

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