

MINUTES
SENATE STATE AFFAIRS COMMITTEE

DATE: Friday, February 01, 2019

TIME: 8:00 A.M.

PLACE: Room WW55

MEMBERS PRESENT: Chairwoman Lodge, Vice Chairman Harris, Senators Hill, Winder, Vick, Anthon, Souza, 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: **Chairwoman Lodge** convened the Senate State Affairs Committee (Committee) at 8 a.m.

VOTE ON GUBERNATORIAL RE-APPOINTMENT: **VOTE ON THE GUBERNATORIAL RE-APPOINTMENT OF JOHN CHATBURN** as Administrator to the Office of Energy and Mineral Resources.

MOTION: **Senator Anthon** moved to send the Gubernatorial re-appointment of John Chatburn as the Administrator of the Office of Energy and Mineral Resources to the floor with the recommendation that he be confirmed by the Senate. **Vice Chairman Harris** seconded the motion. The motion carried by **voice vote**.

VOTE ON GUBERNATORIAL RE-APPOINTMENT: **VOTE ON THE GUBERNATORIAL RE-APPOINTMENT OF JUDY BICKNELL TAYLOR** as Administrator of the Idaho Commission on Aging.

MOTION: **Senator Souza** moved to send the Gubernatorial re-appointment of Judy Bicknell Taylor as Administrator of the Idaho Commission on Aging to the floor with the recommendation that she be confirmed by the Senate. **Vice Chairman Harris** seconded the motion. The motion carried by **voice vote**.

GUBERNATORIAL RE-APPOINTMENT: **THE GUBERNATORIAL RE-APPOINTMENT OF JEFFREY R. ANDERSON** as director of the Idaho Lottery.

Jeffrey Anderson, Director of the Idaho Lottery, fielded questions concerning his occupation and the size of his staff. He discussed their relationship to reservation gaming councils.

GUBERNATORIAL RE-APPOINTMENT: **THE RE-APPOINTMENT OF JEFFREY R. ANDERSON** as Director to the Idaho State Liquor Division.

Jeffrey Anderson, Director of the Idaho State Liquor Division (Division), explained his role as the Director and the Division's mission. The Division is the sole importer, wholesaler, and retailer of distilled spirits in Idaho. **Mr. Anderson** fielded questions concerning the current legislation regarding liquor licenses. He described their standard mark-up formula for purchasing spirits and informed the Committee that Idaho's local distilleries created an association to promote local products and grow their businesses responsibly.

RS 26704 **A JOINT RESOLUTION to propose amendments to the Idaho Constitution relating to the rights of crime victims.**

MOTION: **Senator Winder** moved to send **RS 26704** to print. **Senator Anthon** seconded the motion. The motion carried by **voice vote**.

RS 26660 **RELATING TO ABORTION to update the Idaho Partial-Birth Abortion law to be consistent with Federal law.**

MOTION: **Senator Winder** moved to send **RS 26660** to print. **Senator Anthon** seconded the motion. The motion carried by **voice vote**.

S 1020 **RELATING TO ELECTIONS to revise a provision when the Supreme Court must render a decision.**

DISCUSSION: **Jason Slade Spillman**, legal counsel, Idaho Supreme Court, said the Idaho Constitution requires the court system to identify and report defects in the law as they are found throughout the year. **S 1020** is a proposed fix for an identified defect, Title 34 of Idaho Code. The rule seeks to amend one of the timing triggers contained in the statute and attempts to align the appellate process with the trial court process in the primary election contest appeals.

Senator Winder asked if this rule could potentially open a loophole to the election process in regard to scheduling oral arguments and if the rule created too wide of an option for the judges.

Mr. Spillman replied that he fully understood the concern but did not foresee that occurring. The statute mandates that it should be given priority and the courts routinely recognize these cases and expedite their resolution. He summarized that the rule will align the trial court with the Supreme Court and allow the opportunity for briefing.

Mr. Spillman fielded questions regarding how the deadline might affect the election contest or appeal process. **Senator Winder** asked that the Committee review the entire section of code dealing with **S 1020** and for further information on the process. **Senator Anthon** asked the Committee to consider the unpredictability of district court actions and their ability to distort the timeline.

MOTION: **Senator Winder** moved to send **S 1020** to the floor with a **do pass** recommendation. **Senator Anthon** seconded the motion. The motion carried by **voice vote**.

APPROVAL OF MINUTES: **Senator Stennett** moved to approve the Minutes of January 16, 2019. **Senator Vick** seconded the motion. The motion carried by **voice vote**.

ADJOURNED: There being no further business, Chairwoman Lodge adjourned the meeting at 8:55 a.m.

Senator Lodge, Chair

Twyla Melton, Secretary

Bryce DeLay
Assistant to the Secretary