

MINUTES
HOUSE STATE AFFAIRS COMMITTEE

DATE: Thursday, February 27, 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:** Vice Chairman Armstrong

GUESTS: The sign-in sheet will be retained in the committee secretary's office until the end of the session. Following the end of the session, the sign-in sheet will be filed with the minutes in the Legislative Library.

Chairman Harris called the meeting to order at 9:00 AM.

MOTION: **Rep. Andrus** made a motion to approve the minutes from the Wednesday, February 12, 2020 meeting. **Motion carried by voice vote.**

MOTION: **Rep. Andrus** made a motion to approve the minutes from the Thursday, February 13, 2020 meeting. **Motion carried by voice vote.**

S 1280: **Rep. Andrus** said **S 1280** includes judges in the same exemption that allows local government officials to not report any campaign-related expenditures of less than \$500.

MOTION: **Rep. Hartgen** made a motion to send **S 1280** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Armstrong** will sponsor the bill on the floor.

Chairman Harris turned the gavel over to **Rep. Crane**.

S 1246: **Rep. Harris** said **S 1246** removes obsolete commissions that are currently inactive.

MOTION: **Rep. Scott** made a motion to send **S 1246** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Harris** will sponsor the bill on the floor.

Rep. Crane turned the gavel over to **Chairman Harris**.

H 525: **Rep. Zollinger** said the purpose of **H 525** is to ensure no state taxpayer funds go to abortion providers. He said courts have found states have legitimate interest in protecting unborn lives. **H 525** includes the exceptions for abortions as delineated in the Hyde Amendment. Under federal law, federal money cannot be provided for abortions, but can be provided to abortion providers.

In response to committee questions, **Rep. Zollinger** said the abortion providers in Idaho do receive state funds for other services and **H 525** eliminates those funds to abortion providers. **Rep. Zollinger** said **H 525** includes all options the Attorney General laid out in his opinion and therefore it will be defensible in court. He said the state has the authority to withhold state funds. **Rep. Zollinger** said **H 525** defunds abortion providers through the fungibility of money because state money does go to facilities that provide abortions, often at a lower cost because they are getting funds from other sources for all their other services.

Committee members expressed concern **H 525** provides funding for abortions in cases of rape, incest or life of the mother at the local level. **Rep. Zollinger** stated the current law already allows public funding to be provided for abortions on a city or county level in those exceptions. He said nowhere in law are cities and counties prohibited from funding abortions and **H 525** actually limits their ability to fund abortions to the exceptions listed in the Hyde Amendment. He emphasized federal funds can still go to abortion providers but **H 525** would stop state funds from flowing to those facilities.

Chandler Watson testified **in opposition** to **H 525**. He said committee members had brought up legitimate questions and asked the committee to consider other legislation instead.

Committee members objected to the testimony and said testimony should keep to the bill at hand and not compare legislation.

Silas Thompson testified **in opposition** to **H 525**. He said abortion should be abolished completely and **H 525** did not go far enough. He said **H 525** should be amended to remove exceptions and evil should not be visited on the child for the evil of their parents.

Chairman Harris reminded committee members and guests of committee rules against assigning motives to legislation or sponsors.

Andy de Ganahl, Bear Morton, David Pascal, Scott Watson, and Samuel Shaffer testified **in opposition** to **H 525**. They said **H 525** will not protect babies and it is a pro-abortion bill that targets a minority. They said **H 525** is evil and against the word of God. They emphasized that abortion was wrong in any circumstance.

Donna Harwood testified **in opposition** to **H 525** because Planned Parenthood offers trauma-informed, high-quality health care.

Kacie O'Connor testified **in opposition** for **H 525** because her family has benefited from Planned Parenthood service when they did not have health insurance.

David Ripley, Executive Director of Idaho Chooses Life, and **Blaine Conzatti**, Family Policy Alliance, testified **in support** of **H 525**. They said the objective of **H 525** is to stop funds from going to the abortion industry and continued funding is an assault on the conscience of taxpayers. They said **H 525** prohibits any level of government from subsidizing abortions and complies with the Hyde Amendment. **H 525** does not create any new authorization for funds; in reality it revokes the current ability of local governments to send public money to abortion providers outside of exceptions.

In response to committee questions, **Mr. Ripley** said **H 525** was complicated because it deals with state and local government funds and expressed hope that Planned Parenthood would eventually be eliminated from the Medicaid system and would stop receiving those funds.

In response to committee questions, **Mr. Conzatti** said the exceptions listed in **H 525** are already in code and local governments are already allowed to provide funding for abortion under those exceptions.

Michael Law testified **in support** of **H 525**. He quoted the founding fathers and said the US Constitution protects the natural right to life and abortion is abhorrent.

Lori Burelle, Southwest Idaho National Organization for Women, testified **in opposition** to **H 525**. She said **H 525** will lead to more women dying. She said if the legislature was serious about reducing abortions, it would fund Planned Parenthood and other facilities that provide long-term birth control.

Chairman Harris reminded committee members and guests not to assign motives to legislation or sponsors or disparage any particular groups of people. He asked those giving testimony to keep to the bill at hand.

Mistie Tolman, Planned Parenthood, testified **in opposition to H 525**. She said Planned Parenthood provides high-quality, cost-effective health care to low-income patients that may not have anywhere else to go. **H 525** limits patients' choices and other care providers cannot fill the gap Planned Parenthood would leave. Ms. Tolman said the law already prohibits federal funding for abortion except in limited circumstances under the Hyde Amendment and **H 525** would cut care at all levels.

In response to committee questions, **Ms. Tolman** said funding cuts in other states contributed to the closing of Planned Parenthood clinics. She said she did not have exact numbers for the financial impact but she was looking at legal issues and the care provided by Planned Parenthood. Ms. Tolman said she expects financial impact because like any health provider, patients come with needs and they provide care for which they are reimbursed.

Kathy Griesmyer, ACLU, testified **in opposition to H 525** and said it was an attempt to defund Planned Parenthood and threatens opportunity for Idahoans to get quality care. Planned Parenthood is a critical safety net provider and restricting public funds for abortion has a disproportionate impact on low-income and minority women. Ms. Griesmyer also said attempts to penalize abortion providers for non-abortion care has not been held up in court.

Paige McMahon testified **in opposition to H 525**. She said **H 525** is a direct attack on Planned Parenthood and their patients. Cutting off public funding cuts off access to preventative health care services.

Mark Steinmeyer testified **in opposition to H 525**. He said there are two sources of authority—secular and religious. He encouraged committee members to recognize they are not above state or divine law. He asked them to reject **H 525**.

Due to time constraints, **H 525** will be carried over to the meeting of February 28, 2020 at 8:30 AM.

ADJOURN: There being no further business to come before the committee, the meeting adjourned at 10:28 AM.

Representative Harris
Chair

Devon Powers
Secretary