

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