

MINUTES  
**HOUSE STATE AFFAIRS COMMITTEE**

**DATE:** Wednesday, March 03, 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:** Craig Campbell - Self, Keith Graves - Code 3 to 1, Roger Kenyon - Code 3 to 1, Teresa Molitor - Marijuana Policy Project, Jason Hancock - Secretary of State

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

**UNANIMOUS  
CONSENT  
REQUEST:** **Chairman Crane** asked unanimous consent to reorder the agenda. There being no objection the consent was granted.

**RS 28639:** **Sen. Grow** presented **RS 28639**. The purpose of this proposed constitutional amendment is to prohibit the legalization of controlled substances unless approved by a two-thirds (2/3) vote of the Idaho legislature. This constitutional amendment proposes no changes to existing statutes as of July 1, 2021.

**Sen. Grow** stated the drug culture has become more prevalent state by state, over time. Oregon has decriminalized drugs and Washington State is considering the same. Drugs are a big-money issue. He reminded committee members, legislators all took an oath to maintain the constitution. This proposed legislation is about the safety of families, children, schools and businesses. The new provisions relating to controlled substances would be added to Section 26, included with intoxicating liquors. Currently, there are five (5) schedules of controlled substances. This proposed legislation deals with Schedules 1 and 2, the most addictive drugs. **Sen. Grow** clarified the term "enacted into law" means the Governor has signed the legislation, enacting it into law.

In response to questions **Sen. Grow** clarified that opioids are not addressed in this legislation. They are addressed in a different section of the code. He shared when there is a tax on medical marijuana, black market marijuana becomes more prevalent. The rationale for 2/3 vote rather than a simple majority is designed to combat pressure created by the temptation of out-of-state money. **Sen. Grow** said the federal government has chosen to treat drugs as they do alcohol. This proposed legislation has an exception for Hemp. There is an additional piece of legislation that has been drafted in conjunction with this current legislation. If approved, this ballot measure would go before voters in November 2022 and be effective immediately upon signature of the Governor. Any drug can be changed on the schedule after July 1, 2021 with a simple majority. Removal of a drug would need a 2/3 vote. This proposed legislation gives the legislature the ability to control legalization of drugs. This constitutional amendment, supersedes ballot initiatives.

**MOTION:** **Rep. Armstrong** made a motion to introduce **RS 28639**.

During discussion, a concern was expressed that about letting a minority dictate legislative votes. **Sen. Grow** said there will be a significant hurdle to overcome by the legislature and Idaho voters if this legislation does not pass.

**VOTE ON MOTION:**

**Motion carried by voice vote.**

**UNANIMOUS CONSENT REQUEST:**

**Chairman Crane** asked unanimous consent to reorder the agenda, once again. There being no objection the consent was granted.

**H 231:**

**Rep. McCrostie** presented **H 231**. This legislation amends the filing date for independent candidates for president and vice president to align with the filing date for independent candidates for federal, state, district and county offices.

Currently, independent candidates running for president or vice president may register their candidacy after independent candidates for federal and state offices have filed their candidacy. As a matter of policy, if someone is running to be the leader of the free world, at a minimum, an independent candidate should be required to register at the same time as these other candidates.

In response to a question, **Rep. McCrostie** did not know the reasoning for the different filing deadlines. **Chairman Crane** suggested that it may be because Idaho used to have a primary race in August.

**MOTION:**

**Rep. Monks** made a motion to send **H 231** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. McCrostie** will sponsor the bill on the floor.

**H 169:**

**Rep. Young** presented **H 169**. This bill adds a provision to Idaho Code 67-1904 requiring agencies to include citizen engagement and satisfaction as one of those measures. If an agency does not directly engage the public, it can substitute employee engagement. Some agencies are doing this now, using modern tools such as online surveys. Adding this requirement will give the agencies and the legislature valuable insight into how they are perceived by the citizens they are serving. It will help agencies understand how citizens view their "customer service" and quality of interaction that citizens have with state agencies. As part of their annual budget requests to the Idaho Legislature, state agencies are required to submit an internal review of their performance. The current law allows agencies to select up to 10 different "quantifiable performance measures, which clearly capture the agency's progress in meeting the goals of its major divisions and core functions stated in the strategic plan."

In response to a question, **Rep. Young** stated that this information should be available to the public through the Public Information Act.

**MOTION:**

**Rep. Gannon** made a motion to send **H 169** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Young** will sponsor the bill on the floor.

**Chairman Crane** turned the gavel over to **Vice-Chairman Armstrong**.

**RS 28746:**

**Chairman Crane** presented **RS 28746**. This legislation will put two exemptions in Idaho code. The first exemption will allow firefighters to replace smoke detectors and carbon monoxide detectors in one and two family dwellings. Secondly, this proposed legislation will provide an exemption for the installation or replacement of a fire alarm panel communication device.

**Chairman Crane** asked for unanimous consent to discuss **H 201**, Hearing no objections, consent was granted. If printed, the bill will go back to business committee. Firefighters currently replace batteries in 110 volt smoke detectors, as a community service. When those smoke detectors are not working, the exemption in this proposed legislation would provide that firefighters could replace the alarms. **Chairman Crane** declared Rule 80 on the second exemption.

With the advent of the 5G network, 3G towers will be obsolete. The majority of current alarm devices are set up on 3G and 4G networks. Most customers will wait to replace their alarms until the last minute. Currently, to upgrade a fire alarm system, plans must be drawn up and a permit must be secured from the city. It is expensive. **H 201** proposes elimination of plans and permits. **RS 28746** meets in the middle, requiring a single family or two family home purchase a permit for a reduced price of \$125. The proposed legislation also states that the policy cannot be changed by a local jurisdiction.

To maintain quality control, the fire department wants to be able to do inspections on new installations. If introduced, he would like to make changes to Lines 26, 29, 31 by adding (DACT) after the words "communication device".

**MOTION:** **Rep. Palmer** made a motion to introduce **RS 28746**. **Motion carried by voice vote.**

**H 243:** **Rep. Green** presented **H 243** to allow a candidate (incumbent or challenger) for either a House or Senate legislative seat to transfer up to the full balance of an established campaign account for one legislative seat (House or Senate) into the account for a new legislative seat (House or Senate) as long as the total contributions from any one person or entity does not exceed the maximum allowed for either the primary or general election during the same election cycle. Changes were made upon recommendation of the committee.

**MOTION:** **Rep. Mathias** made a motion to send **H 243** to the floor with a **DO Pass** recommendation. **Motion carried by voice vote.** Rep. Green 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