

MINUTES  
**HOUSE STATE AFFAIRS COMMITTEE**

**DATE:** Monday, January 29, 2018

**TIME:** 9:30 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:** Russell Westerberg, RMP, Roger Batt, Idaho Grape and Wine Producers Jim Langley; IL Ling New.

**Rep. Loertscher** called the meeting to order at 9:30 a.m.

**MOTION:** **Rep. Smith** made a motion to approve the minutes of the January 24, 2018 meeting. **Motion carried by voice vote.**

**RS 25747C1:** **Rep. Zito** presented **RS 25747C1**, legislation to update Idaho's current self-defense statutes. The victims, or those who have fired in self-defense, will be presumed innocent whereas the current law presumes the criminal is innocent in a self-defense situation. Prosecutorial discretion is available for situations where law enforcement feel a shooting was unjustified. Provisions also exist to protect law enforcement officers acting in an official capacity. The bill provides reimbursement of legal expenses by the State of Idaho to the victim in the event they are found "not guilty" using a self-defense claim. The ability to defend oneself is extended to vehicles and one's place of business. The bill will also codify Idaho's current "Stand Your Ground" law, and the Castle doctrine.

**Rep. Zito** introduced **Alexandria Kincaid**, attorney, Second Amendment Alliance. Ms. Kincaid stated the law is not strong enough. If found not guilty when justifiable force is used, there should be no prosecution.

**MOTION:** **Rep. Crane** made a motion to introduce **RS 25747C1** with change on page 2 line 46, to put a period after the word "committed", and strike "or to suppress a riot".

**ROLL CALL  
VOTE:** **Rep. Giddings** called for a roll call vote on **RS 25747C1**. **Motion carried by voice vote of 14 AYE, 1 NAY. Voting in favor** of the motion: **Chairman Loertscher, Rep(s). Monks, Luker, Crane, Palmer, Barbieri, Holtzclaw, Harris, Armstrong, Giddings, Manwaring, Zito, Scott, and Jordan. Voting in opposition** to the motion: **Rep. Smith.**

**RS 25925:** **Roger Batt**, Idaho Grape and Wine Producers, presented **RS 25925**. This proposed legislation would allow wineries and vintners to use customized private labels on wines for hotels and restaurants produced by that winery or vintner, and personalized private labels on wines for consumers produced by the winery or vintner. Federal labeling standards shall be followed and the label approved by the Alcohol and Tobacco Tax and Trade Bureau of the United States Department of the Treasury.

**MOTION:** **Rep. Zito** made a motion to introduce **RS 25925**. **Motion carried by voice vote.**

**RS 25781:** **Chad Houck**, Deputy, Secretary of State presented **RS 25781** legislation to amend the existing statutes for notaries public, amending sections of Title 51 to further clarify requirements for stamping devices and provide specific differentiated details for tangible versus electronic records. The language pertaining to the qualifications for application of a notary have been reworded for clarity, and removes a line pertaining to "disqualifications", as the existing reference points to statute that says that certain conditions "may" prompt the Secretary of State to refuse to issue a commission, not that an applicant "shall be disqualified". Finally, this proposal removes all references to a "renewal", as notaries are not renewed, but rather submit a new application and are recommissioned every 6 years.

**MOTION:** **Rep. Barbieri** made a motion to introduce **RS 25781**. **Motion carried by voice vote.**

**H 361:** **Chad Houck**, Deputy, Secretary of State, presented **H 361**, legislation is to remove the fee associated with filing a Statement of Termination for a partnership, consistent with legislation enacted in 2017 that removed similar fees for dissolving other business entities. This avoids the process of having to administratively terminate the partnership. It modernizes an existing \$20 surcharge currently charged for filing a non-typed record. This proposal would apply the surcharge to any form not generated by the Secretary of State's Electronic Filing System, applying the surcharge only to documents requiring manual data entry processes. It sets the effective date at the projected launch of the new electronic filing system. Based on 2017 data, there were 45 Statements of Termination filed with the SOS in FY 2017.

**MOTION:** **Rep. Barbieri** made a motion to send **H 361** to the floor with a **DO PASS** recommendation. **Motion carried with a voice vote.** **Rep. Manwaring** will sponsor the bill on the floor.

**ADJOURN:** There being no further business to come before the committee, the meeting was adjourned at 10:44 a.m.

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Representative Loertscher  
Chair

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Jayne Feik Spinato  
Secretary