

MINUTES
HOUSE STATE AFFAIRS COMMITTEE

DATE: Monday, February 10, 2020

TIME: 9:00 A.M.

PLACE: Room EW40

MEMBERS: Chairman Harris, Vice Chairman Armstrong, Representatives Crane, Palmer, Barbieri, Holtzclaw, Monks, Zito, Scott, Andrus, Hartgen, Young, Smith, Gannon, Green

**ABSENT/
EXCUSED:** None

GUESTS: Daniel Malloy, Brandon Durst, Karen Danley, Angie Redford, Dave Kangas, George Moses, Chris Yamamoto, Canyon County, Travis Quast, Adams Publishing, Karen Echeverria, Idaho School Boards Association, Pam Morris, Idaho Mountain Express, Jim Phillips, Idaho Mountain Express, Patrick Bageant, Boise City, John Evans, Association of Idaho Counties, Brittany Scigliano, Rick Visser, Ada County Commission, Matt Davison, Idaho Press, Phil McGrane, Jeremy Pisca, Newspaper Association of Idaho, Wayne Hamm, ID AGC

Chairman Harris called the meeting to order at 9:01 AM.

MOTION: **Rep. Andrus** made a motion to approve the minutes from the February 5, 2020 meeting. **Motion carried by voice vote.**

RS 27336: **Rep. Youngblood** said **RS 27336** adds Joint Rule 23 to the rules of the House and Senate to place the national motto "In God We Trust" in the Idaho House and Senate chambers. Rep. Youngblood said placing the motto in the chambers will demonstrate its historical impact.

MOTION: **Rep. Monks** made a motion to introduce **RS 27336**.

**SUBSTITUTE
MOTION:** **Rep. Holtzclaw** made a motion to introduce **RS 27336** and recommended it be sent directly to the Second Reading Calendar. **Motion carried by voice vote.** **Rep. Youngblood** will sponsor the bill on the floor.

H 413: **Rep. Palmer** said **H 413** allows people to elect the best people to represent them at the local level. Rep. Palmer said people currently do not know which city council members represent them, but dividing the city into districts would allow people to vote for someone from their area.

In response to committee questions, **Rep. Palmer** said the cities most likely to be impacted are Boise and probably Meridian. Rep. Palmer said citizens have the opportunity to bring the issue forward to the state legislature or the city council, but it is highly unlikely the city council would do it because they are already in office. **H 413** does not specify how any challenge would be addressed in the court system.

Dan Malloy, a resident of west Boise, testified **in support** of **H 413**. Mr. Malloy said large cities should be given the same kind of representation as the state. He said growth has made the segmentation of large cities necessary.

In response to committee questions, **Mr. Malloy** said he has not gone personally to the city council to address the issue, but has noticed the geographical distribution of city council members. He did have candidates running for office from his area.

Brandon Durst, a former legislator, said **H 413** was a long overdue change and the current system is highly problematic. Mr. Durst said people have the right to be represented by people in their area.

In response to committee questions, **Mr. Durst** gave a list of city council members he had approached about city districting, but said he had not brought up the issue in a formal meeting.

Karen Danley, a Boise resident, testified **in support of H 413**. Ms. Danley said she brought the issue to the city council repeatedly and this issue was part of her platform when she ran for city council. Ms. Danley said a change like this requires an external force.

Patrick Bageant, Boise City Council Member, said no one has brought up the issue with him since he was elected. Mr. Bageant said city councils should have the opportunity to address this issue on the local level before the state legislature addresses it. Mr. Bageant said **H 413** was a one-size-fits-all approach that only affects Boise. Mr. Bageant emphasized that voters choose candidates based on their views, not their addresses.

In response to committee questions, **Mr. Bageant** committed to bring the issue to the city council. He said in the last election candidates from areas that feel underrepresented still lost to candidates from other areas of the city. Mr. Bageant said he would not feel comfortable if the system used in Boise was used at the state level, but because Boise is relatively homogenous, people should not be unqualified to serve based on their address. Mr. Bageant expressed concern that he would feel uncomfortable advocating for people on his street at the expense of the whole city. Mr. Bageant said he believes the prominence of this issue depends on who is in office. He said **H 413** was not a bad idea, but he wants the local government to address it first.

Angie Redford, a Boise resident, testified **in support of H 413**. She said the conversation is fundamentally about a lack of representation.

Dave Kangas, a Boise resident, testified **in support of H 413**. Mr. Kangas said there is a disconnect between downtown Boise and other areas of the city and different levels of services for different areas. He said it is physically impossible to represent someone else in another area of town given how quickly the city is growing.

George Moses, an Idaho Redistricting Commissioner, testified **in support of H 413**. He said it was good public policy and the authority clearly resides with the state legislature based on existing statute. Mr. Moses said there will always be a risk of gerrymandering and districts are worth the difficulty of their implementation. He said city council members have already had the opportunity to discuss districting and some of its most vigorous opponents were elected.

MOTION: **Rep. Gannon** made a motion to **HOLD H 413** for time certain in two weeks. Rep. Gannon said this time would allow city council members time to address the issue and create a plan of action and if they cannot do so, the committee will hear **H 413** again.

SUBSTITUTE MOTION: **Rep. Crane** made a substitute motion to send **H 413** to the floor with a **DO PASS** recommendation.

Rep. Palmer closed testimony by emphasizing the importance of representative government.

During discussion on the substitute motion, some committee members said city council members have had time to address the issue and moving **H 413** forward puts pressure on them to find a solution before the state legislature does. Other committee members stated they did not believe it was in the purview of the state legislature to legislate individual cities on an issue. Committee members also noted that this bill does not regulate Boise alone, but every city that reaches a certain population.

**VOTE ON
SUBSTITUTE
MOTION:**

Motion carried by voice vote. Rep. Palmer will sponsor the bill on the floor.

H 439:

Rep. Moon explained that **H 439** allows the electronic publication of public notices on governmental websites. **H 439** would require government entities to archive notices online.

In response to committee questions, **Rep. Moon** said this bill does not prohibit publication of notices in newspapers, but gives agencies the option to post them online.

Chris Yamamoto of Canyon County testified **in support** of **H 439**, citing the expenses of publishing public notices in newspapers.

Travis Quast, Adams Publishing, testified he has reviewed all charges for specific cities within his area and notes that rates, which are determined by the legislature, have not changed. He said while there was no rate increase, there has been an increase in notices published. Mr. Quast asked the committee to oppose **H 439** and look for a forthcoming bill from **Rep. Raybould**.

Pam Morris, the publisher of the Idaho Mountain Express, testified the newspaper industry is not dead and **H 439** would remove notices from print and digital platforms that people use regularly. The current system is not broken and does not need to be fixed. **H 439** fails to standardize forms online as well.

In response to committee questions, **Ms. Morris** said local newspapers like the Idaho Mountain Express do print notices.

Jim Phillips, Idaho Mountain Express, testified **in opposition** to **H 439**. Mr. Phillips said this appears to be a good idea but allowing each agency, city, county, or district to publish their own notices, people would have to go to several different websites to find what they were looking for.

Karen Echeverria, Executive Director of the Idaho School Boards Association, said school districts already update websites regularly and strive for transparency. Ms. Echeverria said she wished the school districts had been involved in discussions about this issue.

Matt Davison, Idaho Press, testified **in opposition** to **H 439**. Mr. Davison said he is concerned **H 439** limits access to government notices. He was also concerned about the security of posting notices online and stated they already have a comprehensive system in place. Mr. Davison also referred to **Rep. Raybould's** forthcoming bill.

Jeremy Pisca, Newspaper Association of Idaho, testified **H 439** is imprecise and is flawed. Mr. Pisca said newspapers provide one convenient location for notices and **H 439** would cause confusion for the public. He also spoke to the progress being made on **Rep. Raybould's** bill.

Rick Visser, Ada County Commissioner, testified to the success of Ada County in implementing electronically published notices. Mr. Visser said he knows that people are reading notices online because the response rate is significant.

Rep. Moon closed testimony by responding to earlier comments. She said the price change depends on font size or ad size. Rep. Moon said her district does have internet and the Ada County website is a good example of how **H 439** could work. She emphasized the need to change with technology.

MOTION:

Rep. Scott made a motion to send **H 439** to the floor with a **DO PASS** recommendation.

During discussion on the motion, committee members noted it was not the government's job to keep the paper business viable. Several members also stated they had previously asked **Rep. Raybould** to address this problem and would like to see what she would bring before the committee. Some committee members expressed voter fatigue over seeing the same bill come before the committee several times previously.

**ROLL CALL
VOTE ON
MOTION:**

Rep. Smith requested a roll call vote on H 439. **Motion failed by a vote of 7 AYE, 7 NAY, 1 Absent/Excused. Voting in favor of the motion: Reps. Harris, Palmer, Holtzclaw, Monks, Zito, Scott, Young. Voting in opposition to the motion: Reps. Armstrong, Crane, Barbieri, Andrus, Hartgen, Smith, Green. Rep. Gannon was absent/excused.**

ADJOURN:

There being no further business to come before the committee, the meeting was adjourned at 10:58 AM.

Representative Harris
Chair

Devon Powers
Secretary