

MINUTES
HOUSE STATE AFFAIRS COMMITTEE

- DATE:** Monday, February 07, 2022
- TIME:** 9:00 A.M.
- PLACE:** Room EW40
- MEMBERS:** Chairman Crane, Vice Chairman Armstrong (Armstrong), Representatives Palmer, Barbieri, Holtzclaw, Monks, Scott, Andrus, Young, Furniss, Hanks, Skaug, Gannon, Mathias
- ABSENT/
EXCUSED:** Palmer
- GUESTS:** The sign-in sheet will be retained in the committee secretary's office; following the end of the session the sign-in sheet will be filed with the minutes in the Legislative Library.
- Chairman Crane** called the meeting to order at 9:00 a.m.
- RS 29345:** **Rep. Moyle** presented **RS 29345** which would limit ballot handling to election officials, U.S. Mail carriers, employees of nationwide parcel delivery businesses, and acknowledged family members. The limit of absentee ballots that an individual could convey to an election site on behalf of friends or family would be six (6) ballots only. There is concern that a process known as "ballot harvesting" might become a problem in Idaho and this legislation seeks to prevent it. If a person is being paid to transport ballots by anyone other than the voter or if the cumulative number of ballots being transported reached ten (10), the person would face a felony. Other violations of the law would be a misdemeanor.
- MOTION:** **Rep. Skaug** made a motion to introduce **RS 29345**. **Motion carried by voice vote.**
- RS 29360:** **Rep. Moyle** presented **RS 29360** which creates a comprehensive plan tying a homeowner's tax exemption address to the address where a person will also be registered as a voter and where they are eligible to run for office. It also provides oversight ability to the Tax Commission and Secretary of State to make sure people are not claiming multiple addresses for exemptions, voting, or candidacy.
- MOTION:** **Rep. Young** made a motion to introduce **RS 29360**. **Motion carried by voice vote.**
- RS 29354:** **Rep. Moon** presented **RS 29354** which creates additional proof of identity requirements for election integrity purposes. Proof of residency, proof of identity and proof of citizenship would all be required to vote in the state of Idaho. This proposed legislation would nullify affidavits and replace them with provisional ballots, and would require anyone not in possession of proper identity verification documents at the time of voting to vote using a provisional ballot. This would be secured in a separate location than verified identity ballots. The provisional voter would have a maximum ten (10) days post-election to return to the county clerk to provide photo identification and have their provisional ballot counted amongst regular ballots. In response to committee questions, Rep. Moon said this proposed process had not been vetted by city election officials, and provisional ballots would be marked with the name of the voter for verification purposes.
- MOTION:** **Rep. Hanks** made a motion to introduce **RS 29354**.

The committee had additional questions before addressing the motion. There was concern why affidavits were being called into question and if Idaho specifically had reason to believe affidavits should not be trusted going forward. There was also concern about what types of identification were considered valid. **Rep. Moon** stated while Idaho had not experienced reported affidavit problems, Washington has had one confirmed situation where an affidavit was found to be a lie. In regards to the changes of what photo ID's would be accepted, a school-issued student ID would not be acceptable because it simply doesn't provide the information needed to verify identity, i.e. date of birth. It's also too easy to create a fake student ID. Students would have to acquire a non-driver's government issued photo ID via proper resources if they didn't have other government documents that met the criteria. A photo ID that would be allowed going forward at the polls would be a state issued concealed weapon permit as it contains all the information necessary to establish identity and residency.

VOTE ON MOTION:

Chairman Crane called for a vote on the motion to introduce **RS 29354. Motion carried by voice vote.**

H 521:

Rep. Young presented **H 521** which seeks to eliminate language used in Idaho Code § 18-608. The language in existence was taken directly from *Roe v. Wade* in 1973 and the reasons outlined as justifying abortions in the state of Idaho are not reflective of the current statutes. In response to committee questions, **Rep. Young** said regardless of Supreme Court decisions issued in 2015, and specifically regarding the section requiring 2nd trimester abortions be performed in a hospital being unconstitutional, the language was already in this section of Idaho Code and was not being considered for removal in **H 521**. There was also committee concern that language was being introduced to the code which might allow physicians performing abortions to be held liable for the loss of life and sued for performing an abortion. **Rep. Young** said the language was to ensure no one medical provider was influencing someone's decision to have an abortion.

David Ripley, Executive Director for Idaho Chooses Life, testified **in support** of the bill. He said similar legal attempts have been done in regards to Down Syndrome but the fact is, the language contained in this bill doesn't allow any changes to the legal circumstances allowing an abortion in Idaho. He wants everyone to be clear the legislation doesn't give permission on any scenario that makes abortion acceptable but allows the code to remove passages not embraced by the people of Idaho. **Blaine Conzatti**, President of Idaho Family Policy Center also testified **in support** of the bill. He stated removing the current language is a good first step towards aligning Idaho policy on abortions with how he sees residents feel. He said the language passed down from *Roe v. Wade* contained in Idaho law is superfluous and unneeded.

MOTION:

Rep. Hanks made a motion to send **H 521** to the floor with a **DO PASS** recommendation.

Rep. Young returned for committee questions. Committee concerns for **H 521** included the proposed legislation was already addressed in other bills, and the role of physicians as outlined limits their ability to offer medical recommendations without opening themselves up to additional repercussions. Additional concern was voiced about Idaho legislation stating abortion is murder but mothers and doctors are exempt from repercussions whereas this bill contains language stating certain types of abortions are lawful. **Rep. Young** reiterated the language about the role of the physician already exists in code and doesn't change anything in regards to the law. By adding the word "only" to specify "...abortions are... only lawful if performed in a hospital", the Idaho Code will be consistent with how the Idaho Law is written.

**VOTE ON
MOTION:**

Chairman Crane called for a vote on the motion to send **H 521** to the floor with a **DO PASS** recommendation. **Motion was carried by voice vote.** **Rep. Gannon** requested he be recorded as voting **NAY**. **Rep. Young** will sponsor the bill on the floor.

ADJOURN:

There being no further business to come before the committee, the meeting adjourned at 9:33 a.m.

Representative Crane
Chair

Rebecca Fisk
Secretary