

MINUTES
HOUSE STATE AFFAIRS COMMITTEE

DATE: Thursday, March 04, 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: Zach Brooks - District 11 Republican precinct chairman, Carson Tester - Westerberg and Associates, Tammy Payne - Right to Life Idaho, Jason Hancock - Secretary of State

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

H 198: **Rep. Syme** presented **H 198** to revise provisions regarding the qualifications that a precinct committeeman must be registered and reside in a voting precinct for a period of at least six months preceding his next election. He explained this tightens up the committeeman law at the most basic level. If there is a vacant committeeman spot and you haven't registered to vote, you have to be pre-registered to vote.

In response to questions, **Rep. Syme** explained a democrat could run in a republican precinct, this legislation just ensures that the person has knowledge of the area.

Zack Brooks testified in opposition to **H 198** saying it discourages participation and can be used as a weapon against political opponents. He said someone moved within his precinct but didn't update his address and was disqualified from running. Mr. Brooks said it is difficult to find people to run for these positions, and this proposed legislation just makes it more difficult.

Phil McGrane, Ada County Clerk, testified in support of **H 198**. From a Clerk's perspective, the existing language is interpreted to mean the same as this proposed legislation. This legislation would make it easier to validate committeeman qualifications. Proving someone lives in a precinct is difficult and this makes the administration of the program much easier. He clarified clerks differentiate between primary and secondary residences as an individual may only be registered at one residence.

Rep. Syme closed by saying **H 198** is a simple change to code that simplifies the process of qualifying precinct committeemen.

MOTION: **Rep. Skaug** said this would help constituents in Moscow and would prevent college students from becoming a committeeman right away, while living there short-term. **Rep. Skaug** made a motion to send **H 198** to floor with a **DO PASS** recommendation.

During discussion of the motion, it was noted if someone moves across town, to another district, he wouldn't need to live there for 6 months get to know the community. There are too many hoops creating barriers for participation.

SUBSTITUTE MOTION: **Rep. Scott** said this bill seems like petty politics. **Rep. Scott** made a substitute motion to **HOLD H 198** in committee.

The committee discussed the motion and said they are more concerned a committeeman is a registered electorate of the state, rather than the specific precinct and they expressed concern this makes it more difficult to get involved.

**VOTE ON
SUBSTITUTE
MOTION:**

Motion failed by voice vote.

**VOTE ON
ORIGINAL
MOTION:**

Motion carried by voice vote. Rep. Syme will sponsor the bill on the floor.

RS 28642:

Rep. Nichols presented **RS 28642** which amends how vacancies in the office of precinct committeeman are filled. She explained this makes changes to Idaho code so all precinct vacancies are filled through the same process, regardless of political party. This will bring consistency and make it easier to fill these positions.

MOTION:

Rep. Mathias made a motion to introduce **RS 28642. Motion carried by voice vote.**

RS 28616C2:

David Ripley, Director, Idaho Chooses Life, presented **RS 28616C2**. The purpose of the proposed legislation is to amend the Informed Consent Law to provide information specific to babies diagnosed with Down Syndrome. Studies indicate the abortion rate for pre-born babies with Down syndrome may be as high as 90%. This bill would require the Department of Health and Welfare to provide mothers in such circumstances with information about the resources available, in both the public and private sectors, to help support a decision to choose life for her baby. He explained this adds to the existing informed consent requirement by requiring a specific section of information about Down Syndrome. Mr. Ripley believes it to be a modest step but one that will save lives.

MOTION:

Rep. Scott made a motion to introduce **RS 28616C2**.

In response to committee questions and discussion, **Mr. Ripley** explained the essence of this proposed legislation. The legislature should fund Health and Welfare to educate women about children with Down Syndrome. He read current code saying children with handicaps justify the decision to have an abortion. This minor adjustment to require specific Down Syndrome information to be included could help women make informed decisions.

**SUBSTITUTE
MOTION:**

Rep. Mathias made a substitute motion to introduce **RS 28616C2** with the following changes: do not strike lines 46-47 on page 2.

In discussion of the substitute motion **Rep. Mathias** explained the only way the provisions make sense is if there is a decision to be made and reinserting the proposed stricken language would provide clarity.

**AMENDED
SUBSTITUTE
MOTION:**

Rep. Andrus made an amended substitute motion to introduce **RS 28616C2** with the following changes on page 5, line 13: add, the department shall ensure that a Spanish language version of the informed consent materials required in this subsection is made available to women considering an abortion.

During discussion of the amended substitute motion, the committee discussed the possibility there is something within the administrative rules requiring all materials at Health and Welfare to be printed in Spanish. It is thought the informed consent website is in Spanish but they do not believe the booklet is currently printed in Spanish. The committee asked for clarification to confirm this legislation is also requesting a brochure about Down Syndrome be printed in Spanish. It was noted this proposed legislation requires more information to be provided but does not effect anyone's ability to have an abortion. **Rep. Mathias** revisited his confusion about the lines being struck, saying if we are truly giving women a choice then we can remove this language from code.

**VOTE ON
AMENDED
SUBSTITUTE
MOTION:**

Motion carried by voice vote. Rep. Mathias requested to be recorded as voting **NAY**.

RS 28748:

Jason Hancock, Deputy Secretary of State, presented **RS 28748**, The purpose of this proposed legislation is to ensure the security of absentee voting and the validity of petition signatures by clarifying the requirement that county clerks verify voter signatures in these instances. A recent Idaho district court decision held that it is not reasonable to interpret the existing statutes to say County Clerks should be verifying signatures on a recall petition, which has been standard practice across the state. This proposed legislation clarifies requirements to ensure these practices continue for all instances where signature verification is currently relied upon. It also requires the Secretary of State to provide training and guidance on how signatures are to be verified and clarifies that petition signatures are to be physical signatures and not electronic. Signature checks by clerks are a cornerstone for preventing fraud in Idaho. The new legislation specifies requirements for verifying signatures. The Secretary of State will provide clear standards for the County Clerks.

In response to questions, **Mr. Hancock** explained a physical signature can be a mark or signature. It needs to be consistent and match voter registration mark or signature on record. If something changes, affecting a signature, such as a stroke, a new voter registration card may be made with the voter's current signature. He said there is a precedent set for what a signature is so it need not be defined in the legislation.

MOTION:

Rep. Monks made a motion to introduce **RS 28748. Motion carried by voice vote. Chairman Crane** handed the gavel over to **Rep. Armstrong**.

RS 28744:

Chairman Crane presented **RS 28744**. This proposed legislation creates a business Bill of Rights to provide clarification and certainty for business owners during emergency declarations. Businesses would be able to remain open and their licenses would not be threatened. **Chairman Crane** explained many business owners contacted him with fear their businesses would be shut down, due to the pandemic. This would allow businesses to stay open regardless of a declaration of emergency. Chairman Crane declared Rule 80.

In response to questions, **Chairman Crane** explained if the government decides to tell a business they must close, the emergency order would be null and void regardless of which level of government the emergency order was enacted.

MOTION:

Rep. Palmer made a motion to introduce **RS 28744. Motion carried by voice vote.**

RS 28647:

Rep. Hartgen introduced **RS 28647**. She explained Women's Day was established by the legislature last year. This resolution would commemorate the day it was established. She turned her remaining time over to **Janet Gallimore**, Director of the Idaho State Historical Society.

Ms. Gallimore explained March 14th has special significance to Idaho as it is the day the Idaho Legislature approved the official state seal, designed by a woman.

In response to committee questions, **Ms. Gallimore** explained the Historical Society's exhibit features the outstanding career achievements of women in Idaho, in addition to their role as mothers.

MOTION: **Rep. Young** made a motion to introduce **RS 28647**. **Motion carried by voice vote.**

There being no further business to come before the committee, the meeting adjourned at 10:20 a.m.

Representative Crane
Chair

Kelly Staskey
Secretary