

MINUTES
HOUSE STATE AFFAIRS COMMITTEE

DATE: Friday, February 28, 2020

TIME: 8:30 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, Gannon

GUESTS: Marsha Bravo, Patt Alpine, Sylvia Charitou, Mary Slaughter, Mary Ruckh, AAUW, Tanisha Newton, ACLU, Kelli Brassfield, IAC, Brody Aston, Enterprise Car Rental, Hauns Snyder, Azalea Rummeler, Allan Davison

Chairman Harris called the meeting to order at 8:30 AM.

H 414: **Rep. Barbieri** said **H 414** had previously been before the committee and asked the committee to hold **H 414** in committee.

MOTION: **Rep. Crane** made a motion to **HOLD 414** in committee. **Motion carried by voice vote.**

RS 27848: **Rep. Barbieri** said **RS 27848** replaces **H 414**. He said **RS 27848** requires ABC to be notified when there is a sampling and prohibits advertising for samplings.

MOTION: **Rep. Scott** made a motion to introduce **RS 27848** and recommend it be sent directly to the second reading calendar.

SUBSTITUTE MOTION: **Rep. Crane** made a substitute motion to introduce **RS 27848**. Speaking to his motion, Rep. Crane expressed concern the Liquor Department was not present to testify about **RS 27848**.

Speaking **in opposition** to the motion, **Rep. Barbieri** said **RS 27848** is substantially similar to **H 414**, the department had testified during that hearing, and the committee should forego another hearing.

In response to a clarifying question from a committee member, **Rep. Barbieri** said **RS 27848** does restrict the division from advertising.

Committee members questioned whether it was possible to alert the Liquor Department and have someone come testify before the meeting adjourned. **Chairman Harris** said an impromptu hearing would be a violation of the original motion and there is still time for a hearing.

ROLL CALL VOTE ON SUBSTITUTE MOTION: Roll call vote was requested. **The substitute motion carried by a vote of 7 AYE, 6 NAY, 2 ABSENT/EXCUSED. Voting in favor** of the substitute motion: **Reps. Harris, Crane, Holtzclaw, Monks, Zito, Andrus, Young. Voting in opposition** to the substitute motion: **Reps. Barbieri, Scott, Hartgen, Smith, Gannon, Green. Reps. Armstrong and Palmer were ABSENT/EXCUSED.**

S 1268AA: **Rep. Troy** said **S 1268aa** changes the deadline for write-in candidates to give clerks enough time to get ballots printed and mailed, requires write-in candidates to pay filing fees, and allows the Secretary of State to design ballots without write-in candidate lines if there has not been a declaration.

MOTION: **Rep. Hartgen** made a motion to send **S 1286aa** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Troy** will sponsor the bill on the floor.

S 1307: **Jordan Watters**, Chief of Staff to the Lieutenant Governor, said **S 1307** allows companies to use funds from the sale of a vehicle for operating expenses.

MOTION: **Rep. Hartgen** made a motion to send **S 1307** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Boyle** will sponsor the bill on the floor.

H 525: **Chairman Harris** said no new testimony for **H 525** would be taken, but the testimony from yesterday would be continued.

Paul Thompson testified **in opposition** to **H 525**. He said he wants a complete ban of abortions and **H 525** authorizes abortions under certain circumstances and has the potential to open up more causes for abortions. He said **H 525** says life by rape or incest is not as precious as other lives. Mr. Thompson said **H 525** is an attack against children and children only. He asked the committee not to show people that only some lives are worth defending.

Christopher Folkerts testified **in opposition** to **H 525**. He said this is the civil rights movement of the 21st century. He said **H 525** operates on the premise that life is sacred but shoots itself in the foot by allowing exceptions. Mr. Folkerts said **H 525** is a Trojan horse for abortions under certain circumstances. He argued **H 525** is unsound, unjust and unkind. He said it was not in the best interest of the mother to abort her child and allowing her to do so would answer evil with evil.

Toni Lawson, Vice President of Idaho Hospital Association, testified abortions are rarely even discussed among members of hospital leadership because they so rarely happen. She said the hospitals submitted language to exclude hospitals from **H 525** that was not accepted by the sponsors and therefore leaves hospitals at risk. She said if an abortion was performed under the exception of life of the mother or child, hospitals would be affected and could lose significant funding. She requested **H 525** be held in committee to allow hospitals and sponsors come to an agreement and add further clarifying language.

In response to committee questions, **Ms. Lawson** expressed concern if there were doubt in the interpretation of life of the mother the 46 hospitals in the state may lose all funding for all other services. Ms. Lawson said hospitals are not marketing abortions but there are cases where they may be necessary procedures to protect the life of the mother or for the futility of the fetus and if those abortions were performed, they would be reported as required.

Jennifer Martinez, Idaho Coalition Against Sexual and Domestic Violence, and **Chelsea Lincoln**, Add the Words Idaho and Legal Voice, testified **in opposition** to **H 525**. They said Planned Parenthood provides a reliable, trusted source of health care for low-income people and **H 525** cuts off access to a range of health care services. Ms. Martinez said the exceptions in **H 525** require proof from a court or law enforcement which compounds the trauma women may already be experiencing. Ms. Lincoln said **H 525** would create a public health crisis, lead to lawsuits and was discriminatory, harmful and irresponsible.

Lindsay Zea testified **in support** of **H 525**. She said the federal government has tied the hands of the states in protecting life under the Hyde Amendment and does not want her tax dollars to go to overhead costs for facilities that provide abortions. She said this bill does not win the pro-life war but it can save one life.

Jackie Wakefield on behalf of **Keri Uhlenkotte**, Right to Life Idaho, and **Christian Welp**, Catholic Church of Idaho, testified **in support of H 525**. Ms. Wakefield said abortion is not health care but a brutal procedure and human rights abuse that should not be paid for by the public. She said abortion funding restrictions save lives. Mr. Welp said while he does not believe in exceptions for abortions, they are already in statute.

In response to committee questions, **Mr. Welp** said it is his understanding that because those exceptions for abortions are already in statute, they can be funded.

Hauns Snyder testified his family cannot afford health insurance and use Planned Parenthood as a health care provider. He said **H 525** ensures and imposes religious authority on people who do not identify as Christians, which does not follow American values. He said he does not have respect for committee members.

Chairman Harris reminded committee members and guests that committee rules prohibit assigning motives to legislation or sponsors.

Azalea Rummier testified **in opposition to H 525**. She said the system cannot absorb the patients Planned Parenthood has and everyone should have access to health care.

In closing, **Rep. Zollinger** said the intent of **H 525** is to further the interest of the state in preserving lives of unborn children. He said **H 525** does not prohibit funds from going to abortion but it prevents other moneys from going to any abortion providers and the exceptions are already in statute. He said it was not his intention to exclude hospitals and the language added to protect them was more broad than he would have liked and **H 525** includes a definition for medical emergency. Rep. Zollinger said **H 525** does not accomplish everything he wished it did but the Supreme Court has the final say.

In closing, **Rep. Zito** said the issue of abortion is never easy and she believes it is unconstitutional but this bill is a step in the right direction.

MOTION:

Rep. Andrus made a motion to send **H 525** to the floor with a **DO PASS** recommendation.

SUBSTITUTE MOTION:

Rep. Scott made a substitute motion to **HOLD H 525** in committee. Speaking to her motion, Rep. Scott said she believed in the good intentions of **H 525** but it codifies using public moneys for abortions, which is not already in statute. She said committee members have sworn to uphold the constitution and by voting in favor of **H 525**, committee members are communicating that the lives of unborn babies in those exception circumstances do not matter. She said this bill would not stop anyone from setting up an abortion murder mill with public funds. She said if the goal is to defund Planned Parenthood, **H 525** is not the way to do so.

Rep. Zito said they spent a long time ensuring **H 525** would not add anything new to statute and their intent was to protect life. She said slavery and gun rights were not solved in one action but were and are being addressed over time and this is a step-by-step process.

VOTE ON SUBSTITUTE MOTION:

Motion failed by voice vote.

During discussion on the original motion, **Rep. Gannon** said **H 525** was a legal disaster that would result in another lawsuit and referred to the Attorney General opinion. He said **H 525** penalizes lawful acts, which in turn makes it unlawful. **Rep. Green** said she would not support the original motion because **H 525** may allow hospitals to be defunded. She reminded the committee that rape and incest does have a victim that all testimony has ignored and treated as irrelevant and no woman should be barred from having reproductive rights. **Rep. Scott** said **H 525** is a not a good bill and she believes abortion is murder and cannot vote for a bill that would codify using tax dollars to kill innocent lives because their fathers are criminals. She said voting for **H 525** means agreement with the exceptions in code.

VOTE ON ORIGINAL MOTION:

Motion carried by voice vote. Rep. Zollinger will carry the bill on the floor.

ADJOURN:

There being no further business to come before the committee, the meeting adjourned at 9:49 AM.

Representative Harris
Chair

Devon Powers
Secretary