

MINUTES
HOUSE STATE AFFAIRS COMMITTEE

DATE: Thursday, March 13, 2014

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: Dale Higer, Common Uniform State Laws; Michael Greenlee, self; Julie Lynde, Cornerstone Family Council.

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

MOTION: **Rep. Packer** made a motion to approve the minutes of the March 7 and 10, 2014 meetings. **Motion carried by voice vote.**

SJM 104: **Senator McKenzie** presented **SJM 104**, a memorial that requests Congress to comply with its Constitutional duty to keep a public record of applications from the states for a convention pursuant to Article 5 of the U.S. Constitution.

MOTION: **Rep. Packer** made a motion to send **SJM 104** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Youngblood** will sponsor the bill on the floor.

SJM 106: **Senator Nuxoll** presented **SJM 106**, a memorial to petition **President Obama** and Secretary of State, **John Kerry**, to use every opportunity and resource to end the unjust imprisonment of U.S. citizen and resident of Ada County, **Pastor Saeed Abedini** and secure his immediate release.

MOTION: **Rep. Woodings** made a motion to send **SJM 106** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Woodings** will sponsor the bill on the floor.

S 1356: **Dale Higer**, National Conference of Commissioners on Uniform State laws, presented **S 1356**, a bill to create The Uniform Electronic Legal Material Act (UELMA) which provides an outcome-based approach to the authentication and preservation of electronic legal material. Increasingly, state governments are publishing laws, statutes, agency rules, and court rules and decisions online. In some states, important state-level legal material is no longer published in books, but is only available online. While electronic publication of legal material has facilitated public access to the material, it has also raised concerns. The goals of the authentication and preservation program outlined in the Act are to enable end-users to verify the trustworthiness of the legal material they are using and to provide a framework for states to preserve legal material in perpetuity in a manner that allows for permanent access.

In response to committee questions, **Mr. Higer** stated the laws and rules are verified online through different sources. He also stated they promulgate the laws so they are uniform. He stated it is more cost effective to have the laws and rules in electronic format than it is to have hard copies for everyone. He said the idea is to give the publisher the maximum flexibility to do what's best for their publication. He said this Act would require the publishers to preserve what they do and be sure the information is accessible to the public. He stated the July 20, 2015 date was chosen so the agencies have time to get the needed appropriations to publish electronically. He stated the Secretary of State's office and the Supreme Court are supportive of the bill.

MOTION: **Rep. Gannon** made a motion to send **S 1356** to the floor with a **DO PASS** recommendation.

Rep. Barbieri spoke **in opposition** to the motion and stated the legislation would cause undue stress to the system and would cost money that is not available. He also stated he does not think it will help with the county/city codes online being outdated.

Rep. Crane spoke **in support** of the motion and stated we are headed into an electronic age but added security within these systems needs to be addressed because cyber crime is ever increasing.

VOTE ON MOTION: **Chairman Loertscher** called for a vote on the motion to send **S 1356** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote. Reps. Barbieri and McMillan** requested to be recorded as voting **NAY**. **Rep. Gannon** will sponsor the bill on the floor.

ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 9:57 a.m.

Representative Loertscher
Chair

Kasey Perkins
Secretary