

MINUTES
HOUSE STATE AFFAIRS COMMITTEE

DATE: Monday, March 18, 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: The sign-in sheet will be retained with the minutes 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 of the Legislative Services Library.

Chairman Loertscher called the meeting to order at 9:01 a.m.

RS 22092: **Rep. Denney** presented **RS 22092**, a concurrent resolution to authorize the Legislative Council to appoint a committee to undertake and complete a study of natural resource issues.

MOTION: **Rep. Andrus** made a motion to introduce **RS 22092** and refer it to the Resources and Conservation Committee. **Motion carried by voice vote.**

S 1108: **Russ Hendericks**, on behalf of Idaho Farm Bureau, presented **S 1108**, a bill that amends existing law relating to initiative and referendum elections to revise provisions relating to the form of certain petitions, to revise provisions relating to certain signature sheets, to revise provisions relating to the number of signatures required on certain petitions; and to revise provisions relating to certain petitions and signature sheets.

In response to committee questions, **Mr. Hendericks** stated the information is very accessible to petition gatherers online at the Secretary of State's website.

Ann Ness, spoke on behalf of an online petition **opposed to S 1108**, stated they do not agree with the legislation because it makes it harder for rural communities to collect signatures for petitions who might not be as organized as other counties.

Monica Hopkins, ACLU, spoke **in opposition** to the legislation and believes it constricts an individuals' Fourteenth and First Amendment rights. She believes the legislation discriminates against the poorer populations in the State. She stated the bill disenfranchises the rural communities.

Rod Beck, spoke **in opposition** to the legislation and believes there is not an imbalance in regard to gathering signatures in urban or rural counties. He stated the process to have an initiative added to the ballot is already very difficult and should not be made harder.

Bert Marley, Idaho Education Association Director of Public Policy, spoke **in opposition** to the legislation and believes the process is already restrictive and signature gathering is more difficult in the State because of the high amount of active voters which is approximately 75% of the population.

Jeff Wright, representing himself, spoke **in opposition** to the legislation because he believes the process of gathering signatures is already stringent and should not become more difficult.

Tyler Mallord, on behalf of Idaho Beer and Wine Distributors, spoke **in support** of **S 1108** because it gives the people around the entire State the ability to be involved instead of the larger counties making the majority of the decisions for initiatives and referendums.

Benjamin Kelly, on behalf of Idaho Food Producers, spoke **in support** of the legislation and stated the rural population should be involved more.

MOTION: **Rep. Batt** made a motion to send **S 1108** to the floor with a **DO PASS** recommendation.

SUBSTITUTE MOTION: **Rep. Gannon** made a substitute motion to **HOLD S 1108** in committee.

VOTE ON SUBSTITUTE MOTION: **Chairman Loertscher** called for a vote on the substitute motion to **HOLD S 1108** in committee. **Motion failed by voice vote.**

VOTE ON ORIGINAL MOTION: **Chairman Loertscher** called for a vote on the original motion to send **S 1108** 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. Luker** will sponsor the bill on the floor.

HCR 26: **Daniel Chadwick**, presented **HCR 26**, a concurrent resolution to authorize the Legislative Council to appoint a committee to undertake and complete a study of potential approaches to public defense reform.

Monica Hopkins, ACLU, spoke **in support** of **HCR 26** because it provides indigent services for everyone who wants or needs defense counsel.

Hiedi Tolman, Ada County Public Defender's office, spoke **in support** of the legislation because everyone deserves to be represented by competent and effective counsel.

MOTION: **Rep. Packer** made a motion to send **HCR 26** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote. Rep. Bolz** will sponsor the bill on the floor.

HCR 22: **Rep. Denney**, presented **HCR 22**, a concurrent resolution that demands that the federal government imminently transfer title to all of the public lands within Idaho's borders directly to the State of Idaho.

Commissioner Jim Chmelick, Idaho County, spoke **in support** of **HCR 22** because the counties would benefit from managing the lands themselves.

Jeff Wright spoke **in support** of **HCR 22** because he believes it is a fundamental fairness to Idahoans. He stated Idaho only has 38% control of its lands unlike other states who have far more control.

In response to committee questions, **Commissioner Chmelick** stated Idaho County would be able to effectively fight wildfires by taking a more proactive stance by removing the dead trees and brush that substantially fuels wildfires. He also stated that there is a market for the dead trees that need to be removed.

Due to time constraints, **Chairman Loertscher** stated the meeting would continue tomorrow and anyone who signed up to testify and had not yet done so, would have the opportunity to do so tomorrow, Tuesday, March 19, 2013.

ADJOURN: There being no further business to come before the Committee, the meeting was adjourned at 10:44 a.m.

Representative Loertscher
Chair

Kasey Perkins
Secretary