

MINUTES
HOUSE STATE AFFAIRS COMMITTEE

DATE: Wednesday, February 18, 2015

TIME: 9:00 A.M.

PLACE: Room EW40

MEMBERS: Chairman Loertscher, Vice Chairman Batt, Representatives Andrus, Luker, Crane, Palmer, Sims, Barbieri, Holtzclaw, McMillan, Bateman, Cheatham, Nielsen, Smith, Jordan, McCrostie, Wintrow

**ABSENT/
EXCUSED:** None

GUESTS: Cally Younger, Governor's Office; Julie Hart, Press Club; Wayne Hoffman, Idaho Freedom Foundation; Justin Ruen, Association of Cities; Brian Kane, Attorney General's Office; Jeremy Pisca, Newspaper Association of Idaho; Dan Blocksom, Idaho Association of Counties.

Chairman Loertscher called the meeting to order at 9:00 a.m.

RS 23629: **Rep. Harris** presented **RS 23629**, proposed legislation to require that labor negotiations for public employees be conducted in open session. The legislation still serves the use of executive session to consider labor contract offers, to formulate counter offers, and to discuss sensitive information about a specific employee. He stated it includes a sunset clause to allow evaluation of these changes.

MOTION: **Rep. Palmer** made a motion to introduce **RS 23629**. **Motion carried by voice vote.**

H 90: **Cally Younger**, Governor's Office, presented **H 90**, legislation which moves existing public record, open meeting, ethics in government, and prohibition against contracts with officers statutes into a new title called "Transparent and Ethical Government". She said the exact language from the Idaho Code was literally copied and pasted into the new section.

In response to committee questions, **Ms. Younger** stated the legislation makes it easier for the public to find laws regarding public record requests, open meetings, ethics in government, and prohibition against contracts with officers that are not very easy to find currently. She said she took the project of recodifying the Codes after constituents came to the Governor's Office requesting a change. She said there are a lot of concerns from the media in regards to easier access to such laws. She stated they did receive feedback from the cities and counties on the legislation.

In response to committee questions, **Brian Kane**, Attorney General's Office, stated the legislation is simply a cross-reference for the public to have easier access to the laws.

MOTION: **Rep. Jordan** made a motion to send **H 90** to the floor with a **DO PASS** recommendation.

Julie Hart, Press Club, spoke **in support** of **H 90** and stated the legislation gives better access to small groups/businesses who are not trained in legal research. **Jeremy Pisca**, representing Newspapers of Idaho, spoke **in support** of **H 90** and stated the legislation is a good idea because it gives ease of reference to Idaho citizens. He stated the Attorney General's Office spends a lot of time assisting the public on how to find specific sections in the Idaho Code and it is easier to have these sections in one primary locations. He stated that the Legislative Services Office publishes the Idaho Code online and they would be the party to contact in regards to asking to add a search engine for cross-referencing.

Wayne Hoffman, President, Idaho Freedom Foundation, spoke **in support** of **H 90** and stated the legislation is a great start in re-codification of the Idaho Code making it easier for the public. **Rebecca Boone**, Associated Press, spoke **in support** of **H 90** and stated it is difficult to find all laws surrounding the public records requests and having them in one location will make it easier for journalists to find the correct procedures, which would save everyone time.

Rep. Holtzclaw spoke **in support** of the motion and stated it is imperative that we have transparency in government.

Rep. Barbieri spoke **in opposition** to the motion and stated he wants to thoroughly review all the Rules that are attached to the new Code sections before he agrees with the change.

VOTE ON MOTION:

Chairman Loertscher called for a vote on the motion to send **H 90** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote. Reps. Loertscher, Sims, Barbieri, and McMillan** requested they be recorded as voting **NAY**. **Rep. Holtzclaw** will sponsor the bill on the floor.

H 91:

Cally Younger, Governor's Office, presented **H 91**, a continuation of **H 90**, the legislation which moves existing public record, open meeting, ethics in government, and prohibition against contracts with officers statutes into a new title called "Transparent and Ethical Government". She said the exact language from the Idaho Code was literally copied and pasted into the new section.

In response to committee questions, **Ms. Younger** stated the Legislative Services Office reviewed all the Code sections and made sure they were all correct.

MOTION:

Rep. McCrostie made a motion to send **H 91** to the floor with a **DO PASS** recommendation.

Wayne Hoffman, Idaho Freedom Foundation, spoke **in support** of **H 91** and stated the legislation is consistent with **H 568** which was passed last year. **Jeremy Pisca**, representing Newspapers of Idaho, spoke **in support** of **H 91**.

VOTE ON MOTION:

Chairman Loertscher called for a vote on **H 91**. **Motion carried by voice vote. Rep. Barbieri** requested to be recorded as voting **NAY**. **Rep. Holtzclaw** will sponsor the bill on the floor.

ADJOURN:

There being no further business to come before the committee, the meeting was adjourned at 9:50 a.m.

Representative Loertscher
Chair

Kasey Winder
Secretary