

MINUTES  
**HOUSE STATE AFFAIRS COMMITTEE**

**DATE:** Monday, February 13, 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, Scott, Smith, Jordan

**ABSENT/  
EXCUSED:** None

**GUESTS:** John Palomarez, John's Discount Fireworks; Dennis Doan, Idaho Fire Chiefs; Michael Pearson, Fish and Game.

**Chairman Loertscher** called the meeting to order at 9:00 a.m.

**RS 25133:** **Rep. Erpelding** presented **RS 25133**, proposed legislation that closes a loophole in the law which allows retailers to sell currently illegal aerial fireworks if the customer signs an affidavit stating he or she will not light the fireworks in Idaho. He stated the new language will require retailers to record and keep record of all wholesale transactions, including showing the buyer's permit for public display issued in accordance with Section 39-2605, Idaho Code. He stated the new section to be added to current law makes it unlawful for any person to sell fireworks at wholesale to any out of state resident who does not possess and present to the seller a valid license or permit issued to the same person of the same name. He stated there was no fiscal impact from the legislation. He stated the Table Rock Fire last summer, which was sparked by illegal fireworks, unnecessarily cost Idaho taxpayers approximately \$350,000. By making it more difficult to buy and sell illegal aerial fireworks, the cities and counties will save money and protect private property by reducing the number of fires requiring firefighter dispatch.

In response to committee questions, **Rep. Erpelding** stated there were multiple fires in the state due to illegal fireworks. He stated the tribes are a sovereign entity and are allowed to sell illegal fireworks and the legislation would have no effect on that. He stated the intent of the bill is to bring the supply of illegal fireworks down since the misuse of aerial fireworks is so high. He stated the cost to taxpayers is high because of this problem.

**MOTION:** **Rep. Smith** made a motion to introduce **RS 25133**.

**Rep. Palmer** and **Rep. Armstrong** spoke in **opposition** to the motion.

**ROLL CALL  
VOTE:** **Chairman Loertscher** called for a Roll Call vote on the motion to introduce **RS 25133**. **Motion failed by a vote of 6 AYE, 9 NAY. Voting in favor** of the motion: **Chairman Loertscher, Reps. Monks, Luker, Crane, Smith and Jordan. Voting in opposition** to the motion: **Reps. Palmer, Barbieri, Holtzclaw, Harris, Scott, Armstrong, Giddings, Manwaring and Zito.**

**RS 25121:** **Chad Houck**, Director of Special Projects, Secretary of State, presented **RS 25121**, proposed legislation relating to sunshine filings, that requires the filing of all reports in an electronic format and give the Secretary discretion to grant hardship waivers from the requirement. The bill would also increase allowable level of fines for violations of the Act.

In response to committee questions, **Mr. Houck** stated the new fine amounts came directly from the Sunshine Ballot Initiative. He stated the other fine amounts were not much of a deterrent and the new fines are the maximum, not what is required to be charged. He stated the Secretary of State's office has not fined anyone in at least 12 years.

Due to time constraints, **RS 25121** will be carried over to a meeting in the future.

**ADJOURN:** There being no further business to come before the committee, the meeting was adjourned at 9:53 a.m.

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Representative Loertscher  
Chair

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Kasey Winder  
Secretary