

MINUTES
HOUSE STATE AFFAIRS COMMITTEE

DATE: Friday, February 05, 2021

TIME: 9:00 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:** Representative(s) Barbieri

GUESTS: None

Chairman Crane handed the gavel over to **Rep. Andrus** to run the meeting so he could present an RS.

Rep. Andrus called the meeting to order at 9:01 a.m.

RS 28434: **Chairman Crane** presented **RS 28434** a Concurrent Resolution to make clear that Idaho's Legislative body is supportive of removing all obstacles that prevent full participation of individuals in all activities, including but not limited to athletic competitions such as Idaho High School Activities Association state tournaments.

The Governor's Office and State Board of Education both want students to play sports and fans in the stands. They are also working to get choirs, debate teams and other school activities opened up. The girls basketball tournament is starting tomorrow and 150 tickets per team are being distributed. The state championship will be held at the Idaho Center and each team will receive 900 tickets. The venue has a capacity of 11,000.

Rep. Ehardt stated that the Legislature needs to send the message that it supports all kids trying to find normalcy in life.

In response to questions, it was noted that if passed, this proposed legislation would open up events, fully. The Governor's Office and State Board of Education changed their order to allow 40% capacity at sporting events. Guidance from the Governor's Office of gatherings not exceeding 50 people is not a mandate and there are no penalties for gatherings of more than 50 people.

MOTION: **Rep. Furniss** made a motion to introduce **RS 28434** and send it to Second Reading Calendar.

During discussion, committee members expressed that they think the reasons for the proposed legislation are good. One committee member supported the premise but thought the language is too broad for support. It was clarified that the Governors office would not impose penalties for gatherings over 50 but mayors or health districts could choose to do so.

**MOTION ON
VOTE:** **Motion carried by voice vote. Rep. Gannon** asked to be recorded as voting **NAY**.

RS 28238C1: **Rep. Vander Woude** presented **RS 28238C1** to provide flexibility for state agencies to employ attorneys other than the Attorney General's office. This bill will extend the right to choose legal counsel to all state offices, boards, commissions and entities. These entities may still choose to obtain legal services from the Attorney General. The Attorney General and the Board of Examiners will no longer be required to screen and pre-qualify attorneys who desire to perform contract legal services for the State of Idaho. Currently, only certain state agencies may choose their own attorneys to represent the State of Idaho on their behalf before courts, administrative tribunals and federal agencies.

In response to questions, **Rep Vander Woude** stated the Attorney General currently has 127 Deputy Attorney Generals (DAG) that are assigned to various agencies. Depending on the legal issue, sometimes a legal issue is not a specialty of the assigned DAG. During the appropriations process, an agency will be able to choose a DAG or opt for an attorney of their choosing. Regardless, they must appropriate funds to reimburse the Attorney General's office for the DAG or to hire an independent attorney. The agency must stay within its appropriation budget. The Attorney General has the authority to enlist outside counsel, if needed. Agency budgets are submitted August 1 for the following fiscal year, beginning July 1.

MOTION: **Chairman Crane** made a motion to introduce **RS 28238C1**. **Motion carried by voice vote.**

Representative Crane
Chair

Kelly Staskey
Secretary