

MINUTES
SENATE STATE AFFAIRS COMMITTEE

DATE: Friday, March 05, 2021

TIME: 8:00 A.M.

PLACE: Room WW55

MEMBERS PRESENT: Chairwoman Lodge, Vice Chairman Guthrie, Senators Winder, Anthon, Harris, Lee, Heider, Stennett, and Burgoyne

ABSENT/ EXCUSED: None

NOTE: The sign-in sheet, testimonies and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

CONVENED: **Chairwoman Lodge** called the meeting of the **Senate State Affairs Committee** (Committee) to order at 8:02 a.m.

GUBERNATORIAL REAPPOINTMENT: **The Gubernatorial Reappointment of Valisa R. Say to the Bingo/Raffle Advisory Board (Board).**

Valisa Say, Executive Director, Idaho Falls Senior Center (Senior Center), related that she moved from California to Idaho Falls 16 years ago. She first became involved in serving seniors as a Meals on Wheels driver and now serves as the Executive Director of the Senior center where they play Bingo twice a week. She stated she has enjoys serving on the Board and associating with the other members. **Ms. Say** said she is glad to represent non-profits who have Charity Bingo on the Board.

Senator Lee inquired if the Board faces any challenges. **Ms. Say** replied the distance the members travel in order to meet was the most difficult challenge.

Chairwoman Lodge advised Ms. Say that the vote on her reappointment would be taken at the next meeting of the Committee.

RS 28724 **Relating to Elections regarding election day registration.**

Senator Mary Souza, District 4, explained that **RS 28724** relates to provisional ballots, offering them as an option for clerks or election judges when a voter presents questionable identification information during election day registration. She noted that the election judges would have seven days to research a provisional ballot. **Senator Souza** emphasized that this process is another safety measure for election integrity..

DISCUSSION: **Senator Stennett** inquired if this legislation had been shared with the Secretary of State (SOS). **Senator Souza** replied that she met with the SOS's office to discuss the provisional ballot concept. She acknowledged that the SOS is not a supporter of provisional ballots and explained that **RS 28724** offers it as a possible alternative, not as a mandate. **Senator Stennett** asked why there is an urgency for this legislation so late in the session. **Senator Souza** replied she had worked with the Kootenai County Clerk and other county clerks who stated this would help to verify registrations in upcoming elections.

Senator Anthon expressed appreciation for **RS 28724**. He addressed the importance of moving forward to efficiently conduct Idaho's business without undue cost. **Senator Anthon** stated there will be other late legislation that will be submitted this year, and deadlines must not interfere with completing the people's business.

MOTION: **Senator Anthon** moved to send **RS 28724** to print. **Senator Lee** seconded the motion. The motion carried by **voice vote**. **Senator Stennett** and **Senator Burgoyne** were recorded as voting nay.

RS 28725 **Relating to Elections to provide for absentee ballot assistance.**

Senator Souza, pointed out that citizens in assisted living facilities and elderly citizens have gone unnoticed throughout the election process. She stated that many of them need assistance in requesting their absentee ballots. **Senator Souza** explained that under this bill the clerks can set up a team of volunteers trained in a non partisan fashion. These volunteers can respond to the facilities management, upon request, to assist their residents in requesting and completing their ballots. **Senator Souza** described that one option in setting up the teams would be to have a representative from each of the top two partisan parties from the previous general election. Each party's central committee would appoint its volunteer. The bipartisan team would be trained by the county election staff to work together to assist the facility residents in requesting and completing their ballots, and returning the completed ballots to the county clerk. **Senator Souza** declared that **RS 28725** would provide a needed service to the care facilities and to Idaho's citizens who reside in those facilities.

DISCUSSION: **Senator Burgoyne** stated that currently there is someone from each party and someone from the county clerk's office assisting in helping people vote. He inquired why the clerk is not involved under **RS 28725**. **Senator Souza** replied that the presence of a clerk is a current practice in some counties, but not a mandate or is it in law or rule. She added that the clerks with whom she has spoken do not want additional obligations near election dates. She pointed out that **RS 28725** would relieve the stress on the staff. **Senator Burgoyne** asked if parties other than Republicans or Democrats currently participate. **Senator Souza** responded that she was unaware of any other parties that have participated.

MOTION: **Senator Harris** moved to send **RS 28725** to print. **Senator Anthon** seconded the motion.

DISCUSSION: **Senator Burgoyne** stated he felt it was too late in the session to continue with this bill as it is not a necessity at this time.

VOTE: The motion carried by **voice vote**. **Senator Stennett** and **Senator Burgoyne** were recorded as voting nay.

RS 28747 **Relating to Elections regarding funding of elections.**

Senator Souza advised the Committee that **RS 28747** needs to be in law before the next election cycle. She stated that it is in response to a substantial amount of private money from out-of-state groups that was used by county election offices to impact the Idaho 2020 election. Idaho law has no prohibitions against private money going directly to the county election offices. **Senator Souza** explained under **RS 28747**, private money cannot come into the State's county and local election offices.

MOTION: **Senator Anthon** moved to send **RS 28747** to print. **Senator Winder** seconded the motion. The motion carried by **voice vote**. **Senator Stennett** and **Senator Burgoyne** were recorded as voting nay.

Chairwoman Lodge announced that **RS 28757** will follow **RS 28762**.

RS 28762 **Unanimous Consent Request from the Transportation Committee to print RS 28762 related to check stations.**

Senator Jim Woodward, District 1, explained that language in Idaho Code § 40

does not clearly recognize the current practice of noncommercial vehicles, such as recreational vehicles or pickups with horse trailers, proceeding through check stations without stopping. **RS 28762** aligns code with existing common practice.

MOTION: **Senator Anthon** moved to send **RS 28762** to print. **Senator Harris** seconded the motion. The motion carried by **voice vote**.

RS 28757 **Unanimous Consent Request from the Local Government and Tax Committee to print RS 28757 related to tax districts.**

Senator Jim Rice, District 10, explained that **RS 28757** is a trailer bill to **S 1108** to provide that the current year's assessed values be used to determine the levy rate for new construction and annexation. It allows an exception to use the prior year's value for centrally assessed operating property; the current year's number is generally not available at the time the determination is made.

MOTION: **Senator Winder** moved to send **RS 28757** to print. **Senator Anthon** seconded the motion. The motion carried by **voice vote**.

RS 28731 **Relating to Alcoholic Beverages to define terms and clarify when a minor can be in a retail wine establishment.**

Senator Winder addressed the urgency of this matter as it related to a constituent in his district who owns a retail wine store at The Village in Meridian. Retailers and customers alike are confused as to why a brewery, for instance, can allow children to be on its premises when they are not allowed for a wine retailer business where there may be a tasting area. In neither case would children unaccompanied by an adult be allowed. **Senator Winder** stated agreement on language has been reached with the sponsors of the bill and the Attorney General's office.

MOTION: **Senator Harris** moved to send **RS 28731** to print. **Senator Lee** seconded the motion. The motion carried by **voice vote**.

H 47 **Relating to Veterans Memorials to eliminate inactive provisions of law in several sections of Idaho code.**

Representative Scott Syme, District 11, explained **H 47** is about memorials and some outdated code. He introduced Kevin Wallior, Management Assistant, Idaho Division of Veterans Services (IDVS), to explain the bill.

Mr. Wallior, advised the Committee that **H 47** consists of technical corrections and amendments of Idaho Code § 65-103. He stated the bill also repeals outdated and unnecessary sections to Idaho Code § 65-102, 105, and 106, all relating to state funding for county veterans memorials. These sections are no longer relevant and their removal is in line with the Governor's Red Tape Reduction Act.

MOTION: **Senator Anthon** moved to send **H 47** to the floor with a **do pass** recommendation. **Senator Lee** seconded the motion. The motion carried by **voice vote**.

H 48 **Relating to Service Members to eliminate an inactive provision of law related to contracts.**

Representative Syme, noted that **H 48** will repeal Idaho Code § 65-509 that contains outdated and unnecessary sections of Idaho Code related to males over 18 years of age entering into contracts under the GI Bill of Rights. That section of Idaho Code has been replaced by other sections.

MOTION: **Senator Harris** moved to send **H 48** to the floor with a **do pass** recommendation. **Senator Lee** seconded the motion.

DISCUSSION: **Senator Stennett** requested a brief description of the purpose of **H 48**. **Representative Syme** replied that the GI Bill provides benefits such as low-interest loans and tuition assistance for college for veterans. He deferred to Pete Koehler, Interim Director, IDVS.

Mr. Koehler explained that when the GI Bill took effect, if veterans were under 18 and qualified for GI bill benefits, they still had to have someone else sign for them. He pointed out that this requirement has been obsolete for over 60 years; veterans automatically qualify for those benefits. He added that **H 48** will eliminate the requirement.

VOTE: The motion to send **H 48** to the floor with a **do pass** recommendation carried by **voice vote**.

H 70 **Relating to Alcoholic Beverages to allow for an entire year for a permit.**

Tony Faraca, Chief Deputy, Idaho State Liquor Division, presented **H 70**, which amends Idaho Code § 23-513. He informed the Committee that liquor suppliers, brokers, and Idaho distilleries are required to have division-issued permits to conduct business in the State of Idaho. Current law calls for these permits to expire on December 31 of each year. This amendment changes the permit expiration date to 12 months from the date of issue.

Chairwoman Lodge asked if any of those who have the licenses opposed **H 70**. **Mr. Faraca** replied that he was not aware of any opposition.

MOTION: **Senator Stennett** moved to send **H 70** to the floor with a **do pass** recommendation. **Senator Burgoyne** seconded the motion. The motion carried by **voice vote**.

ADJOURNMENT: There being no further business at this time, **Chairwoman Lodge** adjourned the meeting at 8:35 a.m.

Chairwoman Lodge
Chair

Twyla Melton
Secretary

Carol Cornwall
Assistant Secretary