

MINUTES  
**HOUSE STATE AFFAIRS COMMITTEE**

**DATE:** Tuesday, February 06, 2018

**TIME:** 8:00 A.M.

**PLACE:** Lincoln Auditorium

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

**ABSENT/  
EXCUSED:** None

**GUESTS:** The sign-in sheet will be retained with the minutes in the committee secretary's office until the end of the session. Following the end of the session, the sign-in will be filed with the minutes in the Legislative Services Library.

**Vice Chairman Monks** called the meeting to order at 8:00 a.m.

**HCR 32:** **Rep. Loertscher** presented **HCR 32**, proposed legislation to call an Amendment Convention of the States pursuant to Article V of the United States Constitution for specific and limited purposes relating to the reduction of the abuse of power by the Federal Government. It is Idaho's call to a convention pursuant to Article V of the United States Constitution. Petitions have already been passed by 12 other states; Georgia, Florida, Alaska, Alabama, Tennessee, Indiana, Oklahoma, Louisiana, Texas, Missouri, North Dakota, and Arizona. A call for a Constitutional Convention would be an unconstitutional call pursuant to Article V. This is call for a Convention of States to propose amendments to the Constitution, subject to ratifications. Two thirds of the states have to apply and three fourths have to ratify. Concurrent resolution 32 outlines the procedure Idaho will follow. Congress has no power, only administrative duties, and can only set the time and place for the initial meeting of the convention, and determine how it would be ratified, either by the legislators or by conventions of several states. No member of Congress or the House can participate in this, and cannot be delegates from Idaho. Anyone who would otherwise be qualified would be eligible, and would be elected by the two bodies in the legislature, three from the senate and three from the house. A Convention of State is based on One State, One Vote. Congress has no ability to determine how many delegates are sent. Six members are elected by those bodies. The two bodies each choose two more. The legislators have full authority over them. If their service isn't satisfactory they may be recalled and others may be sent. This is one way states can use their authority. It is granted to us in Article V and by our Creator. Congress would not call a convention if petitions in other states were not substantially the same.

**Walt Donovan, V.F.W. Paula Davina, McKay Cunningham, Adrienne Evans, United Vision for Idaho, Peggy Jordan, Elinor Cheney, League of Women Voters, Anne Hausrath, Duncan Farris, Gerald Harbel, McKay Cunningham, Yvonne Sandmire, Shawn Neehan, Bonnie Carter, Tammy Nichols, Duncan Farris, spoke in opposition to H 32.** A balanced budget is a bridge, a process, not an outcome. We the people are responsible for our government. They were concerned about a runaway convention.

**Tim Neilson, Kyle Key, Convention of States (COS), Brian Gross, COS, Robert Haggard, LeRoy Benson, Ralph Johnson, Dan M. Dunne, Ann Stout, Senator Marv Hagadorn, Don Fotheringham, Robert Haggard, Ralph Johnson, Dan Dunne, COS, spoke in support of H 32.** There is hope that a Convention of States can bring some control to legislators. Our federal government is the largest creditor, debtor, lender, employer, consumer, property owner, tenant, and insurer. It regulate your children's toy, cribs, and lunches in the lunch room. The question isn't what the government controls, it is what it does not. The conventions are the people. Legislators don't create governors or make laws, rules come from the conventions. **George Mason, 1775,** "considered a reference of a plea to the authority of the people as one of the most important and essential of the resolutions. The legislators have no power to ratify it. They are the mere creatures of the state constitutions, and cannot be greater than their creators."

**ADJOURN:** Due to time restraints the meeting will resume February 7, 2018, at 8:00 a.m. The meeting adjourned at 10:50 a.m.

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Representative Loertscher  
Chair

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Jayne Feik Spinato  
Secretary