

MINUTES
HOUSE STATE AFFAIRS COMMITTEE

DATE: Monday, January 22, 2024

TIME: 9:00 A.M.

PLACE: Room EW40

MEMBERS: Chairman Crane(13), Vice Chairman Young, Representatives Palmer, Barbieri, Holtzclaw, Scott, Andrus, Skaug, Alfieri, Allgood, Crane(12), Gannon, Nash (Coberly)

**ABSENT/
EXCUSED:** Rep. Andrus

GUESTS: The sign-in sheet will be retained in the committee secretary's office; following the end of session the sign-in sheet will be filed with the minutes in the Legislative Library.

Chairman Crane (13) called the meeting to order at 9:00 AM.

RS 30954: **Rep. Hill** presented **RS 30954** explaining police response time to school threats is on average 5-7 minutes or longer. The best solution to the safety concern of schools is effective on-site security. However, security is expensive and volunteer security is inconsistent. This proposed legislation leverages the organic capability within the school by making it a second amendment zone instead of a gun free zone. Police understand the need to close the gap of the critical first 3-5 minutes in a school attack. This would remove the 'gun free zone' sign from schools. He further explained this is currently happening in Grangeville. In response to committee questions, Rep. Hill explained this proposed legislation would require an enhanced concealed weapon licence.

MOTION: **Rep. Scott** made a motion to introduce **RS 30954**. **Motion carried by voice vote.**

RS 30968: **Rep. Scott** presented **RS 30968** saying this proposed legislation would prohibit public officers and employees from using taxpayer dollars to pay membership dues unless the membership is required for their job. She further explained these memberships could serve as a self interest as many of them have perks. This proposed legislation is similar to bills that have been brought to this committee in the past with the key difference being the removal of any penalty. In response to committee questions, Rep. Scott clarified this legislation would not effect city or county government, and any required professional development would not be included.

MOTION: **Rep. Crane (12)** made a motion to introduce **RS 30968**. **Motion carried by voice vote.**

RS 30974: **Rep. Scott** presented **RS 30974** explaining this proposed legislation codifies cash as an acceptable form of payment for Idaho government agencies, and citizens will not be charged additional fees if they choose to use cash. In response to committee questions, Rep. Scott clarified the intent of this legislation was to include individuals of all agencies within their official duties, not outside.

Rep. Gannon voiced concern about the proposed legislation not including a maximum amount.

MOTION: **Rep. Alfieri** made a motion to introduce **RS 30974**. **Motion carried by voice vote.**

H 400:

Rep. Young presented **H 400** explaining this legislation replaces the term 'fetus' with the term 'preborn child' in Idaho Statute. She explained the term fetus has two different definitions currently in Idaho Code. Embryo and fetus is used interchangeably in code with the term fetus alone to mean the same developmental stage. This legislation clarifies those discrepancies by replacing them with language that anyone can understand. In response to committee questions, Rep. Young clarified the bill has been read by attorneys who work in abortion law who have affirmed it is policy neutral. She further explained experts have looked at the legislation and believe there are no places within code where the context impacts reproductive health and embryos for in vitro fertilization.

Kayla Dodson, Gavin Buxton (Abraham), Mistie Tollman of the Planned Parenthood Alliance Advocates of Idaho, **Heather Stout**, and **Grace Christensen** testified **in opposition** to **H 400** highlighting how the specific medical terms of embryo and fetus are unbiased, clear, and unique from one another. Their combination and change to preborn child would undermine clarity and make it difficult to be precise. In response to committee questions, Ms. Tollman clarified the new language is emotionally charged and more vague than the existing language.

Rev. Sarah Lewall testified **in opposition** to **H 400** explaining some theologies define personhood before birth while others do not, and therefore she worries this legislation will impact religious freedoms.

Mary Ruckh, Mary Mosley, and **Karen Hansen** testified **in opposition** to **H 400** voicing concern the intention of the legislation is to establish fetal personhood in order to create additional abortion legislation in the future. In response to committee questions, Ms. Mosley reaffirmed the word child carried a different connotation than the word fetus.

Dr. Martha Lund of the American Association of University Women of Idaho and **Michala Collins** testified **in opposition** to **H 400** raising concern about the potential criminalization of miscarriages following this language change. In response to committee questions, Dr. Lund explained there is fear of this change from fetus to preborn child granting the rights of a child to a fetus and laying the groundwork for miscarriages to be classified crimes.

Maddy Rousseau testified **in opposition** to **H 400** explaining her concern that the use of preborn child instead of fetus could change mandatory reporting requirements for her as a mental health professional and potentially require her to report any abortions or miscarriages as child harm. In response to committee questions, she clarified the term unborn child used in code has not created concern up to this point.

Julianne Donnelly Tzul, ACLU Idaho, testified **in opposition** to **H 400** raising concern surrounding how often the term child is used throughout other statutes with no clarification between born and preborn. In response to committee questions, she clarified this issue has not been raised with the use of the term unborn child.

Randy and Lynette Jackson testified **in support** of **H 400** stating 1 in 4 pregnancies end in miscarriage. The use of the language preborn child recognizes the child the parents have lost through miscarriage and provides a clear understandable definition. In response to committee questions, Ms. Jackson stated she has never heard anyone refer to their child as a fetus or embryo.

Cindy Thorngren testified **in opposition** to **H 400** saying by using the same term for an embryo as an infant the role of a mother during pregnancy is completely removed. She also called attention to the phrase 'fetal skeletal remains' which remains in the bill, even with the replacement of the word fetus.

Julia Ballenger testified in opposition to **H 400** explaining by moving away from medical terms when talking about pregnancy, the personhood of the woman carrying the child is removed. The scientific terms allow the value of the life of both fetus and mother to remain equal.

Carmen Brosder and **Michah Anderson** testified in opposition to **H 400** sharing personal stories of their journeys with in vitro fertilization and sharing concern this bill will hinder IVF access in Idaho by deterring doctors from practicing here. The IVF process includes harvesting a large number of embryos which would be considered preborn children under this legislation.

David Ripley, Idaho Chooses Life, testified in support of **H 400** highlighting many pieces of legislation that have passed through this committee before which include the term preborn child. He further stated this bill affirms the stated Idaho policy of birth over abortion and the value of the life of a baby in the womb.

Dr. Kristin Slater testified in opposition of **H 400** explaining definitions that denote a distinction between embryo and fetus are important for people in the medical field. She further stated the differences between developmental stages of egg, zygote, blastocyst, embryo, and then fetus. In response to committee questions, she highlighted concerns surrounding embryo freezing which is different than fetus freezing. She further explained not all embryos are transferred during IVF and this legislation leaves questions around what can be done with those embryos, now preborn children. She voiced concern this change would cause doctors and patients to leave Idaho

Chairman Crane (13) put the committee at ease at 10:51 AM.

Chairman Crane (13) called the committee to order at 10:57 AM.

MOTION: **Rep. Young** made a motion to **HOLD H 400** Subject to the Call of the Chair and explained they want to take the time to address the outstanding questions surrounding impacts to IVF.

SUBSTITUTE MOTION: **Rep. Gannon** made a substitute motion to **HOLD H 400** in committee.

VOTE ON SUBSTITUTE MOTION: **Substitute motion failed by a vote of 2 AYE and 10 NAY. Voting in favor of the motion: Reps. Gannon and Coberly. Voting in opposition to the motion: Reps. Crane (13), Young, Palmer, Barbieri, Holtzclaw, Scott, Skaug, Alfieri, Allgood, and Crane (12).**

VOTE ON THE ORIGINAL MOTION: **Motion carried by voice vote.**

ADJOURN: There being no further business to come before the Committee the meeting adjourned at 11:03 AM.

Representative Crane (13)
Chair

Kennedy Jones
Secretary