

MINUTES
HOUSE STATE AFFAIRS COMMITTEE

DATE: Wednesday, February 28, 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, Achilles

**ABSENT/
EXCUSED:** Rep. Crane (12)

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.

H 661: **Rep. Monks** presented **H 661** explaining this legislation addresses inconsistencies in when candidates for president have to file. Candidates of political parties must file by September 1st to allow time for primary elections. This legislation requires independent candidates to file by August 1st. This allows extra time for the Secretary of State to verify signatures for independent candidates.

MOTION: **Rep. Andrus** made a motion to send **H 661** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Monks** will sponsor the bill on the floor.

H 656: **Rep. Manwaring** presented **H 656** explaining this legislation provides for expedited judicial review for state purchases and pauses the deadline for submitting an appeal until public records are received. In response to committee questions, Rep. Manwaring clarified the expedited judicial review works by requiring a hearing be set for the earliest day possible, no later than 28 days. He also clarified this legislation includes no changes to attorneys fees though it does give the right to affirm the award.

MOTION: **Rep. Allgood** made a motion to send **H 656** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Manwaring** will sponsor the bill on the floor.

H 620: **Rep. Redman** presented **H 620** explaining this legislation enacts state law preemption to prevent regulation of knives, in the same way Idaho prevents the regulation of firearms. Similar legislation has passed in fourteen other states.
Todd Rathner, Knife Rights, continued the presentation explaining this legislation assures knife laws are consistent across the state. In response to committee questions, Mr. Rathner explained they have no opposition to additional exemptions for jails and police stations. They recognize the authority of law enforcement to regulate the building where they operate.

MOTION: **Rep. Andrus** made a motion to send **H 620** to the floor with a **DO PASS** recommendation.

SUBSTITUTE MOTION: **Rep. Skaug** made a substitute motion to **HOLD H 629** subject to the call of the chair.

AMENDED SUBSTITUTE MOTION: **Rep. Young** made an amended substitute motion to send **H 620** to General Orders.

**UNANIMOUS
CONSENT
REQUEST:**

Rep. Skaug made a unanimous consent request to withdraw his substitute motion. There being no objection, the substitute motion was withdrawn.

**VOTE ON
SUBSTITUTE
MOTION:**

Rep. Gannon spoke **in support** of the substitute motion stating this legislation needs to be vetted by more cities and counties.

Substitute motion carried by voice vote. Rep. Redman will sponsor the bill on the floor.

H 572:

Rep. Hawkins presented **H 572** explaining this legislation is a preemption against universal basic income which has pilot programs in 20 states. This legislation will prevent this starting in Idaho. In response to committee questions, Rep. Hawkins explained the state has programs in place and he does not see how adding a program like this would not grow the total number of social assistance programs.

Ian Troesoyer testified **in opposition** to **H 572** explaining universal basic income can be an effective way to allocate resources and cash payments to people in need can be more effective because they can spend it however they need. He highlighted other social aid formats can be a poverty trap because people turn down raises and better jobs because they don't want to lose benefits.

Rep. Hawkins closed debate affirming Idaho does its fair share of assistance services and does not need to add this to the mix. He clarified it does not include any existing unemployment benefits.

MOTION

Rep. Scott made a motion to send **H 572** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote. Rep. Hawkins** will sponsor the bill on the floor.

HJM 8:

Rep. Hawkins presented **HJM 8** explaining this memorial is drafted to send the strongest possible message to Congress and the Idaho Delegation stating Idaho does not approve of the handling of the southern border. He stated because of the current administration's decisions to halt the national emergency at the southern border and halted construction of the border wall this resolution calls for his impeachment. In response to committee questions, Rep. Hawkins stated this legislation does not address legislation currently moving through the US Congress involving immigration.

Mary Ruckh testified **in opposition** to **HJM 8** asking that the body not encourage impeachment but rather demand the House and Senate work together to solve this issue, and affirmed this resolution does not express the views of all Idahoans.

Robert Gillis, Idaho Tough on Crime, and **Erin Hildreth** both testified **in support** of **HJM 8** highlighting stories of American lives lost to illegal immigrant crime and illegal immigrant gang members. In response to committee questions, Ms. Hildreth explained at the time her brother was killed by an illegal immigrant there was a treaty in place which did not allow for extradition, this has since been changed and her brother's killer was brought back to the US five years after the murder.

Bob Naerebout, Idaho Dairymen's Association, testified **in opposition** to **HRM 8** as written, with key objection to lines 40-42 which include language inflammatory to dairymen in Idaho. He clarified all workers on Idaho dairies are paid at above average starting wage, drug tests are routine, and they must provide proper paperwork to be hired. In response to committee questions, Mr. Naerebout explained about 90% of the dairy workforce is foreign born. They all supply paperwork and fill out an I9 when hired. ICE does occasional audits of dairies. Around 70% of workers will not pass an ICE audit at which time they could no longer work there since the farming/dairy industry does not have a visa program. He clarified the association takes issue the phrase 'thirst for cheap labor in the bill' along with the statement that immigration reform cannot take place until impeachment is complete. Because the dairy industry has become dependant on foreign born labor, there is a need to be simultaneously working on border security and visa program reform.

Benjamin Kelly, Food Producers of Idaho, testified **in opposition** to **HJM 8** explaining the existing language suggests border security cannot be accomplished simultaneously as visa reform. In response to committee questions, Mr. Kelly explained the Food Producers represent over 40 different agricultural and natural resources in Idaho, some of which are corporations, others are small farms. He clarified there is a national congressional delegation who they work with who are focused on immigration reform.

Braden Jensen, Idaho Farm Bureau, testified **in opposition** to **HJM 8** stating they do not support the President's mishandling of this issue, but feel the memorial mischaracterizes the farming industry. In response to committee questions, Mr. Jensen clarified their opposition lies in lines 40-42 as well as the prioritizing of impeachment over all other reform action, highlighting while other administrations may have enforced the law better, impeachment is unlikely and Idaho farmers and ranchers need help now. He also expressed that while they recognize many individuals do not have the proper documentation, the industry cannot function if they all go away. In response to further committee questions, he stated there has not been an issue finding labor under other administrations. He clarified the difference between guest workers who are not seeking visas and employees who present the proper I9 paperwork. He closed stating they want border security but they need the other part of the equation as well.

Fred Birnbaum, Idaho Freedom Foundation, testified **in support** of **HJM 8** stating the President has taken action which have worsened the situation at the southern border and should be removed. In response to committee questions, Mr. Birnbaum explained this is the only legislation currently in process which asks for impeachment, the others only ask for immigration reform. He stated people are conflating the need for seasonal workers and boarders being wide open.

Brian Almon testified **in support** of **HJM 8** stating though the US is a nation of immigrants it is also a nation of laws which must be enforced. He stated many industries would rather pay higher wages to hire Americans, and it must not be accepted that certain industries are the domain of certain nationalities.

Senator Zuiderfeld and **Rep. Hawkins** closed debate highlighting an estimated cost to Americans of \$182 billion a year spent on immigration problems along with violent crime and drugs crossing the boarder. They stated impeachment will stop this and affirmed this resolution does not single out any one industry.

MOTION:

Rep Barbieri made a motion to send **HJM 8** to General Orders.

Rep. Barbieri spoke to the motion stating it is important this move forward, however he sees how this included language can be disparaging to farmers and hopes it can be removed in the amending order.

Rep. Gannon spoke in support of the motion stating he would support an amendment which would ask for the impeachment of the Speaker of the US House as well.

Rep. Alfieri spoke in opposition to the motion stating the law must be enforced.

Rep. Young spoke in support of the motion stating she support the core message of the resolution but does not want to fall into debate about whose fault this is.

SUBSTITUTE MOTION:

Rep. Scott made a substitute motion to send **HJM 8** to the floor with a **DO PASS** recommendation. **Substitute motion carried by voice vote.** **Rep. Hawkins** will sponsor the bill on the floor.

H 470:

Rep. Alfieri presented **H 470** explaining it establishes an Election Crimes and Security Office under the Attorney General. This office will receive and investigate election fraud complaints and can initiate independent inquiries to address issues swiftly. It will also establish a voter fraud hotline in Idaho as well as require annual reporting to the Governor and Legislature.

Secretary Phil McGrane, Idaho Secretary of State, testified in opposition to **H 470** stating his role as chief election officer for the State of Idaho is to oversee all elections however no one in his office was contacted regarding this legislation. They take the integrity of elections very seriously and there are good elements to this bill, but they must work together. In response to committee questions, Secretary McGrane stated this bill could duplicate what is already done in his office since they work with law enforcement to investigate election crime. He also clarified putting this office under the Attorney General does not qualify as a separation of powers since both the Secretary of State and Attorney General are Executive Branch offices. He explained poll worker suppression as a result of this bill would depend on how it was executed and enforced.

Rep. Alfieri closed debate stating election crimes allegations should be enforced separately from the office which runs the elections.

MOTION:

Rep. Skaug made a motion to send **H 470** to the floor with a **DO PASS** recommendation.

SUBSTITUTE MOTION:

Rep. Achilles made a substitute motion to **HOLD H 470** in committee.

AMENDED SUBSTITUTE MOTION:

Rep. Scott made an amended substitute motion to **HOLD H 470** in committee until Friday, March 1, 2024.

Rep. Allgood spoke in support of the amended substitute motion stating the Secretary of State should be involved and highlighted the Idaho Prosecuting Attorneys Association has expressed concern with the bill.

Rep. Young spoke in support of the original motion stating this is a reasonable second avenue for people to prosecute election crimes.

Rep. Alfieri responded to committee comments stating prosecutors do not oppose the bill, just a section of its language.

ROLL CALL VOTE ON AMENDED SUBSTITUTE MOTION:

Amended substitute motion failed by a vote of 3 AYE, 8 NAY, and 2 absent and excused. Voting in favor of the motion: **Reps. Scott, Gannon, and Achilles.** Voting in opposition to the motion: **Reps. Crane (13), Young, Palmer, Holtzclaw, Andrus, Skaug, Alfieri, and Allgood.** **Reps. Barbieri and Crane (12)** were absent and excused.

**ROLL CALL
VOTE ON
SUBSTITUTE
MOTION:**

Substitute motion failed by a vote of 3 AYE, 8 NAY, and 2 absent and excused. Voting in favor of the motion: Reps. Allgood, Gannon, and Achilles. Voting in opposition to the motion: Reps. Crane (13), Young, Palmer, Holtzclaw, Scott, Andrus, Skaug, and Alfieri. Reps. Barbieri and Crane (12) were absent and excused.

**ROLL CALL
VOTE ON
ORIGINAL
MOTION:**

Original motion carried by a vote of 8 AYE, 3 NAY, and 2 absent and excused. Voting in favor of the motion: Reps. Crane (13), Young, Palmer, Holtzclaw, Scott, Andrus, Skaug, and Alfieri. Voting in opposition to the motion: Reps. Allgood, Gannon, and Achilles. Reps. Barbieri and Crane (12) were absent and excused. Rep. Alfieri will sponsor the bill on the floor.

H 652:

Rep. Andrus made a motion to HOLD H 652 until Friday, March 1, 2024. Motion carried by voice vote.

ADJOURN:

There being no further business to come before the committee, the meeting adjourned at 11:00 AM.

Representative Crane (13)
Chair

Kennedy Jones
Secretary