

MINUTES
HOUSE STATE AFFAIRS COMMITTEE

DATE: Tuesday, January 31, 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: Mike Kane, Idaho Sheriff's Association; Ardie Noyes, Racing Commission; Dennis Stevenson, Office of Administrative Rules.

Vice Chairman Monks called the meeting to order at 9:04 a.m.

Vice Chairman Monks introduced the Subcommittees to their review of the proposed Pending Administrative Rules.

Rep. Holtzclaw reported the Holtzclaw Subcommittee reviewed the Pending Rules of the Idaho Public Safety Communications Commission, **Docket No. 15-0601-1601**, **Docket No. 15-0602-1601**, and **Docket No. 15-0602-1602** and are recommended to be approved in their entirety. He stated the Pending Rule **Docket No. 15-0606-1601** for the Office of Emergency Management was also reviewed and recommended to be approved in their entirety.

MOTION: **Chairman Loertscher** made a motion to accept the report of the Holtzclaw Subcommittee, approval of **Docket No. 15-0601-1601**, **Docket No. 15-0602-1601**, **Docket No. 15-0602-1602** and **Docket No. 15-0606-1601**. **Motion carried by voice vote.**

Rep. Harris reported the Harris Subcommittee reviewed the Pending Rule of the Idaho Public Utilities Commission **Docket No. 31-4602-1602** and the Pending Rules of the Division of Purchasing **Docket No. 38-0501-1601** and are recommended to be approved in their entirety. He stated the Pending Fee Rule **Docket No. 11-0403-1601** for the Idaho Racing Commission was also reviewed and recommended to be rejected in its entirety.

MOTION: **Rep. Barbieri** made a motion to accept the report of the Harris Subcommittee, approval of **Docket No. 31-4602-1602** and **Docket No. 38-0501-1601** and to reject the recommendation to reject **Docket No. 11-0403-1601**.

**SUBSTITUTE
MOTION:** **Rep. Luker** made a substitute motion to approve **Docket No. 31-4602-1602** and **Docket No. 38-0501-1601**. **Motion carried by voice vote.**

MOTION: **Chairman Loertscher** made a motion to approve **Docket No. 11-0403-1601**. He spoke to the motion and stated if the rules are rejected, the Racing Commission will not be able to have correct authorization to do background checks and they are not asking for a fee increase, only a reimbursement of fees they have to pay out to the FBI for background checks.

In response to committee questions, **Ardie Noyes**, Management Assistant, Idaho Racing Commission, stated the background checks are important because some applicants have shaded pasts and the Commission is mandated to regulate the industry. She stated the Racing Commission worked with the FBI, ISP and Deputy Attorney Generals to obtain the correct language for the rules and they had to be approved by the FBI before presenting them to the Legislature for approval. She stated fingerprinting and background checks are preventative and regulation is very important to the Commission. She stated the only fees that would be passed on would be what the Commission is charged by the FBI for the background checks.

Rep. Zito invoked Rule 38 stating a possible conflict of interest, but that she would be voting on the legislation.

VOTE ON MOTION:

Vice Chairman Monks called for a vote on the motion to approve **Docket No. 11-0403-1601**. **Motion carried by voice vote. Reps. Palmer and Harris** requested to be recorded as voting **NAY**.

RS 24997:

Michael Kane, Idaho Sheriff's Association, presented **RS 24997**, proposed legislation to amend the law relating to felons who may possess firearms. He stated the current law makes it clear that the worst kind of felons (murder, rape, kidnapping, drug dealing, sex crimes) cannot possess firearms, even after they are discharged from their sentences. Missing from the list of criminal offenses in the current law are crimes that have been created since the original passage of the law, or crimes that were not originally considered but are crimes committed by organized criminals, terrorists, and criminal gang members. He stated the legislation adds these serious felonies to the current law.

In response to committee questions, **Mr. Kane** stated that each State has sovereignty to determine who can carry concealed weapons and the federal government follows that determination.

MOTION:

Rep. Manwaring made a motion to introduce **RS 24997**. **Motion carried by voice vote.**

ADJOURN:

There being no further business to come before the committee, the meeting was adjourned at 9:42 a.m.

Representative Monks
Chair

Kasey Winder
Secretary