

MINUTES
HOUSE STATE AFFAIRS COMMITTEE

- DATE:** Monday, February 20, 2012
- TIME:** 8:45 A.M.
- PLACE:** Room EW40
- MEMBERS:** Chairman Loertscher, Vice Chairman Crane, Representative(s) Stevenson, Black, Anderson, Andrus, Bilbao, Luker, Palmer, Simpson, Guthrie, Henderson, McGeachin, Sims, Batt, Smith(30), King, Higgins, Buckner-Webb
- ABSENT/
EXCUSED:** Representative(s) Stevenson, Henderson, Smith(30)
- GUESTS:** John Watts, Veritas Advisor and Russ Hendricks, Idaho Farm Bureau Federation.
- Chairman Loertscher** called the meeting to order at 8:45 a.m.
- RS 21222:** **Paul Jagosh**, Legislative Advisor, Fraternal Order of Police, presented **RS 21222**, proposed legislation to provide a full salary to employees in certain dangerous occupations whom have been injured on the job. The Peace Officer and Detention Officer Temporary Disability Act was enacted in 2007 to fill the gap between workers' compensation and an officer's full-time pay. It provides coverage for an officer injured in the performance of his or her duties when responding to an emergency or in the pursuit of an actual or suspected violator of the law. A few years ago, officers from the Idaho State Police responded to an accident on the freeway. The officers were subsequently struck by a passing motorist, but they were not covered under the Temporary Disability Act. Mr. Jagosh stated that **RS 21222** will address this and include officers who are injured as a result of the actions of another person. Mr. Jagosh further explained that monies for the fund come from a \$3.00 fine imposed for each felony or misdemeanor conviction. The current balance in the fund is \$560,000.00. **RS 21222** provides a sunset clause for 2015. Mr. Jagosh noted it is very difficult to forecast funds, but if they are still available, the law can be rewritten.
- MOTION:** **Rep. Simpson** made a motion to introduce **RS 21222**. **Motion carried by voice vote.**
- RS 21288:** **Tim Hurst**, Chief Deputy, Office of the Secretary of State, presented **RS 21288**, proposed legislation to address changes in procedures due to election consolidation. Mr. Hurst stated that **RS 21288** provides updated procedures for the election of supervisors for the soil conservation districts, addresses when a general recount is ordered, and allows for recall elections for school board trustees by zone. Mr. Hurst explained that **RS 21288** will expand the affiliation card, an "unaffiliated" voter may affiliate with the party of their choice by completing an affiliation form up to and including the election day. **RS 21288** will require that all candidates declare their party affiliation at the time of filing.
- In response to questions, **Mr. Hurst** verified that the last four digits of a person's social security number can be used to register to vote if the person does not have a driver's license or state identification card. Use of the social security number is allowed under the Help America Vote Act. The statewide voter registration compares the last four digits with the Social Security Administration's database to verify the status of a person. While the statutes allow a passport to be used at the polls for identification, it cannot be used for registration.
- MOTION:** **Rep. King** made a motion to introduce **RS 21288**. **Motion carried by voice vote.**

RS 21228: **Tim Hurst**, Chief Deputy, Office of the Secretary of State, presented **RS 21228**, proposed legislation to clarify procedures for absentee ballots and to provide for in-person absentee voting and "early voting". Mr. Hurst explained that absentee ballots will be able to be counted at a central location or at the precincts. The ballots may be opened no earlier than 8:00 a.m. on the Monday before the election to lay flat before running them through the tabulators. **RS 21228** requires each county to submit a detailed plan to the Secretary of State for the security of these opened ballots. Mr. Hurst noted that **RS 21228** provides an alternative to absentee voting; early voting. Early voting will be allowed to begin on the third Monday before the election. Voters would sign a poll book, complete their ballot, and then place it in a secure ballot box with a tamper proof seal. The election official will record that the elector has voted. They must have access to the statewide voter registration to ensure that electors do not come back and vote again in the polls.

In response to questions, **Mr. Hurst** noted that **RS 21228** addresses poll watchers and requires them to be informed if the ballots are opened early. Mr. Hurst explained that ballots are not opened prior to being counted at the polls. The process hasn't changed. Mr. Hurst noted that early voting provides a cost savings and responds to concerns about opening absentee ballots early. Mr. Hurst stated that 60% of Ada County's absentee ballots are in fact early voting. It is easier to vote early and place the ballot in a poll box rather than having to complete an absentee ballot.

MOTION: **Rep. Higgins** made a motion to introduce **RS 21228**. **Motion carried by voice vote.**

Chairman Loertscher turned the gavel over to **Vice-Chairman Crane**.

RS 21197: **Rep. Simpson** presented **RS 21197**, a revision to his previously proposed legislation on levy elections. **RS 21197** will address permanent override levy elections. The proposed legislation will require an official statement of purpose for the ballot which includes the dollar amount and length of time the levy will be assessed.

MOTION: **Rep. Bilbao** made a motion to introduce **RS 21197** with the following change: on Page 1, line 12, insert "(1)" after 63-802. **Motion carried by voice vote.**

H 452: **Rep. Simpson** presented **H 452**, a bill to provide ballot measures for bond elections. Rep. Simpson stated that currently Section 34-439, Idaho Code, does not require a statement of purpose for bond elections. Rep. Simpson stated that **H 452** will provide more transparency and it is modeled after legislation in Georgia. The statement of purpose will require the amount of the bond as well as the interest.

In response to questions, **Tim Hurst**, Chief Deputy, Office of the Secretary of State, advised that bonds are not allowed to have variable rates. The proposed statement of purpose would list the anticipated interest rate. Mr. Hurst stated that if the interest rate changes due to changes in the market, and this is different from the statement of purpose, **H 452** requires another election.

Russ Hendricks, Idaho Farm Bureau Federation (IFBF) testified **in support of H 452**. He stated that the IFBF likes the transparency of the bill. It is a common sense approach that will provide additional information to the voters prior to bond elections.

Rep. Simpson closed out testimony on **H 452** by stating this bill will provide transparency since the existing code is deficient.

MOTION: **Rep. Palmer** made a motion to send **H 452** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Simpson** will sponsor the bill on the floor.

ADJOURN: There being no further business to come before the committee; the meeting was adjourned at 9:25 a.m.

Representative Loertscher
Chair

Lissa Cochran
Secretary