

MINUTES
SENATE STATE AFFAIRS COMMITTEE

DATE: Friday, February 10, 2017

TIME: 8:00 A.M.

PLACE: Room WW55

MEMBERS PRESENT: Chairman Siddoway, Vice Chairman Hagedorn, Senators Davis, Hill, Winder, Lodge, Lakey, Stennett, and Buckner-Webb

ABSENT/ EXCUSED: None

NOTE: The sign-in sheet, testimonies and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

CONVENED; **Chairman Siddoway** called the Senate State Affairs Committee (Committee) meeting to order at 8:01 a.m. and welcomed those attending.

VOTE ON GUBERNATORIAL APPOINTMENT: **The Gubernatorial Reappointment of Dennis Duehren to the Bingo-Raffle Advisory Board.**

Senator Hagedorn moved to send the Gubernatorial reappointment of Dennis Duehren to the Bingo-Raffle Advisory Board to the floor with a **do pass** recommendation. **Senator Lakey** seconded the motion. The motion carried by **voice vote**.

VOTE ON GUBERNATORIAL APPOINTMENT: **Gubernatorial Reappointment of James Hammond to the State Building Authority.**

Senator Lodge moved to send the Gubernatorial reappointment of James Hammond to the State Building Authority to the floor with a **do pass** recommendation. **Senator Buckner-Webb** seconded the motion. The motion carried by **voice vote**.

H 54 **Relating to Filing Fees to remove and revise fees charged by the Secretary of State under the Idaho Uniform Business Organization Code.**

Chad Houck, Director of Special Projects for the Secretary of State, presented **H 54**, which makes corrections to I.C. § 30-21-24 for oversights that occurred during the revision of the Idaho Uniform Business Organizations Code in 2015. The amendment will accurately reflect, in statute, the services provided by the Secretary of State's office and set forth the correct fees associated with those services. In addition, the bill removes the fee currently charged for the dissolution of an entity and corrects a spelling error in the existing code.

Based on FY 2016 filings as a reference point, this amendment would create an estimated reduction in FY 2018 General Fund revenue of approximately \$12,500.

MOTION: **Senator Lodge** moved to send **H 54** to the floor with a **do pass** recommendation. **Senator Buckner-Webb** seconded the motion. The motion carried by **voice vote**.

H 77 **Relating to the Disclosure of Information to provide a correct statutory citation related to public records disclosure.**

Paul Amador, Representative from District 4, presented **H 77**, which amends I.C. § 39-270, by striking I.C. § 39-302 and inserting I.C. § 74-102. **Representative Amador** explained that in 2016, the Legislature consolidated public records requests in Idaho Code, Title 74, and the omission of this part of the record was an oversight. There is no impact to the General Fund.

Senator Winder asked why it was necessary to include an emergency clause in the legislation. **Representative Amador** was not familiar with that part of the bill and said he would find the answer.

MOTION: **Senator Buckner-Webb** moved to send **H 77** to the floor with a **do pass** recommendation. **Senator Hagedorn** seconded the motion. The motion carried by **voice vote**.

Representative Amador will provide the Committee with the rationale for including the emergency clause before **H 77** goes to the floor.

H 33 **Relating to Wine Direct Shipper Permits to provide for suspension of a wine direct shipper's permit under certain conditions.**

Don Williams, Tax Policy Specialist, Idaho State Tax Commission, presented the proposed legislation. **H 33** amends I.C. § 23-1331 to add wine direct shippers to existing statute, which will enable the Alcohol Beverage Control (ABC), to suspend or revoke a wine direct shipper's permit for any violation of or failure to comply with the law.

Mr. Williams noted the wine direct shipper's permit was inadvertently not included to this section of Idaho Code when H 454 was passed in 2006. Referencing e-mail communications provided to the Committee previously, **Mr. Williams** reiterated that the ABC and the Grape and Wine Industry support the bill.

Questions from the Committee centered on: 1.) the definition of "wine direct shipper;" 2.) who can ship as a wine direct shipper; 3.) why it has taken 11 years to correct the information in the original bill; and 4.) whether the majority of permit revocations are from in-state or out-of-state shippers. **Mr. Williams** said most revocations are for out-of-state shippers. Questions he could not answer will be fully researched and answers will be provided to the Committee by Monday.

MOTION: **Senator Winder** moved that **H 33** be held in Committee until Monday, February 13, 2017. **Senator Hagedorn** seconded the motion. The motion carried by **voice vote**.

RS 25220 **A Joint Resolution Proposing an Amendment to the Constitution of the State of Idaho relating to the rights of crime victims.**

Senator Todd Lakey, District 12, presented **RS 25220**, which proposes amendments to the Victim's Rights portions of the Idaho State Constitution, particularly Article 1, Section 22. The amendment will ensure that victims are adequately heard and that victims are given reasonable protection from the accused.

Senator Lakey noted the amendment process is ongoing but is being introduced for print at this time because of Senate Joint Rule 20, which states introduction of a resolution for a constitutional amendment must be made prior to the 36th legislative day, unless leadership gives special permission. **Senator Lakey** noted there may be minor adjustments to the amendment when it is presented for a hearing.

Senator Hill wondered why the definition of victim was stricken by statute and incorporated into the Constitution. **Senator Lakey** said the change probably relates to the strength of the definition.

MOTION: **Senator Hill** moved to send **RS 25220** to print. **Senator Stennett** seconded the motion. The motion carried by **voice vote**.

Senator Hagedorn recognized Darrell Manning, retired General, Senator and Majority Leader, Director of the Idaho Transportation Department, Department of Administration, and Chairman of the Idaho Transportation Board. General Manning, who lives in Senator Hagedorn's district, spearheaded the introduction of the Mason's Manual to the Senate.

RS 25139 **A Concurrent Resolution honoring Minoru Yasui for his courage and commitment to liberty and justice.**

MOTION: **Senator Hagedorn** moved to send **RS 25139** to print. **Senator Stennett** seconded the motion. The motion carried by **voice vote**.

ADJOURNED: There being no further business at this time, **Chairman Siddoway** adjourned the meeting at 8:28 a.m.

Senator Siddoway
Chair

Twyla Melton, Secretary

Jeanne' Clayton, Assistant
Secretary