

MINUTES
HOUSE STATE AFFAIRS COMMITTEE

- DATE:** Tuesday, February 12, 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:** Russell Westerberg, Kootenai Tribe of Idaho; Holly Koole, Idaho Prosecuting Attorneys Association; Tim Hurst, Idaho Secretary of State; Raeleen Welton, Westerberg & Associates; McKinsey Lyon, Gallatin Public Affairs; Colby Cameron, Sullivan & Reberger; Will Hart, Idaho Consumer-Owned Utilities Association; Dar Olberding, Idaho Grain Producers Association
- Chairman Loertscher** called the meeting to order at 8:59 a.m.
- RS 21897C2:** **Tim Hurst**, Secretary of State, said this proposed legislation made changes that deal with different issues in election consolidation clean up. He explained that some districts were missed when consolidation happened. He explained some of these changes include changes to the ballot language, library district elections, cut off dates for an emergency absentee ballot, recall procedures time-line amendments, resort city election for local option tax and added a section that deals with referendum elections that points to the correct section.
- MOTION:** **Rep. Woodings** made a motion to introduce **RS 21897C2. Motion carried by voice vote.**
- MOTION:** **Rep. Packer** made a motion to approve the minutes of February 6th, 2013. **Motion carried by voice vote.**
- RS 21888C1:** **Rep. Morse** explained the changes to this proposed legislation. Mainly, inserting a phrase for process service with return affidavit and removing a double negative wording.
- In response to questions regarding possible diminished influence from neighbors with the change to lower the value by half, **Rep. Morse** said in a hypothetical situation the neighbors complaints will be heard but not necessarily followed. He said general zoning decisions are administrative and should be based and policed on the properly documented written plans and zoning ordinances.
- MOTION:** **Vice Chairman Batt** made a motion to introduce **RS 21888C1. Motion carried by voice vote.**
- RS 21858:** **Rep. Gibbs** stated this proposed legislation is about economic development in the Lewis-Clark Valley region in the Nez Perce Tribe. He explained the Tribe has a casino there and are in the process of building a conference center. This proposed legislation will give them the ability to serve liquor by the drink which will enhance their business. He stated they currently have a beer and wine license. He said the proposed legislation is supported by the tourist industry in the area. The proposed legislation clearly states the issuance of the license has to be to an owner and operator within the boundaries of the Tribe with requirements to land and hotel room quantities.

In response to questions regarding how many other organizations, businesses and tribes this proposed legislation would provide licenses to, **Rep. Gibbs** said the Shoshone Bannock Tribe in the Fort Hall region is the only other tribe that can benefit. He explained the Shoshone Bannock Tribe are not asking for a liquor license at this time, they are in the process of trying to obtain a beer and wine license. He responded to questions regarding whether the Nez Perce Tribe thought about obtaining this license before beginning construction on their conference center by saying they are building the facility with the idea to enhance it. He said they are currently doing a remarkable job with the casino and the demand is there, once the convention center is finished it seems appropriate to offer liquor by the drink.

In regards to the possible inconsistency in the requirement for the amount of hotel rooms for other entities, **Rep. Gibbs** said each entity was crafted one at a time. When asked about whether the stimulant of new jobs would still be available with or without this proposed legislation, he responded that the building of the facility has added jobs and this proposed legislation is more for the patrons to have available the things they are used to having. He explained the purpose is not just for patrons of conventions but to be used any time the law permitted. He responded to questions regarding the possible devaluation of other licenses by stating that will not occur since these licenses are non-transferable and only allowed on reservations.

The committee expressed concern about picking winners and losers in regards to providing licenses without competition, devaluing companies that purchased licenses, the evidence that job creation is not affected and problems with alcoholism. Conversely, they expressed positively the endorsements from companies supporting the Tribe and the economic and competition possibilities for the region.

MOTION: **Rep. Sims** made a motion to introduce **RS 21858. Motion carried by voice vote. Reps. Batt, Crane, Monks and Palmer** requested to be recorded as voting **NAY**.

ADJOURN: There being no further business to come before the Committee, the meeting was adjourned at 9:36 a.m.

Representative Loertscher
Chair

Jackie Wright
Secretary