

MINUTES  
**SENATE STATE AFFAIRS COMMITTEE**

**DATE:** Friday, March 19, 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 8:14 a.m.

**RS 28839** **Stating the Findings of the Legislature to authorize the Legislative Council to establish an interim committee for study of the driver authorization cards.**

**Senator Guthrie** requested that an interim committee be authorized to bring all interested parties together to study driver authorization cards.

**Senator Winder** stated his support of the resolution to organize an interim committee instead of a working group to study and develop driver authorization cards.

**MOTION:** **Senator Stennett** moved to send **RS 28839** to print. **Senator Anthon** seconded the motion. The motion carried by **voice vote**.

**Chairwoman Lodge** announced that there would be a change of order until the presenter for **H 245**, **H 286**, and **H 299** could be in attendance.

**MINUTES APPROVAL:** **Senator Lee** moved to approve the minutes of February 12, 2021. **Senator Burgoyne** seconded the motion. The motion carried by **voice vote**.

**Senator Anthon** moved to approve the minutes of February 15, 2021. **Senator Heider** seconded the motion. The motion carried by **voice vote**.

**Senator Lee** moved to approve the minutes of February 19, 2021. **Senator Harris** seconded the motion. The motion carried by **voice vote**.

**Senator Winder** moved to approve the minutes of March 10, 2021 as corrected. **Senator Guthrie** seconded the motion. The motion carried by **voice vote**.

**H 245** **Relating to Campaign Finance to strengthen State election laws regarding Idaho campaigns.**

**Jason Hancock**, Deputy Secretary of State, explained that **H 245** adds a new section, Idaho Code § 67-6610D, addressing foreign contributions, directly or indirectly, related to Idaho campaigns. The prohibitions outlined in this new section of law exist in federal law but are not in State law. **Mr. Hancock** noted that there are different tiers of penalties associated with any misconduct as outlined on page 2, lines 3-25 of the bill.

**DISCUSSION:** **Senator Burgoyne** asked for clarification on page 2, Idaho Code § 67-6625 (2). He stated that a foreign entity would be criminally liable if the statute is violated, and then candidates and political committees that receive contributions could

be subject to a misdemeanor liability. **Mr. Hancock** acknowledged that Senator Burgoyne's interpretation was correct: The word "person" in relation to who violates this law refers to the definition of "person" in Title 67, Chapter 66 of the Idaho Code.

**Chairwoman Lodge** noted **H 245** would put Idaho in line with federal law.

**MOTION:** **Senator Burgoyne** moved to send **H 245** to the Senate floor with a **do pass** recommendation. **Senator Anthon** seconded the motion. The motion carried by **voice vote**.

**H 286** **Relating to Public Shooting Ranges to revise provisions for distribution of funds from fines and forfeitures.**

**Senator Guthrie** explained that **H 286** deals with the 65 percent of fines and forfeitures the Idaho Fish and Game (IDFG) receives for violations of its laws. This bill changes the recipient of the 65 percent from the IDFG fund to the Public Shooting Range fund.

**DISCUSSION:** **Senator Burgoyne** asked if the bill was from IDFG. **Senator Guthrie** responded he wasn't aware of any opposition to this bill.

**Senator Heider** noted that IDFG came out with this edict to support shooting ranges across the State a year ago. IDFG also has access to federal money and locations across the state to help support shooting ranges. **Senator Heider** stated he approves of the bill because it puts into statute what is already in practice.

**Senator Anthon** said he supports funding for public shooting ranges and wants to ensure that IDFG continues funding them because it is very good for Idaho. **Senator Anthon** added that, when the bill goes to the floor, there needs to be confirmation that current funding and grant funds from IDFG to local cities for public ranges will not be cut off.

**MOTION:** **Senator Anthon** moved to send **H 286** to the Senate floor with a **do pass** recommendation. **Senator Heider** seconded the motion. The motion carried by **voice vote**.

**H 299** **Relating to the Public Integrity in Elections Act regarding college credit to influence student voting.**

**Senator Mary Souza**, District 4, stated it is already illegal for college and university faculties to offer extra credit during a federal election. This bill attempts to clarify that, at the State level, a faculty or university cannot offer academic credit for a student because they voted, and cannot influence students to vote in any certain manner. Page 2, lines 23-29 include language from an Attorney General's opinion; **Senator Souza** read this section.

**DISCUSSION:** **Senator Stennett** stated that an institution should not influence students in voting for a candidate. They can and should be teaching and encouraging participation in the voting process, but they should not tell them how to vote. **Senator Souza** pointed out it is fine to teach about the voting process but there should not be any incentives for a student to vote in a particular way.

**Senator Burgoyne** requested Mr. Hancock's comments on two scenarios: 1) buying coffee for everyone who turned out to vote; or 2) buying coffee for everyone who turned out to vote for a particular candidate. **Mr. Hancock** replied that **H 299** would certainly block the second scenario. It is not certain if the first scenario would fall under current law. **H 299** clarifies that the people who are working for public colleges and universities cannot legally give incentives to students to vote a certain way.

**Senator Burgoyne** stated that giving college credit for voting for a specific

candidate clearly violates criminal code. The tougher issue in terms of the law is if employees at a college or university can encourage students to vote. Efforts to teach civics surrounding elections and voting, particularly during an election year, during which time the student is earning credit for taking the class may be an issue with respect to this bill.

**Senator Lee** questioned why the bill addresses college extra credit but doesn't address high school extra credit. She said some public high school classes incentivize 18-year-old students to register to vote. Also, does the language in this bill mean that private schools can incentivize students.

**Representative Caroline Nilsson Troy**, District 5, stated this bill doesn't address private schools and she hasn't seen them addressed in similar bills in other states.

**MOTION:** **Senator Winder** moved to send **H 299** to the Senate floor with a **do pass** recommendation. **Senator Harris** seconded the motion.

**SUBSTITUTE MOTION:** **Senator Lee** made a substitute motion to send **H 299** to the **14th Order** for possible amendment. **Senator Burgoyne** seconded the motion.

**DISCUSSION:** **Senator Anthon** commented that he supports the substitute motion. He said it is important that public institutions do not use intangible means to incentivize students at the taxpayers' expense.

**Senator Stennett** indicated she supported the substitute motion. She observed it is important that kids are civically engaged. The current form of the bill discourages such engagement because students can't discuss elections in a civics classes.

**VOTE:** The substitute motion to send **H 299** to the **14th order** carried by **voice vote**.

**ADJOURNMENT:** There being no further business at this time, **Chairwoman Lodge** adjourned the meeting at 8:47 a.m.

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Senator Lodge  
Chair

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Twyla Melton  
Secretary