

MINUTES
HOUSE STATE AFFAIRS COMMITTEE

DATE: Friday, March 06, 2020

TIME: 9:30 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:** None

GUESTS: Matt Davison, Idaho Newspaper Association, Ken Burgess, Idaho Press Club

Chairman Harris called the meeting to order at 9:30 AM.

H 601: **Rep. Blanksma** said **H 601** exempts personal notes not shared with others from the public record, tightens stipulations on what can be requested, and moves one section of code to another section. **H 601** also exempts requests for research and analysis to help the drafting process stay out of the public eye, exempts personal communication between legislators that is not related to public business, exempts personal identifying characteristics of private citizens, and exempts the working papers of legislative audits prior to the release of the final public audit.

In response to committee questions, **Rep. Blanksma** said individuals asking legislators to support legislation is exempt unless the person was representing a group. She said the legislation includes LSO staff and the drafting process. Rep. Blanksma said legislators currently have two options: legislators can pull private information before they send the public records request to the Legislative Services Office (LSO), or LSO can go through all the information. Rep. Blanksma said she does not think **H 601** will lead to more court cases for access to public records and she met with LSO to find the best and most efficient way to process requests and information. Rep. Blanksma said **H 601** did add draft redistricting plans to the exemptions as well as work papers created prior to the release of performance evaluations and legislative audits. She said any requirements that those work papers be preserved for public record would be an internal policy, not a code requirement.

Matt Davison, Idaho Newspaper Association, testified **in opposition** to **H 601**. He said the newspapers do not misuse the system and the system is working. He said **H 601** was unnecessary and Idaho already has a content-based standard. Mr. Davison asked who defines public business and said everyone wants transparency and to play by the same rules.

In response to committee questions, **Mr. Davison** emphasized his issue with **H 601** was primarily the lack of definition of public business. He asked the committee to let people like him hold their staff accountable. He said redacting the names of all private citizens would impact clarity and transparency because the public would not know if people with money or influence were lobbying for legislation. Committee members said they treat everyone equally, regardless of money or influence and to suggest that they were hiding anything from the public instead of protecting people is offensive.

Ken Burgess, Idaho Press Club, testified about several problems he saw in **H 601**. He said he was unsure of how the exemption for private notes meshed with open meeting laws. He was also concerned with the language regarding the drafting process of legislation.

MOTION: **Rep. Palmer** made a motion to send **H 601** to the floor with a **DO PASS** recommendation.

In closing, **Rep. Blanksma** said **H 601** is not intended to be a punitive piece of legislation. She said private citizens are private citizens, no matter who they are.

During discussion on the motion, committee members expressed concern about the exemption of working papers that are the basis for reviews and draft redistricting plans. They said some parts of **H 601** go too far and other parts do not go far enough.

VOTE ON MOTION: **Motion carried by voice vote. Rep. Crane** requested to be recorded as voting **NAY. Rep. Blanksma** will sponsor the bill on the floor.

ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 10:15 AM.

Representative Harris
Chair

Devon Powers
Secretary