

MINUTES
HOUSE STATE AFFAIRS COMMITTEE

DATE: Wednesday, February 19, 2014

TIME: 9:00 A.M.

PLACE: Room EW40

MEMBERS: Chairman Loertscher, Vice Chairman Batt, Representative(s) Anderson(1), Andrus, Luker, Crane, Palmer, Sims, Barbieri, Holtzclaw, McMillan, Monks, Packer, Smith, Gannon, Woodings

**ABSENT/
EXCUSED:** Representative(s) Packer

GUESTS: Karen Echeverria, ISBA; Caitlin Rusche, IAC; Russell Westerberg, Westerberg and Associates.

MOTION: **Chairman Loertscher** called the meeting to order at 9:00 a.m.

Rep. Woodings made a motion to approve the minutes of the February 10, 2014, meeting. **Motion carried by voice vote.**

Chairman Loertscher explained to the committee that in a previous meeting held on February 12, 2014, a vote on a motion to **HOLD RS 22649** in committee was done out of order. He stated the committee would need to re-vote on the legislation.

Rep. Anderson(1) spoke in favor of the original motion to introduce **RS 22649**.

**AMENDED
SUBSTITUTE
MOTION:** **Rep. Sims** made an amended substitute motion to introduce **RS 22649** and recommend it be sent directly to the Second Reading Calendar.

Rep. Anderson(1) spoke in opposition to the amended substitute motion.

**ROLL CALL
VOTE:** Roll call vote was requested on the amended substitute motion to introduce **RS 22649** and recommend it be sent directly to the Second Reading Calendar. **Amended substitute motion failed, by a vote of 7 AYE, 8 NAY, 1 Absent or Excused. Voting in favor** of the amended substitute motion: **Reps. Andrus, Crane, Sims, Barbieri, Holtzclaw, McMillan, and Monks. Voting in opposition** to the amended substitute motion: **Reps. Loertscher, Batt, Anderson(1), Luker, Palmer, Smith, Gannon, Woodings. Rep. Packer was absent..**

**SUBSTITUTE
MOTION
WITHDRAWN:** **Rep. Anderson(1)** withdrew his substitute motion to return **RS 22649** to the sponsor.

**VOTE ON
ORIGINAL
MOTION:** **Chairman Loertscher** called for a vote on the original motion to introduce **RS 22649. Motion carried by voice vote.**

H 443: **Tim Hurst**, Chief Deputy, Secretary of State, presented **H 443**, legislation that addresses procedure issues in various sections of the Idaho Code that came to light when conducting elections for the various taxing districts. It clarifies ballot printing deadlines, who is responsible for notification of school zone changes, and expands a county's ability to request a modification of election procedures from joint districts to include other small taxing districts.

MOTION: **Rep. Woodings** made a motion to send **H 443** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote. Rep. Woodings** will sponsor the bill on the floor.

H 445: **Tim Hurst**, Chief Deputy, Secretary of State, presented **H 445**, legislation that amends the Sunshine Law to more clearly define a "non-business entity" and the entity's reporting requirements and prohibits contingent fee lobbying of executive officials.

In response to committee questions, **Mr. Hurst** stated entities with exemptions for federal filing have been ongoing since 1974. He stated the reason for this legislation is for the Sunshine Law to coincide with the statute.

Brian Kane, Deputy Attorney General, Secretary of State, responded to committee questions and stated the FEC regulations only apply to federal elections and state elections are regulated by state laws. He said those should be self-regulating. He said the statement for entities to file is a general statement that shows who is participating in the elections. He stated the goal of the bill is to provide clarity.

MOTION: **Rep. Luker** made a motion to send **H 445** to General Orders with an amendment as follows: Remove additions on lines 12-14 on page 5. **Motion carried by voice vote.** **Rep. Luker** will sponsor the bill on the floor.

H 502: **Tim Hurst**, Chief Deputy, Secretary of State, presented **H 502**, legislation that addresses procedural issues in the election laws of the State. It clarifies who is responsible for carrying out certain duties regarding initiative and referendum procedures for city, county and state issues, authorizes the use of electronic poll books, prohibits judicial candidates from running for more than one seat at a single election and removes conflict in language regarding an elector affiliating with a political party. He stated to change a party affiliation you must fill out a form and in Section 34-411A, it states an absentee ballot can be used. He said the bill fixes the statute so the language will no longer be contradictory. He said the biggest advantage to the election poll books is the ease in identifying which ballots the voters should receive and the ability to upload voter history directly into the voting database. It's also a benefit to counties.

In response to committee questions, **Mr. Hurst** stated electronic poll books are an option to the counties and it cost \$875.00 for an electronic poll but some counties use laptop computers. He stated the process of absentee ballots is not being changed. He said a voter cannot change their party affiliation after the close of filing and that is already in statute. He stated the county clerk cannot issue a ballot without knowing what party a voter is affiliated with. He stated the main reason for the legislation is to make it easier for the voter.

MOTION: **Rep. Palmer** made a motion to **HOLD H 502** in committee. **Motion carried by voice vote.** **Reps. Gannon, Smith and Woodings** requested that they be recorded as voting **NAY**.

RS 22699: **Rep. Youngblood** presented **RS 22699**, proposed legislation that urges federal legislation in support of making members in the American service who have gone missing a top priority of our government. **House Resolution 231** in the U.S. Congress seeks to establish a Select Committee on POW and MIA affairs, charged with conducting a full investigation of all unresolved matters relating to any United States personnel unaccounted for out of foreign conflict. Currently, the matter sits before the U.S. House Rules Committee. Because Idaho supports our military personnel, especially those who have not been able to return home, such as Idaho's **Sgt. Bowe Bergdahl**, this resolution encourages the U.S. House Rules Committee to move the matter on to consideration of the entire U.S. House of Representatives.

Chairman Loertscher called a recess of the committee.

Chairman Loertscher reconvened the meeting.

RS 22699: **Rep. Youngblood** asked that the proposed legislation be returned to sponsor for additional changes.

ADJOURN: There being no further business to come before the committee, the meeting adjourned at 10:16 a.m.

Representative Loertscher
Chair

Kasey Perkins
Secretary