The language is left as it is in current code and added the reference to the new section, section 18-3302 (4) (f), and added an exception to where there is limited carry, indicated on page 8, lines 7-18. The language reflects the intended policy.

Senator Hill asked if any of the new language supersedes prior law related to college campuses and those requirements. **Senator McKenzie** responded no. The clarification is on page 8, lines 13-14. It wouldn't supersede the category of persons who could carry.

MOTION: **Senator Lakey** moved to send **RS 24642** to print. **Senator Winder** seconded the motion. The motion carried by **voice vote**.

PASSED THE GAVEL: Vice Chairman Lodge passed the gavel to Chairman McKenzie.

MINUTES APPROVAL: **Senator Siddoway** moved to approve the Minutes of February 12, 2016. **Senator Hill** seconded the motion. The motion carried by **voice vote**.

COMMITTEE AT EASE: The Committee went at ease.

Chairman McKenzie welcomed the government class from McCall High School. **Chairman McKenzie** reminded the Committee that the joint meeting with the House Environment, Energy & Technology Committee would be today at 1:30 p.m. in the Lincoln Auditorium.

Chairman McKenzie explained to the audience that the Committee was at ease to address an earlier bill, **H 447**, related to government entities' disclosure of public records. Committee members asked the stakeholders involved to resolve some disputed language and they are getting an update to see if the changes can be addressed at the next Committee meeting in preparation for the amending order.

Senator Winder stated that they had resolved the issue.

ADJOURNED: There being no further business, **Chairman McKenzie** adjourned the meeting at 9:55 a.m.

Senator McKenzie
Chair

Twyla Melton
Secretary