

MINUTES
HOUSE STATE AFFAIRS COMMITTEE

DATE: Thursday, February 07, 2013

TIME: 9:00 A.M.

PLACE: Room EW40

MEMBERS: Chairman Loertscher, Vice Chairman Batt, Representatives Anderson(1), Andrus, Luker, Crane, Palmer, Sims, Barbieri, Holtzclaw, McMillan, Monks, Packer, Smith, Gannon, Woodings

**ABSENT/
EXCUSED:** None.

GUESTS: Wayne Hoffman, Idaho Freedom Foundation; Raeleen Wenton, Westerberg & Associates; Russ Westerberg, Westerberg & Associates; Jim Clark, Frontier Communications; Sarah Fuhriman, Century Link; Brett DeLange, Idaho Attorney General's Office; Ron Williams, Idaho Cable Telecom; Jeremy Pisca, Risch Pisca; Mark Lupo, Idaho Power; Bill Roden, Century Link; Matthew Keenan, Idaho Reporters; Brian Kane, Idaho Attorney General's Office; Colby Cameron, Sullivan & Reberger; Jayson Bonk, IACI; Holly Koub, IPAA.

Chairman Loertscher called the meeting to order at 9:02 a.m.

MOTION: **Rep. Packer** made a motion to approve the minutes of the January 30, 2013, January 31, 2013 and February 5, 2013 meetings. **Motion carried by voice vote.**

H 55: **Jim Clark**, Frontier Communication, presented **H 55**, legislation regarding the Telephone Solicitation Act and "Do Not Call" list restrictions in Idaho. He stated the companies will give the customers an opt-out option to decline any other solicitation.

In response to committee questions, **Bill Roden**, Century Link, stated the companies who would be affected are the ones who provide wireless, telephone, and cable services.

Brett DeLange, Idaho Attorney General's Office, opposes the legislation and stated Idahoans should be left alone in their homes without solicitation. He stated Idaho has over one million numbers on the "Do Not Call" list and was one of the first states to pass the law.

In response to committee questions, **Mr. DeLange** stated the legislature drew the line and set policies regarding what businesses can call and solicit. He also stated the Idaho Attorney General's Office maintains the Idaho "Do Not Call" list.

In response to committee questions, **Mr. Roden** stated sometimes the companies cannot advertise to all their customers because services are not available in all areas. He stated there is currently no way for a cell phone provider to track the minutes used when customers are being contacted by the providers. He also stated when the legislation for the "Do Not Call" list was introduced, there was a lot of telemarketing going on because the phone companies were fighting for services. He stated with the current legislation, customers would be able to make their own decision if they wanted their providers to contact them with new products, etc.

MOTION: **Rep. Barbieri** made a motion to send **H 55** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Barbieri** will sponsor the bill on the floor.

RS 21871: **Ron Crane**, State Treasurer, presented **RS 21871**, proposed legislation that revises the procedures of the Credit Rating Enhancement Committee regarding how often meetings will take place.

MOTION: **Rep. Smith** made a motion to introduce **RS 21871**. **Motion carried by voice vote.**

RS 21916: **Rep. Hartgen** presented **RS 21916**, proposed legislation to codify a Judge's ruling regarding defamation, libel, or slander. He stated a court ruling alone has no effectiveness in other jurisdictions across the state.

In response to committee questions, **Rep. Hartgen** stated there is a dispute as to who the "blogger" is, the actual writer or the owner of the blog. He also stated it is unclear where the line of libel and slander are drawn if not drawn at the beginning.

MOTION: **Rep. Andrus** made a motion to introduce **RS 21916**.

In opposition to the motion, **Rep. Crane** stated he was opposed to introducing this RS, as is, but agrees with what the legislation is trying to do.

SUBSTITUTE MOTION: **Rep. Anderson** made a substitute motion to return **RS 21916** to the sponsor. **Motion carried by voice vote.**

RS 21798C1: **Rep. Luker** presented **RS 21798C1**, proposed legislation regarding the prohibition of using credit or debit cards or other electronic fund transfers for purchasing lottery tickets.

MOTION: **Rep. Anderson** made a motion to introduce **RS 21798C1**. **Motion carried by voice vote.**

ADJOURN: There being no further business to come before the Committee, the meeting adjourned at 10:38 a.m.

Representative Loertscher
Chair

Kasey Perkins
Secretary