

MINUTES
HOUSE STATE AFFAIRS COMMITTEE

DATE: Thursday, April 08, 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:** Representative Furniss, Representative Skaug
GUESTS: Carson Tester, Westerberg & Associates, Phil McGrane - Ada County Clerk, Jason Hancock - Deputy Secretary of State

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

MOTION: **Rep. Mathias** made a motion to approve committee minutes from February 25, 2021, March 4, 2021, March 5, 2021, March 15, 2021, March 16, 2021, March 17, 2021 and March 18, 2021. **Motion carried by voice vote.**

H 344: **Rep. Mitchell** presented **H 344**. The purpose of this bill is to improve voting integrity consistently across counties and legislative districts, increase confidence in Idaho's election results, and provide an auditing process led by the Secretary of State for examining the validity of affidavits signed by those who vote without any photo ID.

Rep. Mitchell stated revisions to the legislation include requiring one of the following forms to prove identity: a current drivers license, State issued ID or Tribal ID, US passport, military ID, student ID with a date of birth on it, or a current Idaho Conceal Carry Permit. To prove residence, the following will be accepted: utility bill, current resident lease or rental agreement, a W-2 or 1099 form, current semester's tuition statement, military leave or earnings statement, or a government record showing an individual pays taxes on the property. Citizenship will be determined by State issued ID or the last four digits of the social security number and cross referenced by the county clerk. Rep. Mitchell also indicated the Secretary of States office will also have the ability to do random audits on the affidavits. By 2024, the goal is to have a picture of each voter attached to their affidavit.

Phil McGrane - Ada County Clerk and Elections Committee Chair for the Association of County Clerks testified **in support** of **H 344**. He stated there is currently a weakness in the language used relating to the approved forms of identification for registering to vote. Starting on Page 5 Line 11, he recommended removing Sections 6 and 7, without holding up the legislation. There is a major concern about poll workers being asked to take pictures of individuals who are registering to vote. The volume of affidavits is extremely low, therefore, it would be easier to verify identity by make phone calls. Mr. McGrane indicated there are also other recommendations to improve the process.

Kathy Dawes represented **President Susan Ripley** - League of Women Voters and **Holly Conde** - Conservation Voters for Idaho, testified **in opposition** to **H 344** They stated there is no need for this legislation. Voter fraud is virtually nonexistent in Idaho. There were only three cases of voter fraud identified during the 2020 election. This bill is full of government overreach. Students ID cards would no longer be valid and students would have to pay \$10 to have a State ID issued. This would put barriers in place for young people to vote. The unintended consequences of **H 344** are simply too big.

Jennifer Seegmiller - Self, testified in support of **H 344**. She said she was a poll challenger during the last election and a large number of students came to the polls without any ID or proof of residence. It was very challenging. Ms. Seegmiller stated she works in health care and has seen a lot of fraud. She said most people have a drivers license or some other form of identification. ID's are requested for many things and it should be a non-issue when registering to vote.

In response to questions, **Rep. Mitchell** said the Supreme Court ruled Idaho cannot eliminate the affidavit. He reiterated the high school ID has been taken out because it does not have a date of birth. There needs to be proof that an individual is 18 years of age or older to vote. A photo would not be required for the affidavit until 2024. **Rep. Mitchell** said this legislation has been designed to stop voting in a particular precinct without the proper identification and proof of residence. Currently, there were several people registering with receipts or high school ID's without a date of birth. He stated prosecutors did not investigate any of the alleged fraud cases because these general forms of ID and proof of residence are legal.

MOTION: **Rep. Barbieri** made a motion to send **H 344** to the floor with a **DO PASS** recommendation.

During discussion, **Rep. Armstrong** expressed concern about poll workers being expected to take photos.

Rep. Gannon stated if there is evidence that someone presented a document showing an address but it was not their residence, it is a prosecutable offense and may be remedied under present law. He said the legislature does not need to burden citizens and target young voters. He stated he would be voting against **H 344**.

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

ADJOURN: There being no further business to come before the committee, the meeting adjourned at 9:28 a.m.

Representative Crane
Chair

Kelly Staskey
Secretary