

MINUTES  
**HOUSE STATE AFFAIRS COMMITTEE**

**DATE:** Monday, January 23, 2017

**TIME:** 9:00 A.M.

**PLACE:** Room EW40

**MEMBERS:** Chairman Loertscher, Vice Chairman Monks, Representatives Luker, Crane, Palmer, Barbieri, Holtzclaw, Harris, Armstrong, Giddings, Manwaring, Zito, Smith (Nye), Jordan

**ABSENT/  
EXCUSED:** None

**GUESTS:** Kim Hunter, Secretary of State; Jeff Harvey, Secretary of State; Russell Westerberg, Coeur d' Alene Racing.

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

**RS 24981:** **Rep. Kauffman** presented **RS 24981**, proposed legislation that allows for an exemption for exhibition-style live dog racing or the training of dogs to compete in exhibition-style live dog races, conducted at county fairs and upon which no pari-mutuel betting occurs.

**MOTION:** **Rep. Manwaring** made a motion to introduce **RS 24981**. **Motion carried by voice vote.** **Rep. Jordan** requested to be recorded as voting **NAY**.

**RS 24998:** **Rep. Cheatham** presented **RS 24998**, proposed legislation that amends Section 18-3302, Idaho Code to allow any person who is a resident of Idaho, or is stationed at any military base in Idaho, as an active member of any branch of the United States military to carry a concealed handgun. He stated the legislation might need to be re-worded and was open to committee feedback.

**MOTION:** **Rep. Zito** made a motion to introduce **RS 24998** with the following changes: on Page 2, line 21, strike out subsection (ii) "a resident of Idaho" and add the words "is not disqualified from being issued a license under subsection 11 of this section."

**SUBSTITUTE MOTION:** **Rep. Giddings** made a substitute motion to return **RS 24998** to the sponsor. She spoke to the motion and stated there are problems with the definitions of "military base" and "active member" that need to be addressed.

**Rep. Luker** spoke in support of the motion and stated the language needs to reflect exactly who the legislation will apply to.

**Rep. Crane** spoke in support of the motion and stated he agrees with the concept of the legislation, but it needs to be cleaned up first.

**VOTE ON SUBSTITUTE MOTION:** **Chairman Loertscher** called for a vote on the substitute motion to return **RS 24998** to the sponsor. **Motion carried by voice vote.**

**RS 25007:** **Chad Houck**, Secretary of State, presented **RS 25007**, proposed legislation that corrects oversights that were included in the 2015 enactment of the Idaho Uniform Business Organizations Code. He stated the corrections include clarifying fee names, including missed fees, and removing fees that the Secretary of State's office is no longer charged.

**MOTION:** **Rep. Luker** made a motion to introduce **RS 25007** with changes to be made in the fiscal note to include the full impact of the legislation. **Motion carried by voice vote.**

**RS 25008:** **Chad Houck**, Secretary of State, presented **RS 25008**, proposed legislation that changes the current law to provide for Assumed Business Name (ABN) filings to be renewed every five years with a \$10.00 renewal fee. He stated the current practice has allowed for perpetual filings for ABN's until cancelled by the owner. The five-year renewal requirement would allow for inactive ABN filings to be administratively canceled, which is consistent with similar practices for business entity types like LLCs and Corporations.

In response to committee questions, **Mr. Houck** stated there are over 188,000 ABNs in Idaho currently. He stated the Secretary of State's office does not track email addresses for ABN filings as of yet. He said the Office spends approximately \$250,000 a year in postage to contact ABN owners regarding their filings. He stated e-mail is far more efficient and the notification of an administrative cancellation would still be mailed. He stated there is an appropriations bill to rebuild a corporate system for business users to create accounts and simplify edits to contact information performed by the user. He stated the \$10.00 fee was implied by the counties to cancel ABN filings when they managed them prior to the Secretary of State's office. He said they would consider a reduced fee if the committee requested. He stated they chose the 5-year renewal because most businesses either succeed or fail within that time.

In response to committee questions, **Kim Hunter**, Director of Business, Secretary of State, stated the ABN database needs to be cleaned up. She stated that it is estimated that 85% of the ABN's currently on file are no longer in business or inactive. She stated it is important to have an updated list to go by because many new companies want to know if existing companies have the same name before they actually register their businesses under the name.

**MOTION:** **Rep. Barbieri** made a motion to return **RS 25008** to the sponsor. **Motion carried by voice vote.**

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

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Representative Loertscher  
Chair

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Kasey Winder  
Secretary