

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.

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Representative Loertscher  
Chair

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Jayne Feik Spinato  
Secretary