

MINUTES
HOUSE STATE AFFAIRS COMMITTEE

DATE: Friday, March 12, 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 (Andrew), Gannon, Mathias

**ABSENT/
EXCUSED:** None

GUESTS: The Sign-in sheet will be retained in the Committee secretary's office until the end of the session. Following the end of the session, the sign-in sheet will be filed with the minutes in the Legislative Library.

Rep. Barbieri called the meeting to order at 9:00 a.m.

RS 28684: **Rep. Nash** presented **RS 28684**. This proposed legislation is to rotate candidate names on ballots in races other than for federal, state, county, or city offices, where the number of registered voters within a political entity exceeds 100,000. Doing this would make all rotation of candidate names consistent across elections. Name order matters in low information races. Studies show that the advantage is as high as 7-10 points for names toward the top of the ballot. Examples of races with more than 10,000 voters include the Ada County Highway District and College of Western Idaho.

MOTION: **Chairman Crane** made a motion to **introduce RS 28684**.

During committee discussion, **Rep. Nash** was asked to get feedback from the Secretary of State's office, before the bill hearing.

**VOTE ON
MOTION:** **Motion carried by voice vote.**

H 302: **Rep. Andrus** introduced **H 302** to amend the Informed Consent Law to provide information specific to babies diagnosed with Down Syndrome. 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. Studies indicate the abortion rate for pre-born babies with Down Syndrome ranges between 70% - 90%.

In response to committee questions, **Rep. Andrus** clarified the deletion of words on Page 2, Lines 46- 47. It means there should be no prejudice for individuals pre-birth or post birth, regardless of whether or not they have a disability. There was concern about the words after strikeout relating to victims of rape, incest or other felonious intercourse. Rep. Andrus said there needs to be work done on that section but this bill deals specifically with Down Syndrome.

Chelsea G Lincoln - Legal Voice, **Sarah Simpson, Misty Tolman** - Planned Parenthood, **Tanisha Newton, Scott Herndon, Lauren Bramwell** - ACLU Idaho, **Arlene Herndon**, and **Rachelle Tierney** - Idaho Council on Developmental Disabilities all testified **in opposition** to **H 302**. They expressed concerns this legislation shames and stigmatizes women seeking an abortion. They further expressed worry that the Fiscal Note was down played and this legislation only adds barriers for women seeking abortions and does not increase opportunities for persons with disabilities. They felt this bill was not about helping people with disabilities and was introduced without input from the disability community. Others testified that the passage of this bill legitimizes abortion as an option in Idaho when they felt it should be outlawed all together.

In response to committee questions, they discussed the legality of the bill in regard to Roe vs. Wade, but did not reach a confident conclusion. They objected to the biased nature of the information being provided.

Stephanie LaRiba, Irene Gans, Henry Edwards, Chris Troupes, Tammy Paine - Right to Life Idaho, **Blaine Ganzati** - Family Policy Alliance of Idaho, **Christian Welp** - The Catholic Church of Idaho, **Sandy Ensinger, and David Ripley** - Idaho Chooses Life testified **in support** of **H 302**. Many testified about their experience as Downs Syndrome Parents and assured the committee that their children are important and vital members of society. They further emphasized women should have all the facts when they are making a life changing decision. This legislation does not take a stance on abortion. It simply requires the Department of Health and Welfare to provide information.

MOTION: **Rep. Palmer** made a motion to send **H 302** to the floor with a **DO PASS** recommendation.

During discussion, committee members said they would like to see stronger legislation. This bill calls to provide information parents need to make an informed decision. It was stated that society is taking a frightening and chilling direction, to abort individuals with disabilities. Quality information should be provided to women. One committee member shared he has an adopted daughter with Turner Syndrome and it took a long time to figure out her diagnosis. He said it would have been very beneficial to have information from the beginning. He also stated that individuals with disabilities make us better people. This bill purports to help adults who have learned they might be having a child with a Down Syndrome but targets only those who want to pursue considering an abortion. It purports to protect children born with an extra chromosome. Given there was no consultation in the development of this bill with the Down community, one committee member could not support this legislation. The medical community itself is promoting abortion for women who have a baby diagnosed with Down Syndrome. This type of legislation should not even need to be brought forward.

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

ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 10:23 a.m.

Representative Barbieri
Chair

Kelly Staskey
Secretary