

MINUTES
HOUSE STATE AFFAIRS COMMITTEE

DATE: Monday, February 22, 2016

TIME: 9:30 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: Bert Glandon, CWI; Ray Stark, Boise Metro Chamber.
Chairman Loertscher called the meeting to order at 9:30 a.m.

MOTION: **Rep. Smith** made a motion to approve the minutes of the February 16 and 17, 2016 meetings. **Motion carried by voice vote.**

RS 24578C1: **Rep. Wintrow** presented **RS 24578C1**, proposed legislation that creates and codifies systems used by law enforcement, health care facilities and the Idaho State Police (ISP) Forensics Laboratory in the processing of sexual assault evidence kits in the State of Idaho. She stated it also creates a system of tracking and reporting to require audit reports for untested kits. She stated if introduced, the legislation will go to the Judiciary, Rules and Administration Committee for a bill hearing.

In response to committee questions, **Rep. Wintrow** stated the fiscal note includes the costs for additional ISP forensic lab staff to handle the evidence kits. She also stated the kits cost an estimated \$5,500 a year.

MOTION: **Rep. Luker** made a motion to introduce **RS 24578C1**. **Motion carried by voice vote.**

H 478: **Rep. Troy** presented **H 478**, a bill that adds an exemption to the Idaho Public Records Act for notifications and certifications required to be made to the Chief Law Enforcement Officer by Federal law in connection with the acquisition or transfer of firearms under the National Firearms Act. She stated the bill provides for the protection of confidential information from public disclosure.

MOTION: **Rep. Palmer** made a motion to send **H 478** to the floor with a **DO PASS** recommendation.

**SUBSTITUTE
MOTION:** **Rep. McCrostie** made substitute motion to **HOLD H 478** for time certain of ten minutes.

Chairman Loertscher put the committee at ease at 9:45 a.m.

Chairman Loertscher resumed the meeting at 9:52 a.m.

**SUBSTITUTE
MOTION
WITHDRAWN:** **Rep. McCrostie** withdrew his substitute motion to **HOLD H 478** for time certain of ten minutes.

In response to committee questions, **Rep. Troy** stated the legislation protects information that is completed on transfer and registration of firearms forms, such as the Employer Identification Number (EIN), from public disclosure. She stated EIN's could be the same as a person's social security number which should remain confidential. She stated information such as EINs are not available for public disclosure under federal law and this legislation would exempt the information from being released under state law.

Rep. McCrostie spoke in opposition to the motion and stated he is concerned with having too many exemptions to the public records law. **Rep. Jordan** spoke in opposition to the motion and stated she is concerned with the recent impact firearms have had on the community and would have liked to hear from law enforcement regarding their view.

Rep. Nielsen spoke in support of the motion and stated the Second Amendment of the Constitution affords the people the right to keep and bear arms and that right should not be infringed. **Rep. Holtzclaw** spoke in support of the motion and stated neither state nor federal government should have the right to know what firearms a person might have.

VOTE ON ORIGINAL MOTION:

Roll call vote was requested on the motion to send **H 478** to the floor with a **DO PASS** recommendation. **Motion carried, 13 AYE, 4 NAY. Voting in favor** of the motion: **Chairman Loertscher, Reps. Batt, Andrus, Luker, Crane, Palmer, Sims, Barbieri, Holtzclaw, McMillan, Bateman, Cheatham and Nielsen. Voting in opposition** to the motion: **Reps. Smith, Jordan, McCrostie and Wintrow. Rep. Troy** will sponsor the bill on the floor.

HCR 41:

Rep. Troy presented **HCR 41**, a concurrent resolution to commemorate the adoption of the Great Seal of the State of Idaho for capturing the natural beauty, the varied industry and the pioneering spirit of the great State of Idaho. It also honors the memory of **Emma Edwards Green**, the only woman to design a state seal.

MOTION:

Rep. Bateman made a motion to send **HCR 41** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote. Rep. Troy** will sponsor the bill on the floor.

H 512:

Rep. Chaney presented **H 512**, legislation regarding community college trustee zones and districts. He stated the legislation utilizes the same processes for zoning and rezoning within the district that the Idaho Code already requires of school districts. In the event a community college seeks to expand, the legislation appends the existing process of seeking State Board of Education approval by adding the rezoning plan to the request for approval. He stated he has worked with the community colleges extensively in regards to the legislation and all three community colleges- College of Western Idaho (CWI), College of Southern Idaho (CSI) and North Idaho College (NIC) agree with the language. He stated CWI and CSI had special board meetings to discuss the bill and both boards are in support of the legislation. He stated a change was made from the first proposed legislation that was introduced that every board member that has been elected will finish their elected term and when rezoning happens, they will be reassigned within the new zone if necessary.

MOTION:

Rep. McCrostie made a motion to send **H 512** to the floor with a **DO PASS** recommendation.

Bert Glanden, President, College of Western Idaho, spoke **in support** of **H 512** and stated he appreciates **Rep. Chaney** efforts on the legislation and for working with all of the community colleges to form a consensus on zoning districts. **Rep. Clow** spoke **in support** of **H 512** and stated representatives from the College of Southern Idaho were planning on attending the hearing but could not and that they support the bill. **Dan Blocksom**, Idaho Association of Counties, spoke **in support** of **H 512** and stated the legislation will assist county clerks with the ballots.

**VOTE ON
MOTION:**

Chairman Loertscher called for a vote on the motion to send **H 512** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote. Rep. Chaney** will sponsor the bill on the floor.

ADJOURN:

There being no further business to come before the committee, the meeting was adjourned at 10:22 a.m.

Representative Loertscher
Chair

Kasey Winder
Secretary