

MINUTES
HOUSE STATE AFFAIRS COMMITTEE

DATE: Thursday, March 08, 2012

TIME: 8:30 A.M.

PLACE: Room EW40

MEMBERS: Chairman Loertscher, Vice Chairman Crane, Representative(s) Stevenson, Black, Anderson, Andrus, Bilbao, Luker, Palmer, Simpson, Guthrie, Henderson, McGeachin, Sims, Batt, Smith(30), King, Higgins, Buckner-Webb

**ABSENT/
EXCUSED:** Representative Higgins

GUESTS: The sign-in sheet will be retained in the committee secretary's office until the end of the session. Following the end of the session, the sign-in sheet will be filed with the minutes in the Legislative Services Library.

Vice-Chairman Crane called the meeting to order at 8:31 a.m.

RS 21432: **Rep. Loertscher** presented **RS 21432**, proposed legislation to increase the annual salaries of each of the Commissioners on the Public Utilities Commission, State Tax Commission, and Industrial Commission. **Rep. Loertscher** stated the Legislature has to set the salaries annually for the Commissioners because they are set in code. **RS 21432** provides a 2% across the board increase for the Commissioners. Salaries for the Public Utilities Commissioners will increase from \$92,167 to \$94,010, salaries for the State Tax Commissioners will increase from \$85,447 to \$87,156, and salaries for the Industrial Commissioners will increase from \$89,711 to \$91,505.

In response to questions, **Rep. Loertscher** stated that salary increases for staff are taken care of through other means.

MOTION: **Rep. King** made a motion to introduce **RS 21432**.

**SUBSTITUTE
MOTION:** **Rep. McGeachin** made a substitute motion to introduce **RS 21432** and send it directly to the Second Reading Calendar. **Motion carried by voice vote. Reps. Sims** and **King** asked to be recorded as voting **NAY. Rep. Black** will sponsor the bill on the floor.

Vice-Chairman Crane turned the gavel over to **Chairman Loertscher**.

S 1371: **Tim Hurst**, Chief Deputy, Office of the Secretary of State, presented **S 1371**, legislation to allow only one (1) ballot to be printed for primary elections containing non-partisan candidates and issues on the partisan ballot. **S 1371** simply removes the word "only". Mr. Hurst advised they are printing ballots for the primary election this weekend. **S 1371** will save counties 25% of their ballot printing costs.

In response to questions, **Mr. Hurst** stated that in the past voters received ballots for both parties. When the decision was made to close the primaries, adding the word "only" required that only the Republicans or the Democrats were on a ballot. **S 1371** removes this restriction and places non-partisan candidates on the ballot with Republicans or Democrats. Mr. Hurst also verified there is a place on the ballot for write-ins. A person can designate as a write-in candidate twenty-eight (28) days before the primary election, and still have their name added to the ballot.

MOTION: **Rep. King** made a motion to send **S 1371** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote. Rep. King** will sponsor the bill on the floor.

H 632:

Matthew Kaiserman, representing Gallatin Public Affairs, presented **H 632**, legislation to provide protocols for youth athletes sustaining concussions. Mr. Kaiserman stated there are two (2) reasons for **H 632**. It will provide guidelines for schools to follow for the safety of their athletes and will extend to middle schools, junior high schools, in addition to the high school level. Mr. Kaiserman noted that thousands of athletes suffer the negative effects of concussions. While there is a risk associated with playing sports, it is not an inherent risk for an athlete to suffer from Second Impact Syndrome. Athletes who are returned to the game before a concussion has healed suffer swelling of the brain and cognitive disabilities. A fighter pilot may pull 8-9 G forces, but a youth athlete sustaining a blow to the head will have been hit with the force of 10-100 G forces. Mr. Kaiserman explained that **H 632** requires (1) the State Board of Education and the Idaho High School Activities Association (IHSAA) provide a link to the Centers for Disease Control's (CDC) guidelines that identify the signs and symptoms of a concussion, (2) **H 632** applies to middle, junior high, and high school athletes eighteen (18) years of age or younger, (3) youth athletes and parents will receive CDC guidelines prior to play, and coaches, referees, game officials, and trainers will review the guidelines upon employment and biannually thereafter, (4) players are removed from play if exhibiting outward signs or symptoms of a concussion, (5) evaluation by a qualified health care professional to include a physician or physician's assistant, an advanced practical nurse or a licensed health care professional trained in the evaluation and management of concussions before an athlete is returned to play, (6) limited liability for coaches if actions are deemed reasonable, (7) and any youth sport organization or association in Idaho may opt-in and comply with **H 632**.

In response to questions, **Mr. Kaiserman** explained that the ability of opposing coaches to remove a player from the game was removed from **H 632**. Referees are there to oversee the game and they will have the authority to remove a player from the game. Coaches do not have to take on this responsibility. The medical profession is not part of their job. A lot of schools have medical personnel to defer to or smaller schools may have EMTs available. Mr. Kaiserman stated that many schools do not have the means to create technical guidelines on concussions, but the CDC compiles medical information on concussions and addresses the evaluation and removal of an athlete from play. When schools have protocols in place for the safety of their athletes, risk assessments have resulted in lower insurance rates.

John Billets, Executive Director, IHSAA, noted there are 45,000 high school athletes in Idaho. Mr. Billets explained that game officials, defined as those who work directly with the game for rule violations, go through a registration process when they are hired. As a result of legislation passed in 2010, they require officials to take a course on the management of concussions, and provide rules and regulations containing a section on recognizing the symptoms of concussions. When in doubt, set the athlete out. Mr. Billets noted that **H 632** will increase education for coaches, officials, and trainers regarding concussions, but IHSAA will still provide that information. **H 632** provides guidance and defines who is a qualified healthcare professional to evaluate and recommend a player be returned to the game. IHSAA already defines them, but some people feel they can make that decision. **H 632** will clarify who is qualified.

Mr. Kaiserman clarified that **H 632** extends beyond the purview of the IHSAA and extends to middle and junior high schools as well.

MOTION:

Rep. King made a motion to send **H 632** to the floor with a **DO PASS** recommendation.

SUBSTITUTE MOTION:

Vice-Chairman Crane made a substitute motion to send **H 632** to General Orders. While referees are unbiased, coaches get caught up in the emotion of the game and make decisions they regret. Vice-Chairman Crane stated that he wants the provision for opposing coaches to remove a player from the game back in the bill.

Rep. Simpson supports the original motion. Legislation passed in 2010 was a great first step. Referees will take an active role in implementing **H 632**.

Rep. Andrus supports the substitute motion. Legislation is needed to protect young people from concussions. Rep. Andrus expressed concern that timekeepers might be classified as officials for purposes of liability and court actions. He supports sending **H 632** to General Order to review for legal reasons.

Rep. Smith supports the original motion. She stated that she supported the legislation in 2010, but we need to go farther. **H 632** addresses protocols for middle schools, junior high and high schools, but allows for local involvement as well.

Rep. Anderson supports the original motion because general orders could take away the power of the bill. The majority of coaches would be more concerned about their athletes. He does not want to exclude them because coaches are the number one person to remove a player from the game.

Rep. McGeachin supports the original motion. The seriousness of concussions is a public health issue. **H 632** gives localities the protocol for removing players from the game.

Rep. Buckner-Webb supports the original motion. We enable our children to play because we have confidence in the coach that he has the child's best interest at heart.

Rep. Guthrie supports the original motion. **H 632** goes farther than the legislation we have now. Rep. Guthrie stated that **H 632** provides for the development of protocols for removal of a player from the game. Referees are not at practice so the coach has to be there. This is a critical issue, and it is time for **H 632**.

Rep. Batt spoke against the original motion stating that we need to be clear about the protocols that we are developing. If the CDC includes 19-year olds in the guidelines then we should develop protocols that include them.

Rep. Andrus stated that he now supports the original motion if timekeepers will not be considered referees.

ROLL CALL VOTE ON SUBSTITUTE MOTION:

Rep. King requested a roll call vote on **H 632**. **Motion failed by a vote of 3 AYE, 15 NAY, 1 Absent/Excused. Voting in favor of the motion: Reps. Crane, Sims, Batt. Voting in opposition to the motion: Reps. Loertscher, Anderson, Stevenson, Black, Andrus, Bilbao, Luker, Palmer, Simpson, Guthrie, Henderson, McGeachin, Smith(30), King, Buckner-Webb. Rep. Higgins was absent/excused.**

ROLL CALL VOTE ON ORIGINAL MOTION:

Rep. Batt requested a roll call vote on **H 632**. **Motion passed by a vote of 15 AYE, 3 NAY, 1 Absent/Excused. Voting in favor of the motion: Reps. Loertscher, Anderson, Stevenson, Black, Andrus, Bilbao, Luker, Palmer, Simpson, Guthrie, Henderson, McGeachin, Smith(30), King, Buckner-Webb. Voting in opposition to the motion: Reps. Crane, Sims, Batt. Rep. Higgins was absent/excused. Rep. Anderson will sponsor the bill on the floor.**

H 578:

Rep. Hart presented **H 578**, legislation to provide for the voluntary use of gold and silver coin as legal tender in the State of Idaho. Rep. Hart stated the Federal Reserve has produced some \$29 trillion dollars. **H 578** is forward thinking in anticipation of what might happen in the future and here in Idaho. Rep. Hart noted **H 578** will allow for voluntary contracts based on gold and silver coin and provide an exemption from the capital gains tax.

Larry Hilton, Attorney, spoke **in support of H 578**. Mr. Hilton noted that large national debt relative to national income runs the risk of serious economic consequences. There have been 270 financial crises between 1971, when the United States went off of the gold standard, and 2011. The states have the right to use complimentary currency and making gold and silver legal tender will provide stability, economic viability, and incredible economic benefits. Mr. Hilton stated that we need constitutional alternatives and Idaho can make this legal under Article I of the U.S. Constitution.

Rep. Hart requested that **H 578** be sent to General Orders to ensure clarity that when there is a two (2) part transaction. For example, buying a car from a dealer and paying taxes on it; both the purchase and the tax needs to be paid in the same form of currency.

Bliss Tew, A.J. Ellis, and Thomas Bullock, representing self, testified **in support of H 578**. There is a self-regulatory aspect to using gold and silver. It is only mined when it is valuable. We have to look at the inflationary tendencies and excessive spending by the federal government as well as the creation of money out of thin air by the Federal Reserve. **H 578** will secure blessings of prosperity, and give the people of Idaho protection from the looming currency deflation and rising prices.

Chairman Loertscher stated **H 578** would be held over until Monday, March 12, 2012, for additional testimony.

ADJOURN:

There being no further business to come before the committee; the meeting was adjourned at 10:42 a.m.

Representative Loertscher
Chair

Lissa Cochrane
Secretary