

MINUTES  
**SENATE STATE AFFAIRS COMMITTEE**

**DATE:** Friday, March 12, 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 8:05 a.m.

**RS 28796** **Relating to the Fetal Heartbeat Preborn Child Protection Act.**

**Blaine Konzatti**, Family Policy Alliance of Idaho, advised the RS replaces a previous version of the legislation, and he described the changes made to address concerns. He explained the bill requires a physician to perform an ultrasound prior to performing an abortion, and a detectable heartbeat would preclude the abortion. **Mr. Konzatti** said the RS includes exceptions for a medical emergency, rape, and incest; modifies penalties for violations; and adds a trigger mechanism to make the law effective only when a federal appellate court upholds another state's heartbeat bill as constitutional. He reported the bill aligns with legislation previously enacted in Idaho as well as other states' heartbeat laws.

**MOTION:** **Senator Winder** moved to send **RS 28796** to print. **Senator Anthon** seconded the motion. The motion carried by **voice vote**. **Senator Stennett** and **Senator Burgoyne** were recorded as voting nay.

**H 198** **Relating to Precinct Committeemen regarding the revision of certain qualifications.**

**Representative Scott Syme**, District 11, reported that the bill clarifies the ballot qualifications for precinct committeeman positions.

**DISCUSSION:** **Senator Stennett** inquired how the current law is deficient. **Representative Syme** explained there was confusion about when a candidate must be registered to vote in order to stand for election. He said the bill states a candidate must be a registered voter in the precinct for six months to have his name placed on the ballot.

**Senator Burgoyne** agreed there is inconsistent interpretation of the law. He suggested the bill will not fix all the issues but will be an improvement.

**Senator Heider** asked if there is a concern about using the pronoun "his" rather than "his or her." **Representative Syme** answered the bill was drafted by the Legislative Services Office in that fashion.

**TESTIMONY:** The Committee received testimony in opposition to **H 198** from: Courtney Thompson, Secretary, Canyon County Republican Central Committee; Margie Baker; and Casey Baker, Effective Activism Idaho. Their stated reasons for opposing the bill included:

- The bill will make it more difficult for new arrivals to get involved.

- The requirements to serve will be different for appointed versus elected committeemen.
- The bill deletes the residency requirement for a precinct committeeman.
- The changes marginalize the importance of a precinct committeeman.

**Phil McGrane**, Ada County Clerk, testified in favor of **H 198** because it clarifies the ballot requirements, allows for consistent interpretation of the law, and makes it simpler for clerks to determine eligibility. **Mr. McGrane** added that residency is a requirement to register to vote and the bill does not remove it.

**DISCUSSION:** **Senator Stennett** asked if the bill will allow someone who has not lived in Idaho for six months to be appointed to fill a vacancy. **Mr. McGrane** replied that clerks only determine eligibility to appear on a ballot, and party leadership determines who is qualified to fill vacancies.

**Representative Syme** agreed the precinct committeeman is an important position, and the bill deals only with qualifications to appear on the ballot. The parties can determine how to appoint someone to fill vacancies.

**MOTION:** **Senator Stennett** moved to send **H 198** to the floor with a **do pass** recommendation. **Senator Lee** seconded the motion.

**DISCUSSION:** **Senator Stennett** stated the bill should clarify the requirements to be appointed to a position, but it is a step in the right direction. She noted many new residents are interested in getting involved; it is important for them to have lived in an area for a little while before serving as its precinct committeemen.

**Senator Burgoyne** thanked Representative Syme for bringing the legislation. He stated the bill will address the influx of new residents who want to take command of the State without knowing its character and needs. He pointed out that residency is a challenging issue and the requirement should possibly be extended beyond six months, but the bill is a much-needed improvement.

**Senator Lee** said she supports the bill and appreciates Representative Syme's efforts. She said the bill will establish policy requiring a candidate to be part of the political process before running for a position, and it will give precincts guidance on how to fill vacancies.

**Senator Winder** commented the bill is an important piece of legislation. He observed the precinct committeemen are the grassroots of a party and should know their neighborhoods and schools. He added that the six-month residency requirement still allows newcomers to participate in meetings and help candidates get elected.

**VOTE:** The motion to send **H 198** to the floor with a **do pass** recommendation carried by **voice vote**.

**S 1178** **Relating to Pari-Mutuel Betting to provide for funding the Idaho State Racing Commission.**

**Senator Guthrie** explained that live and simulcast horse racing must be sanctioned by the Idaho State Racing Commission (Commission). He advised that the Commission lacks sufficient funds to continue operation, and the horse racing industry will cease to exist without the Commission. **Senator Guthrie** stated that the bill changes the formula for distributing money from advanced deposit wagering (ADW) to provide additional financial support to the Commission. He reported the Commission would receive 10 percent of total ADW money before allocating funds to the other recipients, and he provided examples of how the change would affect them.

**Senator Guthrie** commented that the total ADW increased from \$8 million in 2019 to \$14 million in 2020. He speculated the increase in electronic wagering was due to COVID-19 and a cultural shift to more reliance on technology to place bets.

**Senator Guthrie** reported that the Commission presently projects an operating deficit of \$75,000, but the new funding formula would result in an operating surplus of \$56,000. He remarked that the bill will allow the Commission to sustain the horse racing industry while maintaining funding to existing recipients. He added the bill addresses a critical issue that proponents have worked on for more than two years, and the bill is unrelated to historical horse racing.

**TESTIMONY:**

The Committee received in-person and written testimony in favor of **S 1178** from: Cameron Mulrony, Wilder; Bryon Goody, East Idaho Horsemen's Association; Edward McNelis, Nampa; LuKrena Schoonover, Pocatello Downs; Tawnja Elison, Idaho Thoroughbred Association; Nikeela Abrams, Boise; Brandon Bird, Eastern Idaho State Fair; and Ardie Noyes, Commission employee. Reasons for support of the bill included:

- The horse racing industry funds the Commission without taxpayer dollars, and the bill will provide the Commission with necessary funding to sustain operations.
- The various horse groups have collaborated on the bill, and there is consensus that it is a good solution to maintain horse racing.
- The Commission is needed to regulate and supervise Idaho horse racing to ensure proper judging, equine testing, horse and jockey safety, and correct collection and distribution of fees.
- Agricultural communities and multiple Idaho racing venues would suffer without horse racing, and revenue from those communities will leave Idaho for neighboring states.
- The bill does not expand gambling beyond what is already legal in the State.
- The horse racing industry provides entertainment and enjoyment, and contributes to many local economies.

**Senator Guthrie** remarked that horse racing creates enthusiasm and excitement. He compared the racing industry to a home that is wired for electricity; if the main breaker is switched off, nothing works. He explained the infrastructure is in place for the horse racing industry, and it is now necessary to flip the switch.

**Senator Heider** asked what mechanism exists to prevent minors from betting on horse racing. **Senator Guthrie** responded that he does not know the safeguards, and the bill does not address that issue.

**MOTION:**

**Senator Anthon** moved to send **S 1178** to the floor with a **do pass** recommendation. **Senator Stennett** seconded the motion.

Pursuant to Senate Rule 39(H), **Senator Anthon** declared that many members of his family are involved in the horse and horse racing industries.

**DISCUSSION:**

**Senator Anthon** thanked Senator Guthrie and Chairwoman Lodge for their work to bring the horse racing issue forward and help solve related problems. He added the horse industry is an important Idaho tradition, and the bill will help keep it alive and thriving.

**Senator Harris** thanked Chairwoman Lodge for hearing the bill and said he appreciates the people who testified in favor of it. He added that he supports the motion.

**Chairwoman Lodge** remarked that the horse industry changed her life when she got a horse at a young age. She added it is challenging and rewarding to keep horses, and it is important to keep the industry going.

**VOTE:** The motion to send **S 1178** to the floor with a **do pass** recommendation carried by **voice vote**.

**ADJOURNED:** There being no further business at this time, **Chairwoman Lodge** adjourned the meeting at 9:16 a.m.

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Senator Lodge  
Chair

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Twyla Melton  
Secretary

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Jeanne Jackson-Heim  
Assistant Secretary