

MINUTES
HOUSE TRANSPORTATION & DEFENSE COMMITTEE

- DATE:** Monday, February 22, 2016
- TIME:** 1:30 P.M.
- PLACE:** Room EW40
- MEMBERS:** Chairman Palmer, Vice Chairman Shepherd, Representatives Wills, Bateman, Gestrin, Hixon, Kauffman, Packer, Youngblood, McDonald, Dixon, Harris, Holtzclaw, Monks, King, Rudolph, Wintrow
- ABSENT/
EXCUSED:** None
- GUESTS:** Kathy Griesmyer, American Civil Liberties Union (ACLU); Amy Kearns, Idaho Transportation Department; Erik Lawson, Idaho Transportation Department; Matt Warnick, Department of Financial Management (DFM); Grant Simonds, Idaho Outfitters & Guides Association (IOGA).
- Chairman Palmer** called the meeting to order at 1:33 p.m.
- MOTION:** **Rep. Wintrow** made a motion to approve the minutes of the February 18, 2016, meeting. **Motion carried by voice vote.**
- Chairman Palmer** turned the gavel over to Vice Chairman Shepherd.
- H 343** **Chairman Palmer**, presented **H 343** regarding the distribution of the tax revenue from tax on special fuels. This legislation is an extension of the **H 312** legislation.
- In answer to committee questions, **Chairman Palmer** stated **H 312** contains the special fuel tax section and this legislation includes the distribution of special fuels.
- MOTION:** **Rep. Holtzclaw** made a motion to send **H 343** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Chairman Palmer** will sponsor the bill on the floor.
- H 513** **Chairman Palmer** presented the **H 513** regarding the REAL ID Act of 2005. This legislation allows the State of Idaho to participate in the implementation of the REAL ID Act of 2005. He summarized Idaho history pertaining to the REAL ID Act of 2005. He highlighted the unfunded federal mandate and privacy issues in the past. Currently, the federal government facilities, military bases, and the security in airports require the REAL ID. As a result, he stated ITD is in the process of becoming in compliance with federal regulations of REAL ID. He stated this legislation lifts the moratorium to allow ITD to continue with the REAL ID process.
- MOTION:** **Rep. Hixon** made a motion to send **H 513** to the floor with a **DO PASS** recommendation.
- In answer to committee questions. **Chairman Palmer** responded to the unfunded federal mandate question. He stated ITD has implemented the requirements to comply with REAL ID standards. In addition, the next step is to obtain vendors to perform the verification of the birth certificates. Chairman Palmer introduced **Amy Kearns**.

Amy Kearns, Idaho Transportation Department, reported the progress relating to licenses and the security measures taken by ITD. Currently, this legislation lifts the moratorium to allow the state of Idaho to become compliant with the REAL ID regulations. She discussed the guidelines for obtaining the REAL ID compliance. She stated Department of Homeland Security approval is necessary to obtain the REAL ID status for the driver license. The REAL ID allows Idaho citizens to enter federal facilities and/or commercial flights.

In answer to committee question, **Ms. Kearns** stated the purpose is to lift the moratorium so ITD can move further with the vendor process. She stated ITD has gathered vendor estimates.

In answer to committee question, **Chairman Palmer** summarized the associated costs pertaining to the birth certificates. He stated there will be two validations performed on the verification process for birth certificates. He stated the expenditure for the vendors will be 50 cents per check. In addition, he stated the committee may take measures to adjust the legislation pertaining to the REAL ID.

Kathy Greismyer, ACLU of Idaho, spoke in oppose of **H 513**. She stipulated two concerns for ACLU; unfunded federal mandate and privacy concerns for the citizens of Idaho.

In answer to committee question, **Ms. Griesmyer** stressed some concerns with ITD administering the REAL ID process. She alleged ITD is beyond their scope of service. In addition, she emphasized that ITD's decision to implement a one database data modeling platform might result in identity threat issues.

John Watts, Idaho Chamber of Alliance, reviewed the purpose of the Chamber of Alliance. He emphasized the benefits for implementing the REAL ID for citizens of Idaho and regional benefits. He stated the purpose of this legislation allows ITD to complete the federal requirements to obtain the REAL ID authorization. This will ensure that the citizens of Idaho can gain access to federal facilities, military bases, and security in commercial flights. He announced that ACLU supports this legislation. He stated its critical for Idaho to become compliant with REAL ID.

Mollie McCarty, ITD, clarified the differences between the Enhanced Driver Licenses and the REAL ID. Furthermore, she stated REAL ID Act is setting standards for states to follow to ensure security requirements are being meet.

In answer to committee questions, **Ms. McCarty** stated applicants will be required to submit a certified birth certificate to obtain the REAL ID.

In answer to committee question, **Chairman Palmer** stated this legislation can be amended now and/or in the future.

In answer to committee questions, **Chairman Palmer** stated this legislation was drafted with this language. On the other hand, this legislation can be amended at anytime.

In answer to committee questions, **Ms. McCarty** provided the committee members with information pertaining to state REAL ID extensions. She stated the Department of Homeland Security issues the state extensions.

Rep. Hixon spoke in support of this motion. He stated a certified birth certificate is a proper identification to obtain for verification to ensure the safety of our citizens. He stated the verification required to obtain a REAL ID is responsible for the citizens of Idaho.

Rep. Monks spoke in opposition of the motion. He summarized line 20 of the legislation. He stated the language of this legislation pertaining to driver licenses should be amended in the bill.

Rep. Harris spoke in opposition to the motion. He stated this legislation should be repealed instead of being amended.

Rep. Rudolph spoke in support of the motion. He stated this legislation implements the directive of ensuring the security of our citizens.

In answer to committee questions, **Chairman Palmer** stated this moratorium was created when ITD felt they couldn't move forward without legislation.

SUBSTITUTE MOTION:

Rep. Dixon made a substitute motion to send **H 513** to General Orders.

Rep. Wills spoke in opposition to the substitute motion. He stated this legislation won't infringe in the state's rights, it is about security. Furthermore, other stated have implemented the requirements for the REAL ID. Currently, ITD has all the tools to comply with the REAL ID.

Rep. Monks spoke in support of the substitute motion.

ROLL CALL VOTE ON SUBSTITUTE MOTION:

Roll call vote was requested. **Motion carried by a vote of 9 AYE, 8 NAY. Voting in favor** of the substitute motion: **Chairman Palmer, Reps. Monks, Holtzclaw, Harris, Dixon, McDonald, Packer, Gestrin, and Shepherd. Voting in opposition** to the motion: **Reps. Wills, Bateman, Hixon, Kauffman, Youngblood, King, Rudolph, and Wintrow. Chairman Palmer** will sponsor the bill on the floor.

ADJOURN:

There bring no further business to come before the committee, the meeting was adjourned at 2:22 p.m.

Representative Palmer
Chair

Vicky Davies
Secretary