

MINUTES  
**HOUSE STATE AFFAIRS COMMITTEE**

- DATE:** Friday, March 01, 2013
- TIME:** Upon adjournment of the House Floor
- 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:** Rep. McMillan.
- GUESTS:** Michael DeYoung, self; Tana Cory, Bureau of Occupational Licenses; Ernest Walker, self; Tom Murds, self; Patrick Malloy, District 20; Daniel Malloy, District 20, Precinct 6; Mike Carpenter, self; Mark Earls, BSMC; Roy Whitaker, BSMC; Patricia felts, self; Mike McElya, self; Tony Sinesko, Idaho Carry; Craig Campbell, self; Larry White, self; David Shrum, self; William Thomas Howie, self; Steve Auton, self; Joel Teuber, Fraternal Order of Police; Ralph Powell, Idaho State Police; Raeleen Welton, Westerberg and Associates; Ted Dunlap, Oath Keepers.
- Chairman Loertscher** called the meeting to order at 8:33 a.m.
- SCR 104:** **Dave Johnston**, on behalf of **Senator Fulcher**, presented **SCR 104**. He stated the concurrent resolution recognizes the beneficial trade relationship between Idaho and the Province of Taiwan, and reaffirms Idaho's commitment to a strong deepening relationship with Taiwan.
- MOTION:** **Rep. Packer** made a motion to send **SCR 104** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.**
- RS 21627C1:** **Tom Katsilometes**, Idaho Athletic Commission, presented **RS 21627C1**, proposed legislation that changes the fees for license holders and events. He stated the Commission met with promoters of MMA sports to reach an agreement regarding the new fees. He stated the proposed legislation would allow the Commission to recover costs and fees associated with investigation and prosecution of reviewing challenges. He stated the initial event fee will be increased from \$400 to \$1,000 and the event tax would be raised from 5% to 9%. The legislation also includes that if a negative balance exceeding \$200,000 prevails, business by the Commission would be suspended.
- MOTION:** **Rep. Anderson(1)** made a motion to introduce **RS 21627C1**. **Motion carried by voice vote.**
- H 229:** **Rep. Monks** presented **H 229**, a bill that clarifies language in the Idaho Code that firearms, firearm accessories, and ammunition made in Idaho are not subject to the federal government's commerce power.
- MOTION:** **Rep. Holtzclaw** made a motion to send **H 229** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Monks** will sponsor the bill on the floor.
- H 219:** **Rep. Patterson** presented **H 219**, a bill that protects Idaho law enforcement officers from being directed, through federal orders, laws, rules or regulations enacted or promulgated on or after January 13, 2013, to violate their oath of office and Idaho citizens' rights under the Idaho Constitution, Article 1, Section 11.

In response to questions, **Rep. Patterson** stated that law enforcement groups and lawyers have reviewed the bill and agree with its contents. He stated the bill is to protect Idaho's law enforcement officers from going against their oath of office which supports the U.S. Constitution and Bill of Rights. He stated the bill is designed to be a preemptive act in the case the federal government bans the right for citizens to have firearms. He stated the first responders are very important to our society and should be protected.

**Daniel Malloy**, on behalf of Police Precinct 26, stated he is in support of **H 219** and he believes the federal government will ban our right to bear arms in the near future.

**MOTION:** **Rep. Crane** made a motion to send **H 219** to the floor with a **DO PASS** recommendation.

**Tony Sinesko**, Idaho Conceal and Carry, stated he is **in support** of **H 219** and also believes the federal government will be banning our rights to bear arms in the future. **Craig Campbell**, representing himself, stated he is **in support** of **H 219** and believes this legislation upholds the rights of Idaho Citizens as afforded by the 2nd Amendment. **Patrick Mallory**, representing himself, stated he is **in support** of **H 219** and stated this legislation would not come into play unless the federal government came in and tried to confiscate guns from law abiding lawful gun owners in Idaho. **Joel Tueber**, Fraternal Order of Police, stated he is **in support** of **H 219** and represents the 1500 members who are police officers in Idaho. He stated the legislation does not affect any current laws we have and that it only speaks to any new laws the federal government passes. **Ted Dunlap**, Oath Keepers, stated he is **in support** of **H 219** and that there is legislation regarding banning firearms right now at the federal level. He stated that he hopes Idaho stands together against this breach of the Bill of Rights. **Tom Murds**, representing himself, stated he is **in support** of **H 219** because in the case that the rights of Idaho's citizens are infringed upon, we would have legislation in place to protect us.

**VOTE ON MOTION:** **Rep. Luker** called for a vote on the motion to send **H 219** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Reps. Gannon, Smith and Woodings** requested to be recorded as voting **NAY.** **Rep. Patterson** will sponsor the bill on the floor.

**RS 22145C1:** **Larry Spencer**, DH Consulting, presented **RS 22145C1**, proposed legislation that provides a clear threshold of evidence for appeals and judicial review with respect to impact fees and also clarifies the language of the appeals section of the Idaho Development Impact Fee Act. He stated this legislation is similar to the legislation enacted in Florida in 2011.

**MOTION:** **Rep. Luker** made a motion to introduce **RS 22145C1.** **Motion carried by voice vote.**

**ADJOURN:** There being no further business to come before the Committee, the meeting adjourned at 9:32 a.m.

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Representative Loertscher  
Chair

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Kasey Perkins  
Secretary