

MINUTES
HOUSE STATE AFFAIRS COMMITTEE

DATE: Thursday, February 23, 2017

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, Jordan

**ABSENT/
EXCUSED:** None

GUESTS: Jeff Harvey, Secretary of State; Alice Tracy, self; Bob Tracy, self; Carol Menges, Convention of States; Eric Lecht, self; RossAnne Gibson, Convention of States.

Chairman Loertscher called the meeting to order at 8:29 a.m.

MOTION: **Rep. Armstrong** made a motion to approve the minutes of the February 16, 2017 meeting. **Motion carried by voice vote.**

RS 25342: **Rep. Kloc** presented **RS 25342**, proposed legislation that recognizes and supports the important history and ongoing contributions of legal immigrants towards the building of the United States and Idaho.

MOTION: **Rep. Smith** made a motion to introduce **RS 25342**. **Motion carried by voice vote.**

RS 25317: **Jeff Harvey**, Deputy Director Corporations Division, Secretary of State, presented **RS 25317**, proposed legislation that repeals the current notary statutes and introduces a completely new notary act, "Revised Uniform Law on Notarial Acts", utilizing a draft that was originally provided by the Uniform Law Commission. He stated the primary purpose of this new Act is to provide notaries public with the option to use technology to perform notarial acts. This Act also requires the Secretary of State to provide a course of education for applicants and notaries who wish to use it.

In response to committee questions, **Mr. Harvey** stated the Uniform Code law is written by a compilation of representatives from all 50 states. He stated the original language in Idaho Code relating to notaries was written in 1986 and the language was taken from the Uniform Code.

MOTION: **Rep. Monks** made a motion to introduce **RS 25317**. **Motion carried by voice vote.** **Reps. Scott and Zito** requested to be recorded as voting **NAY**.

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

RS 25208C1: **Chairman Loertscher** presented **RS 25208C1**, proposed concurrent resolution that states findings of the Legislature and applies to Congress to call an amendment convention of the states. 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 our commissioners would operate.

In response to committee questions, **Chairman Loertscher** stated the convention would most likely be run under the Mason Manual as most states use it for their legislative sessions. He stated the legislation is important because the time is now to stand up and take action to protect the integrity of the U.S. Constitution.

MOTION: **Rep. Giddings** made a motion to introduce **RS 25208C1. Motion carried by voice vote. Reps. Smith, Jordan and Zito** requested to be recorded as voting **NAY**.

H 127: Continuation of the meeting of February 22, 2017 at 8:30 a.m.

Chairman Loertscher was recognized to close testimony on **H 127**. He stated the bill is not about banning tribal gaming or gambling, but to reconcile Idaho Code with the Idaho Constitution. He stated the only way to effectively make the two coincide is through the legislature.

MOTION: **Rep. Barbieri** made a motion to send **H 127** to the floor with a **DO PASS** recommendation. He spoke to the motion and stated the bill does not stop tribal gaming and without this concise language, the Lottery Director cannot do his job. He stated a clear definition of slot machines is needed.

SUBSTITUTE MOTION: **Rep. Luker** made a substitute motion to send **H 127** to General Orders with amendments attached. He spoke to the motion and stated the new language and amendment is needed to clarify and is important for Idaho law.

AMENDED SUBSTITUTE MOTION: **Rep. Manwaring** made an amended substitute motion to **HOLD H 127** in committee. He spoke to the motion and stated there is no policy matter to fix and the legislation threatens the tribes.

Rep. Crane spoke **in support** of the amended substitute motion and stated there needs to be negotiations held between the State and the tribes regarding the Compact and tribal gaming.

Chairman Loertscher spoke **in opposition** to the amended substitute motion and stated something needs to be done with the Idaho Code so the State is in compliance with 429B. He stated all gaming should be in compliance with Idaho law.

Rep. Jordan invoked Rule 38, and spoke **in support** of the amended substitute motion and stated she has a question as to the motive of the bill. She stated the issue needs to be addressed with the tribes and not through the courts.

Rep. Palmer spoke **in support** of the amended substitute motion and stated he believes many of the gaming machines in Idaho are slot machines but the bill will not change that.

ROLL CALL VOTE: A Roll Call vote was requested on the amended substitute motion to **HOLD H 127** in committee. **Motion carried by a vote of 8 AYE, 7 NAY. Voting in favor** of the motion: **Reps. Monks, Crane, Palmer, Holtzclaw, Armstrong, Manwaring, Smith and Jordan. Voting in opposition** to the motion: **Chairman Loertscher, Reps. Luker, Barbieri, Harris, Giddings, Zito and Scott.**

ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 9:35 a.m.

Representative Monks
Chair

Kasey Winder
Secretary