

MINUTES  
**SENATE STATE AFFAIRS COMMITTEE**

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

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

**PLACE:** Room WW55

**MEMBERS PRESENT:** Chairman Siddoway, Vice Chairman Hagedorn, Senators Hill, Winder, Lodge, Vick, Anthon, 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) to order at 8:00 a.m. with a quorum present.

**VOTE ON GUBERNATORIAL APPOINTMENT:** **The reappointment of L. Daniel Cravens to the Idaho Commission on Human Rights.**

**MOTION:** **Senator Hagedorn** moved to send the gubernatorial reappointment of L. Daniel Cravens to the Idaho Commission on Human Rights to the floor with the recommendation that he be confirmed by the Senate. **Senator Buckner-Webb** seconded the motion. The motion carried by **voice vote**. Senator Bair will be the floor sponsor.

**VOTE ON GUBERNATORIAL APPOINTMENT:** **The appointment of Valisa Say to the Bingo-Raffle Advisory Board.**

**MOTION:** **Senator Hagedorn** moved to send the gubernatorial appointment of Valisa Say to the Bingo-Raffle Advisory Board to the floor with the recommendation that she be confirmed by the Senate. **Senator Lodge** seconded the motion. The motion carried by **voice vote**. Senator Potts will be the floor sponsor.

**VOTE ON GUBERNATORIAL APPOINTMENT:** **The appointment of Michael Elliot to the Idaho Energy Resources Authority.**

**MOTION:** **Senator Winder** moved to send the gubernatorial appointment of Michael Elliot to the Idaho Energy Resources Authority to the floor with the recommendation that he be confirmed by the Senate. **Senator Hill** seconded the motion. The motion carried by **voice vote**. Senator Hagedorn will be the floor sponsor.

**VOTE ON GUBERNATORIAL APPOINTMENT:** **The reappointment of Melville Fisher II to the Idaho Lottery Commission.**

**MOTION:** **Senator Vick** moved to send the gubernatorial reappointment of Melville Fisher II to the Idaho Lottery Commission to the floor with the recommendation that he be confirmed by the Senate. **Senator Lodge** seconded the motion. **Senator Winder** invoked Senate Rule 39 indicating that he intended to vote. The motion carried by **voice vote**. Senator Vick will be the floor sponsor.

**VOTE ON  
GUBERNATORIAL  
APPOINTMENT:**

**The reappointment of Timothy Anderson to the State Building Authority.**

**MOTION:**

**Senator Winder** moved to send the gubernatorial reappointment of Timothy Anderson to the State Building Authority to the floor with the recommendation that he be confirmed by the Senate. **Senator Lodge** seconded the motion. The motion carried by **voice vote**. Senator Winder will be the floor sponsor.

**GUBERNATORIAL  
APPOINTMENT:**

**The reappointment of Sheila Olsen to the Idaho Commission on Human Rights (Commission).**

**Chairman Siddoway** introduced Sheila Olson and asked her to tell the Committee about her experience on the Commission. He also asked her to discuss what she sees as the issues today, and if those issues are changing.

**Sheila Olson** stated it was a privilege to be in front of the Committee and to be reappointed to the Commission. She was originally appointed by Governor Phil Batt. **Ms. Olsen** said she is involved with a lot of organizations and the one that brings her the most pleasure and fulfillment is the Commission. One surprising element was the absolute fairness of the Commission. She asserted the Committee can feel very good about the caliber of the nine Commissioners.

**Ms. Olsen** said she did not see the need for great improvement. She prefers they continue what they are doing; it is fair and everyone has a voice. She explained how the process works.

**Senator Hill** asked what recourse was available for those who disagreed with the results. **Ms. Olsen** replied that they have the right to appeal. Written notification of the right to appeal is included with notification of the final result. **Senator Hill** inquired about the percentage of cases that go to appeal. **Ms. Olsen** stated that it is small.

**Vice Chairman Hagedorn** thanked Ms. Olsen for her many years of service to Idaho. He inquired as to her thoughts about the ability of the Commission to respond to the cases they hear. **Ms. Olsen** answered that there is a good balance with nine people throughout the State, and they all work for the good of Idaho.

**Senator Buckner-Webb** stated her appreciation for Ms. Olsen's work for human rights in Idaho. She noted that in the past, the Commission asked for subpoena power. She inquired as to the status of subpoena power? **Ms. Olsen** was not aware of that issue.

**Chairman Siddoway** stated his thanks for Ms. Olsen's years of service to the State of Idaho. The vote will be taken up at the next scheduled meeting.

**RS 25872**

**RELATING TO ABORTION to require certain information.**

**Senator Den Hartog**, District 22, explained that **RS 25872** proposes to add subsection (f) to Idaho Code §18-6092, which is Idaho's informed consent statute for women considering an abortion. The new subsection (f) directs the Idaho Department of Health & Welfare (H&W) to add language to their existing informed consent materials. The additional language would direct a patient where to find information or a health care provider who can answer questions related to the potential to reverse chemical abortion.

**Senator Den Hartog** provided some national statistics related to chemical abortions and explained the process for a chemical abortion. There has been some research which has been successful in the reversal of the effects of the first abortion-inducing drug. That protocol was developed by Drs. George Delgado, and Mathew Harrison, who have successfully reversed the effects of

mifepristone by giving the patient progesterone within 24 hours of the patient taking the first pill and continuing that treatment throughout the first trimester. This may be an option for women who have taken the first abortion-inducing drug but find they have changed their mind and seek to continue with their pregnancy. **Senator Den Hartog** pointed to a small clarification in subsection (e which modified the language );"hear the heart tone" to say "observe the heartbeat."

**MOTION:**

**Senator Anthon** moved to send **RS 25872** to print. **Senator Vick** seconded the motion.

**Senator Buckner-Webb** said there is no scientific data, according to the American College of Obstetricians and Gynecologists, to say this was effective. **Senator Den Hartog** responded that Dr. Harrison will be here when the bill has a full hearing. There has been research on a small sample size. The doctors now have a larger sample size. That research has been submitted to a journal, but the final article has not been published.

The motion carried by **voice vote**. **Senators Stennett** and **Buckner-Webb** voted **nay**.

**RS 25786**

**A CONCURRENT RESOLUTION to honor the Idaho Community Foundation on its thirtieth anniversary.**

**Senator Mark Nye**, District 29, explained that **RS 25786** recognizes one of the most well- known and successful foundations in Idaho, the Idaho Community Foundation (IFC), as it celebrates its 30th anniversary.

**Vice Chairman Hagedorn** moved to send **RS 25786** to print. **Senator Buckner-Webb** seconded the motion. The motion carried by **voice vote**.

**H 378**

**RELATING TO THE SECRETARY OF STATE to revise provisions regarding the duties of the Secretary of State.**

**Chad Houck**, Deputy Secretary, Secretary of State (SOS), said he is appearing on behalf of Tim Hurst. **H 378** is intended to remove the requirement for candidates of local political subdivisions and smaller offices to file campaign finance reports electronically. Smaller jurisdictions do not have the technology to comply. Legislation will be introduced in 2019 to re-establish the electronic reporting requirement. The software that will enable these jurisdictions to report will be coming forward in a bill later this session. **H 378** carried an emergency condition making it retroactive and immediate.

**Senator Lodge** asked, if the jurisdiction has the technology to file electronically, may they do so. **Mr. Houck** answered that **H 378** does not take away the ability to file electronically; it simply removes the requirement.

**Senator Stennett** asked what percentage of jurisdictions were not able to comply or had difficulty with the Request of Exemption. **Mr. Houck** said he didn't have that information, but he would be glad to contact Betsie Kimbrough, State Elections Director, to get that statistic. **Senator Stennett** stated that the upcoming legislation requires more reporting, and voiced her concern about the penalties attached if there was noncompliance. She asked Mr. Houck if he believed the new software will solve all of these problems within a one-years timeframe. **Mr. Houck** explained the SOS is looking forward to software that will allow them to provide smaller jurisdictions with software from the SOS, instead of them acquiring it. This will enable those jurisdictions to accommodate local filings in an easier way. This will also allow a level of standardization, and communities will be able to see certain reports that they cannot currently see.

**Senator Stennett** added her concerns about jurisdictions who had only a fax machine and/or were without computers or good broadband. She queried how optimistic we might be about this kind of transition. **Mr. Houck** explained that the challenge was in the ability to process, not necessarily to transmit. There have been a very small number of requests for waivers; with access to the software, there is a high level of confidence that in two cycles, this process will be actively in place.

**Senator Vick** referred to the Statement of Purpose that says, "to remove the requirement that candidates for local political subdivision offices file campaign finance reports electronically." it would seem to remove the requirement for everyone. **Mr. Houck** indicated that there were two divisions when this was enacted in 2017. There was the State that had to file online with the SOS. The second part was filing electronically with county, local jurisdiction, or small, special districts. **H 378** removes electronic filing from the language for the second part until such time they can be provided with a better option.

**MOTION:**

**Senator Lodge** moved to send **H 378** to the floor with a **do pass** recommendation. **Senator Stennett** seconded the motion. The motion carried by **voice vote**.

**ADJOURNMENT:**

There being no further business, Chairman Siddoway adjourned the meeting at 8:30 a.m.

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Senator Siddoway  
Chair

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Twyla Melton  
Secretary