

Idaho Republican Party

Submitted Proposed Resolutions

2017 State Central Committee Summer Meeting

July 21st - 22nd, 2017



2017 Standing Resolutions Committee Members

Idaho Republican Party Acting Chair: 1st Vice Chair Mike Matthews

Resolutions Chair: Tyler Hurst **Vice Chair:** Chenele Dixon **Secretary:**

Region 1: Danielle Ahrens
James McMillan

Region 2: Leticia Scott
Gresham Bouma

Region 3: Machele Hamilton
Susie Alvord

Region 4: Sarah Jane McDonald
Vicki Keen

Region 5: Mark Peterson
Lee Barron

Region 6: Dan Cravens
Ann Wheeler

Region 7: David Taylor
Robert Stoddard

Submitted Proposed Resolutions Changes Table of Contents

Submitted Proposed Resolution 2017 - P16	3
A Resolution Amending Joint Rule 18	3
Submitted Proposed Resolutions 2017 - P17	3
A Resolution Amending A Bill At The Second Reading Calendar.....	3
Submitted Proposed Resolution 2017 - P18.....	5
A Resolution Supporting Changes in the Reapportionment Commission	5
Submitted Proposed Resolution 2017 - P19.....	6
A Resolution Supporting the Michael Davis, Jr. and Danny Oliver in Honor of State and Local Law Enforcement Act (H.R. 2431).....	6
Submitted Proposed Resolution 2017 - P20.....	6
A Resolution Recognizing and Commending Idaho Legislators for Supporting Repeal of the Grocery Tax.....	6
 Late Submitted Proposed Resolutions	7
Late Submitted Proposed Resolution 5	7
A Resolution in support of informing juries of Jury Nullification	7
Late Submitted Proposed Resolution 6	8
A Resolution opposing the bureaucratic mindset within the party.....	8

Submitted Proposed Resolution 2017-P16

A Resolution Amending Joint Rule 18

Submitted by Danielle Ahrens

Appointed Representatives: Cornel Rasor, Victoria Zeischegg, Daniel Vaniman, Danielle Ahrens, Dana Engelhardt, Travis Thompson

WHEREAS: Joint rule 18 is the rule defining the statement of purpose and fiscal notes for pending legislation, and currently does not have any language requiring the new bill to identify the title and section of the constitution that authorizes its passage and;

WHEREAS: The Idaho Republican platform states that “We believe government must practice fiscal responsibility, and that taxpayers should allow the government only the money necessary to provide appropriate functions” and;

WHEREAS: The Idaho Republican platform also states that “We believe that our Founding Fathers gave us a government that is a servant of the people not our master and the and the proper role of government is to provide for the people only those critical functions that cannot be performed by individuals or private organizations” and;

WHEREAS: No legislation should violate the state constitution or the federal Constitution,

NOW, THEREFORE LET IT BE RESOLVED BY THE BONNER COUNTY REPUBLICAN CENTRAL COMMITTEE (BCRCC) that the BCRCC requests our District One and District Seven Legislators to add the following language to Idaho Legislature Joint Rule 18. “No bill increasing or decreasing a tax or fee, or creating a tax or fee, or imposing a new regulation shall be introduced unless it includes a fiscal note indicating the impact the bill is likely to have on individuals, families, businesses and other likely affected parties.”

BE IT FURTHER RESOLVED by the BCRCC that the BCRCC requests our District One and District Seven Senators and our District One and District Seven House Legislators to add the following language to Idaho Legislature Joint Rule 18. “No bill shall be introduced in either house unless it shall have attached title and section of the Idaho State Constitution that authorizes its passage.”

Submitted Proposed Resolution 2017-P17

A Resolution Amending A Bill At The Second Reading Calendar

Submitted by Dana Engelhardt

Appointed Representatives: Cornel Rasor, Victoria Zeischegg, Daniel Vaniman, Danielle Ahrens, Dana Engelhardt, Travis Thompson

WHEREAS: 70 of the 99 legislative chambers in the United States use Masons Manual for Legislative Procedure as their parliamentary authority.

WHEREAS: Idaho State Legislature Rule 10: Standard Rules. – The rules of the parliamentary practice set forth in Mason’s Manual of Legislative Procedures shall govern the House in all cases to which they are applicable, and in which they are not inconsistent with the Standard Rules and Orders of the House and the Joint Rules and Orders of the Senate and House of Representatives,

WHEREAS: The business of the house is to produce law and policy by way of introduction, consideration, amendment, and passage of bills. Sound policy, then, embraces member rights to equal participation in that business.

WHEREAS: The Idaho State Legislature has a tradition that does not allow an amendment to a bill on the second reading, which tradition and its rationale, is not spelled out in the House Rules.

WHEREAS: The Idaho State Legislatures current tradition that does not allow a legislator to propose an amendment to a bill on the second reading, without majority approval, bars equal participation. The tradition in no way protects the rights of the minority and by extension, is patently unfair.

WHEREAS: This tradition bars every legislator who was either not part of the drafting of a bill or part of the bill’s committee process from providing input into the bill.

Mason’s Section 560 (9):

“The members of a legislative assembly...are all precisely equal... and have an equal right to participate in all the proceedings of the assembly...”

WHEREAS: According to Mason’s “Each member of a legislature is presumed to be the equal of each other member, and each has rights that must be respected. The right of the minority and the majority both must be protected.”

WHEREAS: Idaho State Legislature Rule 38 sub title 3 states “A member has the right to vote upon all questions before the House and to participate in the business of the House....” This is in accord with Mason’s section 725 (1) “When there is a regular order of business, any business properly coming up under the appropriate order requires no special consent.” (Emphasis added)

It should be clear to the reader that current legislative practice is specifically designed to precluded any minority participation in crafting the content of the bill.

NOW, THEREFORE LET IT BE RESOLVED BY THE BONNER COUNTY REPUBLICAN CENTRAL COMMITTEE (BCRCC) that the BCRCC requests our District One and District Seven House Legislators to include in Idaho Legislature house rules the clarification that;

“A bill is open to amendment on a second reading....” Mason’s Section 731 (2): “Upon second reading of a bill, it is open to amendment.” Mason’s Section 734 (2):

Sec. 731. Amendment of Bills

See also Ch. 38, Secs. 395-421, Motion to Amend, and Sec. 407,

Amendment of Titles of Bills,

1. It is competent for the legislature to correct defects or imperfections or to amend a bill at any time before the final passage as long as the subject of the bill is not essentially changed.
2. A bill is open to amendment of second reading and upon third reading. Amendments to bills are frequently proposed in committee but can be adopted only upon second and third readings or upon the adoption of a conference report.

Submitted Proposed Resolution 2017-P18

A Resolution ‘Supporting Changes in the Reapportionment Commission during the 2018 Legislative Session’

Respectfully Submitted by Dale Ewersen, Reapportionment Study Committee Chair; Committee Members Ann Rydalch, Steve Pinther, Charles Horikami, Lance Kolbet, Gretchen Clelland, Steven Millington, Peggy Moyer, Steve Cory, Ric Branch, Luke Pearce, Joann Mider, Linda Yergler, John Cross and Lorna Finman

WHEREAS, in the 2010 reapportionment process, the commission of six appointed by the Idaho State Legislature leaders and party leaders, both Republican and Democrat, was unable to come to an agreement regarding legislative district boundaries and those boundaries were effectively set by the Judicial Branch and not by the regular citizens of the State of Idaho, causing some areas to be reapportioned to the harm of those citizens living in those areas;

THEREFORE, BE IT RESOLVED, that the Idaho Republican Party supports the State Legislature in efforts to reform Idaho’s reapportionment laws through constitutional amendment, providing for a seventh (7th) voting member on the commission to break ties on the Reapportionment Commission. This seventh (7th) member shall be selected by a majority vote of the seven constitutional officers elected in the general elections of 2020, 2030, 2040, etc.

Submitted Proposed Resolution 2017-P19

A Resolution Supporting the Michael Davis, Jr. and Danny Oliver in Honor of State and Local Law Enforcement Act (H.R. 2431)

Submitted by: John Cross Region 1 Chair; Angela Cross LD 3 Chair

Whereas, Idaho Representative Raul Labrador acts as Vice Chairman of the House Judiciary Immigration and Border Security Subcommittee in the US House of Representatives, and;

Whereas, Rep. Labrador introduced the Michael Davis, Jr. and Danny Oliver in Honor of State and Local Law Enforcement Act (H.R. 2431), and;

Whereas, this bill is named after two California deputy sheriffs who were murdered by illegal aliens, and;

Whereas, this bill if passed will protect and encourage jurisdictions to cooperate with ICE detainer requests, and;

Whereas, this bill if passed will also target sanctuary jurisdictions by withholding federal grants, and;

Whereas, the Davis-Oliver Act is named as part of immigration watchdog organization NumbersUSA as one of their declared “5 Great Immigration Solutions” bills, therefore;

Resolved, the Idaho Republican Central Committee strongly supports Rep. Raul Labrador's introduction of the Davis-Oliver Act, and;

Resolved, the Idaho Republican Central Committee will include a motion obligating the National Committeeman to submit a version of this resolution to the next National Republican Committee Meeting.

Submitted Proposed Resolution 2017-P20

A Resolution Recognizing and commending Idaho Legislators for Supporting Repeal of the Grocery Tax

Submitted by: Mitch Toryanski LD 18 Chair

Appointed Representative: Steven Y Christensen

BE IT RESOLVED, that the Idaho Republican State Central Committee recognizes and commends Republican Legislators for their efforts in 2017 to repeal the Idaho Grocery Tax and provide relief to Idaho families.

Idaho Republican Party State Central Committee
LATE Submitted Proposed Resolutions
Summer State Central Committee Meeting
July 21st-22nd, 2017

LATE SUBMITTED PROPOSED RESOLUTIONS

Late Submitted Proposed Resolution 5

A Resolution in support of informing juries of Jury Nullification

Submitted by: Jon Menough, Idaho County Chairman

Appointed Representative: Matthew Jensen, Ada County

WHEREAS, Jury Nullification is defined as a jury's knowing and deliberate rejection of the evidence and refusal to apply the law (Cornwell Law University);

WHEREAS, This is necessary either because the jury wants to send a message about some issue (social or otherwise) that is larger than the case itself, or because the result dictated by law is contrary to the jury's sense of justice, morality, or fairness;

WHEREAS, Most court systems take measures to ensure that juries are unaware of their right to nullify laws during trials so that jurors judge cases solely on the law and ignore extenuating circumstances;

WHEREAS, Idaho Code section 19-2131 states in part, "the jury have the power to find a general verdict, which includes questions of law as well as of fact...";

WHEREAS, By not alerting jurors of their full rights and responsibilities, we remove the jurors' ability to accurately sentence and perform their duties;

WHEREAS, Judges still retain the ability to overrule jury verdicts, thus outlandish sentencing should not take place if the informing of juries' full rights and responsibilities happens;

THEREFORE, BE IT RESOLVED, that the Ada County Republican Party should speak and act

in support of informing juries of their rights and responsibilities, specifically that juries have the right to acquit an otherwise guilty defendant, if such conviction would be unjust or immoral; and,

THEREFORE, BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to all Republican legislators of Ada County; and,

THEREFORE, BE IT FURTHER RESOLVED, that this resolution shall be forwarded to the State Central Committee to be considered by Resolutions Committee during the summer 2017 SCC meeting.

Late Submitted Proposed Resolution 6

A Resolution opposing the bureaucratic mindset within the party

Submitted by: Jon Menough, Idaho County Chairman

Appointed Representative: Ryan Davidson, Ada County

WHEREAS the Idaho Republican Party is a volunteer grassroots organization, relying on the participation of members in every precinct of the state; and

WHEREAS voting members of the State Central Committee and delegates to the State Convention spend their own time and money to attend these functions in a hope to accomplish meaningful business for the party; and

WHEREAS Republicans in general oppose government bureaucracy as it inevitably complicates simple processes, stifles ideas, restricts the free flow of information by channeling it through an intermediary, and reduces creativity; the defining characteristic of the bureaucrat is that their first response will always be ‘no’ because there is nothing in it for them to say ‘yes;’

THEREFORE, BE IT RESOLVED that the State Central Committee opposes the bureaucratic mindset within the party, and encourages its officers and employees to conduct themselves in a way to best facilitate the free flow of ideas and grassroots participation. Conduct *encouraged* includes but should not be limited to the following:

- 1) Rules, Resolutions and Convention Committee hearings should not have scheduled adjournments. The presumption should be that committee members are there to hear all business before them, in light of the fact that members must travel great distances to present their proposals to the respective committees. Adjournment should only occur upon a motion once all business has been completed.
- 2) The Convention, State Central, and Committee Chairman should take care to ensure that debate by the full body on any matter before them is allowed to occur. The Chair should clearly and plainly explain to the body their right to debate a motion at the appropriate time, and should not try limit debate by calling for the question too

quickly.

- 3) It shall be the presumption that members of the Republican Party have the right to freely access members of the State Central Committee and Convention Delegates; that individuals, clubs or groups have the right to express their opinions to voting members regarding proposed rules, resolutions, officer elections, and other matters; and that there shall be no restrictions against the distribution or posting of literature at such meetings; and that there shall be no artificial bar to speaking to members on the floor except during actual voting; and that information from party members may be emailed to voting members for their consideration.
- 4) Contact information and rosters of precinct committeemen, SCC members, Convention delegates, officers, and clubs shall not be restricted to members of the State Central Committee.
- 5) Party meetings, conventions, and committee hearings are public, and may be video and audio recorded, and the Executive Committee is encouraged to make provision for the party itself to record meetings to be posted online.
- 6) Proposed rules and resolutions should be made available online as they are received.
- 7) Completed business by the State Central Committee or State Convention, such as duly-passed resolutions and rules, should be prominently featured on the state party's website.
- 8) The Executive Director shall ensure that a press release detailing the State Convention or State Central Committee's completed business is sent out in a timely fashion.