

MINUTES  
**HOUSE STATE AFFAIRS COMMITTEE**

**DATE:** Tuesday, August 25, 2020

**TIME:** Upon Adjournment

**PLACE:** Room EW42

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

**ABSENT/  
EXCUSED:** None

**GUESTS:** Sara Westbrook, IAC; Phil McGrane, Ada County IAC; Jennifer Locke, Kootenai County; Penny Manning, Bonneville County

**Chairman Harris** called the meeting to order at 11:23am.

**Chairman Harris** turned the gavel over to **Vice Chairman Armstrong**.

**S 1001a:** **Rep. Harris**, District 21, stated the purpose of **S 1001a** is to provide additional time for clerks to process the huge volume of absentee ballots requested for the November 2020 election. He explained this bill is separated into two parts, each of which addresses distinct elements of the absentee process. The first part addresses the time needed to prepare ballots to be mailed from 45 days to 30 days prior to the election to ensure the proper preparation of the ballots going out. The second part addresses the clerks need for additional time to physically open and scan all of the ballots once received. Due to the expected volume, this bill will allow clerks to begin opening envelopes and scanning ballots up to seven days prior to election day. He further explained, if this process occurs, it is mandatory the ballots be securely maintained in an electronic access-controlled room under 24-hour video surveillance that is live-streamed to the public and, the videos must be archived for at least 90 days following the election. Additionally, a minimum of two election officials must be present whenever absentee ballots are accessed. He concluded that no results will be tabulated for absentee ballots until the polls close on election day.

In response to a question from the committee, **Rep. Harris** explained the process outlined in **S 1001a** is optional so counties can choose the process they will use. Additionally, this bill does not impact overseas or military ballots or counties that read ballots by hand.

**Phil McGrane**, Ada County Clerk and Chair of Elections Committee for the Association of Counties and Clerks, spoke **in support** of **S 1001a** and encouraged the committee's support in order to ensure a smooth election process in November.

**Jennifer Locke**, Deputy County Clerk, Kootenai County, spoke **in support** of **S 1001a**.

**Penny Manning**, Bonneville County Clerk, spoke **in support** of **S 1001a**.

**Vice Chairman Armstrong** turned the gavel over to **Chairman Harris**.

**MOTION:** **Rep. Holtzclaw** made a motion to send **S 1001a** to the floor with a **DO PASS** recommendation.

**Rep. Crane** declared Rule 80.

**VOTE ON MOTION:** **Motion carried by voice vote. Rep. Harris** will sponsor the bill on the floor.

**S 1002:**

**Phil McGrane**, Ada County Clerk and Chair of Elections Committee for the Association of Counties and Clerks, stated **S 1002** would assist clerks with in-person voting by creating alternatives to polling places in the form of vote centers. He explained vote centers add greater flexibility for voters and clerks by allowing any voter from any part of the county to go to any vote center and vote on their correct ballot. Mr. McGrane further explained vote centers would operate similar to early voting by utilizing the statewide voter registration system, or electronic poll books, which ensures voters receive the right ballot. This also increases election day security by recording each voter as having voted in the system, thereby preventing anyone from voting more than once. He stated the additional security and flexibility created by vote centers would assist clerks to adjust to pandemic guidelines because vote centers would be larger venues providing extra space to spread out and disperse crowds over an entire day, while also providing voters with more options and flexibility. He concluded by stating this bill also includes limitations to help ensure an adequate number of voting locations in both rural and urban parts of the state and the use of vote centers will be optional so counties could continue to use standard polling places if they wish.

In response to concerns regarding the data being collected by the electronic poll books and who is storing that information, **Mr. McGrane** responded this is the same voter registration information currently being used which is housed in a centralized closed network system and maintained by the Secretary of State. He explained this is federally mandated for all 50 states with high levels of cyber security in place for the protection of information.

In response to concerns regarding a long term goal of having less places to vote with vote centers than the current number of polling places, **Mr. McGrane** responded that is not the intention or goal of this legislation at all. The goal is to be able to spread out voters to avoid long lines and provide a smooth election process.

In response to concerns regarding the numbers of voters at vote centers while the virus is still ongoing, **Mr. McGrane** stated the county clerks are very concerned about public health, but are also committed to being able to provide the right to vote to all voters. They will be doing their best to balance the number of voters for each vote center with the goal of spreading out the voters throughout the day. Mr. McGrane acknowledged some polling places may stay the same, but in some places they will change. He stated this legislation is to provide that flexibility in order to have a successful election.

**MOTION:**

**Rep. Hartgen** made a motion to send **S 1002** to the floor with a **DO PASS** recommendation.

**Jennifer Locke**, Deputy County Clerk, Kootenai County, spoke **in support of S 1002**.

**Penny Manning**, County Clerk, Bonneville County, spoke **in support of S 1002**.

**SUBSTITUTE MOTION:**

**Rep. Crane** made a substitute motion to **HOLD S 1002** in committee. He spoke to his motion by stating voters want to go to their polling places and just want to know those places are predictable and secure. He continued, there have been so many changes this year with elections that changing it again may confuse voters and believes vote centers will fly in the face of social distancing by making more people gather at fewer voting places, so cannot support this bill.

**Rep. Armstrong** spoke to the substitute motion. He stated it sounds like vote centers would make it more convenient to vote by being able to go anywhere in the county and should give this a try. He exclaimed, this is a lawmaker's dream legislation because it sunsets on December 31, 2020, so why not give it a try. If it works, they can bring it back during the next legislative session, and if not, it will sunset.

**Chairman Harris** concluded the debate by stating the low number of poll workers was one of the topics discussed in the interim working group meetings and the purpose of this bill is to find a way to conduct a smooth election in November with the limited number of poll workers available to cover all of the polling areas.

**ROLL CALL  
VOTE ON  
SUBSTITUTE  
MOTION:**

**Chairman Harris** requested a roll call vote on the substitute motion to **HOLD S 1002** in committee. **Motion carried by a vote of 10 AYE and 5 NAY. Voting in favor of the motion: Chairman Harris, Reps. Crane, Palmer, Barbieri, Monks, Zito, Scott, Andrus, Young, and Gannon. Voting in opposition to the motion: Reps. Armstrong, Holtzclaw, Hartgen, Smith, and Green.**

**ADJOURN:**

There being no further business to come before the committee, the meeting was adjourned at 1:07pm.

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Representative Harris  
Chair

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Tracey McDonnell  
Secretary