

MINUTES  
**HOUSE STATE AFFAIRS COMMITTEE**

**DATE:** Tuesday, January 12, 2021  
**TIME:** 10:00 A.M.  
**PLACE:** Room EW40  
**MEMBERS:** Chairman Crane, Vice Chairman Armstrong, Representatives Palmer, Barbieri, Holtzclaw, Monks, Scott, Andrus, Young, Furniss, Hanks, Skaug, Gannon, Mathias  
**ABSENT/  
EXCUSED:** None  
**GUESTS:** None

Chairman Crane called the meeting to order at 10:00 a.m.

**Chairman Crane** introduced staff members. He spoke to the committee regarding his expectations for this session. He explained that members of the general public and subject experts will be allowed to testify remotely but agency representatives and legislative advisors must be present to provide testimony. All agency bills must be sponsored by a member of the House State Affairs Committee and RS's may be modified or returned to the sponsor during the introductory hearing. **Chairman Crane** stated he will have a rotating chairmanship, inviting committee members to serve as Chairman for specified meetings and a notice will be provided. He said all meetings will be scheduled for 9:00 a.m. unless otherwise posted and he asked all members of the committee to show respect for all, to respect people's choice to wear or not wear a mask and to be prepared to ask questions.

**RS 28185:** **Rep. Steve Harris** presented **RS 28185** which would allow the legislature to call themselves into an extraordinary session with a joint written request of at least 60% of the House and Senate. The Fiscal Note indicated that special sessions would cost approximately \$21,300 per day.

**Chairman Crane** put the committee at ease at 10:09. The committee reconvened at 10:16 a.m.

In response to questions, **Rep. Harris** explained why the word shall vs must is used throughout the document. The work "must" is moving into the legal vocabulary and is the stronger of the two words. He also indicated there are no statutory provisions nor hard coded language in the proposed legislation, making it less prescriptive. There is no intention of requiring the legislature to state the purpose of the session to the public.

**MOTION:** **Rep. Palmer** made a motion to introduce **RS 28185. Motion carried by voice vote.**

**RS 28188:** **Rep. Monks** presented **RS 28188** to attempt to restore balance between the legislative and executive branch in times of emergency, addressing some flaws in the existing legislation. The legislation would deem all employees as essential and would prevent businesses from being shut down. Emergency declarations would terminate when danger has passed or after 30 days. The legislature could extend and/or modify the emergency declaration through concurrent resolution, if needed. The proposed legislation would prohibit the Governor from limiting constitutional rights and he would not be able to change or suspend Idaho laws.

In response to questions, **Rep. Monks** indicated that if this legislation passes and received a Governor veto, the legislature could override the decision and it would go into effect immediately. A concurrent resolution would need to be passed to continue, limit or modify a declaration, as needed, especially when federal funds are involved. There are no provisions in this legislation for the Governor to have authority to be able to make emergency decisions but there are other laws that do. The Governor is the enforcer of laws.

**MOTION:** **Rep. Furniss** made a motion to introduce **RS 28188** with a correction to page 3, line 26, president should be replaced with President. **Motion carried by voice vote.**

**RS 28192:** **Rep. Scott** presented **RS 28192**, a resolution that would end Idaho's existing emergency declaration. Rep. Scott stated that Idahoan's lives have been greatly disrupted and cited statistics from the CDC that show Idaho has a 99% recovery rate and the death rate is 1/10 of 1%.

**MOTION:** **Rep. Armstrong** made a motion to introduce **RS 28192**. **Motion carried by voice vote.**

**ADJOURN** There being no further business to come before the committee, the meeting adjourned at 10:57 a.m.

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Representative Crane  
Chair

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Kelly Staskey  
Secretary