

MINUTES  
**HOUSE STATE AFFAIRS COMMITTEE**

**DATE:** Monday, February 22, 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:** None  
**GUESTS:** Benn Brocksome - Idaho Sportsmen's Association, Jason Hancock - Secretary of State's Office, Jerry Payne - Caldwell Gun Club

**Chairman Crane** called the meeting to order at 9:00 a.m.

**RS 28643:** **Rep. Moyle** presented **RS 28643**, addressing the issue of "ballot harvesting" - which is the practice of third party individuals and groups, many of them political activists or political parties, "harvesting" absentee or mail ballots from voters and then delivering them to election officials for processing and counting. This legislation would prohibit this practice by limiting ballot handling to those authorized to do so pursuant to Idaho law.

Changes to the bill that was introduced previously to the House State Affairs Committee include adding adopted children and relatives to the second degree in the definition of family and increasing the number of ballots collected and conveyed by an authorized individual to no more than six (6) at a time.

In answer to questions **Rep. Moyle** clarified other than the changes noted, the language in **RS 28643** was included in the first piece of legislation brought before the committee. The specifics of this legislation are based on the recommendations of the bipartisan Commission on Federal Election Reform, in their 2005 report Building Confidence in U.S. Elections,

**MOTION:** **Rep. Young** made a motion to introduce **RS 28643**.

**SUBSTITUTE  
MOTION:** **Rep. Barbieri** made a **substitute motion** to introduce **RS 28643** and recommended it be sent directly to the second reading calendar.

There was concern that an individual who may not know the rules could find him or herself being charged with a felony crime if they have more than six family member's ballots in their possession. They have to knowingly break the law in order to be charged with a felony.

**VOTE ON  
MOTION:** **Motion carried by a voice vote. Rep. Mathias** requested to be recorded as voting **NAY**.

**S 1055:** **Rep. Moyle** presented **S 1055** to clarify the legislative intent of Idaho Code 55-2604 and to remove ambiguities created by the use of the words area, expanding, and increasing. These words suggest a limitation on the use of a gun club's property where no such limitations were intended in the statute.

This legislation is designed to ensure that shooting ranges can utilize their entire properties and move their portable target throwers around the property as long as the shotfall is within the property lines. **Sen. Agenbroad** added his support and encouraged the committee to support the intent of the current law.

**Ben Brocksom, Jerry Payne, and Michael Brown**, Idaho State Rifle and Pistol Association all spoke in support of **S 1055** and encouraged the committee to send it to the floor with a do pass recommendation.

**MOTION:** **Rep. Holtzclaw** made a motion to send **S 1055** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Moyle** will sponsor the bill on the floor.

**H 202** **Rep. Young** presented **H 202** to provide definitions for title 46, Chapter 10 of the State Disaster Preparedness Act.

**Rep. Young** acknowledged concerns about the word *terrorism* during the RS hearing. The intention of **H 202** is to draw a line of demarcation between a state of disaster emergency and acts of extreme peril. Each type of disaster, regardless of origin has a Support Annex. Each Annex lays out expected circumstances, a detailed outline of who is in charge and who is in control of decision making. Addressing acts of terrorism would be in conjunction with the federal government. This Bill also defines militia with what is currently in Idaho code. Epidemic and pandemic did not appear in code. Now they are included in this section.

In response to questions, **Rep. Young** clarified that during a response to terrorism, Idaho would be working in coordination with the Federal Government. **Rep. Young** read from Idaho's Disaster Preparedness Plan. The Governor has the same powers during acts of terrorism that he does now. Investigation to identifying terrorists and prosecuting them are still in place, as well. There is the ability to address terrorism and to address the effect of terrorism. Currently, the Governor has authority to act during a state of extreme emergency. Terrorism is covered in 46-601.

**MOTION:** **Rep. Scott** made a motion to send **H 202** to the floor with a **DO PASS** recommendation.

**Rep. Young** said the appropriate focus is on the effects of the disaster. Not the cause. It says any man-made or natural cause. She said that in response to an act of terrorism more than one annex would be triggered to act. One to address the act on terrorism and the other to address the effects of the violence. There was a concern that this legislation is making things more complicated. It was suggested that definitions be provided for *natural disaster* and *non-natural disaster*.

A committee member stated Senate State Affairs is hearing legislation that deals with extreme peril. These pieces of legislation are changing the way we look at emergencies, disasters vs. man-made attacks. Section 46-601 has not been amended, to this point. Epidemics and pandemics will fall under this section of code. Their definitions are pre-coded and were defined by experts prior to COVID-19. There were concerns that the Governor's ability to act would be more restricted with this legislation and it seems premature. It would be helpful to see other pieces of legislation related to this topic. The Governor's Power has been defined in the State of Extreme Emergency bill that has already been passed by the House. If the legislature does not agree with the Governor's actions and the disaster lasts more than 60 days, the legislature will be convened. It was also stated that the definitions are getting closer but are not quite there yet.

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

**ADJOURN:** There being no further business to come before the committee, the meeting was adjourned at 9:47 a.m.

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Representative Crane  
Chair

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Kelly Staskey  
Secretary