

MINUTES
SENATE STATE AFFAIRS COMMITTEE

DATE: Friday, February 25, 2022

TIME: 8:00 A.M.

PLACE: Room WW55

MEMBERS PRESENT: Chairwoman Lodge, Vice Chairman Guthrie, Senators Winder, Anthon, Harris, Lee, McClusky (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 8:04 a.m.

RS 29630 **STATING FINDINGS OF THE LEGISLATURE** reaffirming the State of Idaho's commitment to a strong relationship with Taiwan.

Senator Lent, District 33, presented the proposed joint memorial to reaffirm Idaho's support for Taiwan, a strategic partner for many years. He observed the State of Idaho had enjoyed a bilateral trade relationship with Taiwan since 1984. He noted that trade with Taiwan amounted to approximately \$500,000 per year.

MOTION: **Senator Stennett** moved to send **RS 29630** to print. **Senator Lee** seconded the motion. The motion carried by **voice vote**.

RS 29565C2 **UNANIMOUS CONSENT REQUEST** from the Senate Health and Welfare Committee relating to hospital assessments to revise provisions regarding the Hospital Assessment Fund.

Juliet Charron, Medicaid Administrator, Idaho Department of Health and Welfare (IDHW), introduced herself to the Committee. **Ms. Charron** stated the proposed legislation would revise current law to allow the use of a hospital assessment to support General Fund needs for Idaho Medicaid.

DISCUSSION: In response to questions from **Senator Burgoyne** about how the hospital assessment would change and the effect of the change, **Ms. Charron** stated that the current hospital assessment was used to obtain supplemental Medicaid payments for hospitals. She advised the result of the bill would be larger supplemental payments to hospitals and additional support for Idaho Medicaid. **Senator Burgoyne** inquired if the hospital assessment was established in response to the Medicaid expansion initiative. **Ms. Charron** responded that the assessment was in place prior to Medicaid expansion. **Senator Burgoyne** asked for clarification on whether the assessment was a tax on the hospitals. **Ms. Charron** answered that the hospitals contributed the assessment as the State share of Medicaid dollars used to obtain federal funding.

MOTION: **Senator Lee** moved to send **RS 29565C2** to print. **Vice Chairman Guthrie** seconded the motion.

DISCUSSION: **Senator Lee** reported the hospital assessment had been used since 2008 to obtain funding for the difference between Medicare and Medicaid hospital reimbursement rates. She noted the Senate Health and Welfare Committee was more familiar with these issues and would rigorously vet the bill. She said the bill would provide a solution to help the hospitals obtain additional funding.

Senator Winder noted that the Committee traditionally did not specify to which committee a bill would be sent for hearing.

VOICE VOTE: The motion to send **RS 29565C2** to print carried by **voice vote**. **Senators Burgoyne** and **Stennett** requested that they be recorded as voting nay.

RS 29598 **UNANIMOUS CONSENT REQUEST** from the Senate Health and Welfare Committee related to a rule rejection.

Senator Winder, District 20, explained the proposed legislation would reject a portion of pending rules in 16.03.09 related to Medicaid basic plan benefits.

MOTION: **Senator Winder** moved to send **RS 29598** to print. **Senator Harris** seconded the motion.

DISCUSSION: **Senator Burgoyne** said he planned to vote in favor of the motion. He expressed criticism that neither the resolution nor the statement of purpose sufficiently identified what was being rejected.

VOICE VOTE: The motion to send **RS 29598** to print carried by **voice vote**.

RS 29606 **RELATING TO VOTERS** to revise provisions regarding review and reporting of voter registrations.

Senator Heider, District 24, presented the proposed legislation to provide for weekly review of new voter registration cards to ensure people were not registering to vote in more than one location. He advised the bill would require county clerks and the Secretary of State to report annually on maintenance of voter rolls.

MOTION: **Senator Harris** moved to send **RS 29606** to print. **Vice Chairman Guthrie** seconded the motion. The motion carried by **voice vote**.

RS 29607 **RELATING TO ELECTIONS** to revise provisions regarding absent elector's ballots.

Senator Heider stated the proposed legislation would require the county clerk to investigate the validity of the absent elector's registration for a ballot that was returned as undeliverable.

DISCUSSION: **Senator Stennett** asked whether a county clerk would have the time, resources, and ability to conduct an investigation. **Senator Heider** responded that it would be the county clerk's responsibility to ensure the investigation was conducted.

MOTION: **Senator Harris** moved to send **RS 29607** to print. **Senator Anthon** seconded the motion.

DISCUSSION: **Senator Burgoyne** inquired if the investigations would result in additional costs to the counties. **Chairwoman Lodge** noted that further questions could be posed at the full hearing on the bill.

VOICE VOTE: The motion to send **RS 29607** to print carried by **voice vote**. **Senator Burgoyne** requested that he be recorded as voting nay.

RS 29642 **UNANIMOUS CONSENT REQUEST** from the Senate Health and Welfare Committee to establish provisions for a facility's patient's right to have an essential caregiver visit under certain circumstances.

Senator Stennett, District 26, presented the proposed legislation for an essential caregiver to visit a patient in a health care facility. She reported the bill was a rewrite of a previous bill to incorporate minor changes suggested by the medical community.

MOTION: **Senator Lee** moved to send **RS 29642** to print. **Senator Winder** seconded the motion. The motion carried by **voice vote**.

- RS 29643** **RELATING TO BARBERS & COSMETOLOGY SERVICES** to revise definitions pertaining to these services.
- Senator Harris**, District 32, stated the proposed legislation would clarify that junior and senior high school students taking cosmetology classes could accrue instructional hours toward licensure prior to attaining the minimum licensing age.
- MOTION:** **Vice Chairman Guthrie** moved to send **RS 29643** to print. **Senator Anthon** seconded the motion. The motion carried by **voice vote**.
- RS 29654** **UNANIMOUS CONSENT REQUEST** from the Senate Commerce and Human Resources Committee related to commercial transactions.
- Senator Wintrow**, District 19, presented the proposed legislation relating to subordinate mortgages on certain residential properties. **Senator Wintrow** advised that a junior mortgage holder would be required to notify the homeowner of their obligations if the note was sold or assigned or if the senior mortgage was foreclosed.
- MOTION:** **Senator Stennett** moved to send **RS 29654** to print. **Senator Lee** seconded the motion. The motion carried by **voice vote**.
- S 1239** **RELATING TO THE LEGISLATURE** to amend existing law to provide that a regular session of the Legislature shall adjourn by a certain date and to provide exceptions.
- Vice Chairman Guthrie**, District 28, stated the bill would require the Legislature to adjourn before the end of March, subject to several exceptions. He requested that the Committee send the bill to the 14th Order of Business to change Section 2(c) from a two-thirds to a simple majority.
- Senator Harris** moved to send **S 1239** to the 14th Order of Business for possible amendment. **Senator Burgoyne** seconded the motion. The motion carried by **voice vote**.
- S 1335** **RELATING TO CODIFIER'S CORRECTIONS** to amend existing law to make codifier's corrections.
- Elizabeth Bowen**, Legislative Services Office, gave an overview of the annual bill to make technical corrections to Idaho Code. She advised there were revisions to make grammatical changes, renumber or reformat sections, correct an agency or fund name or a code reference, remove surplus verbiage, eliminate confusing or archaic language, and insert Oxford commas. **Ms. Bowen** noted that Oxford commas are important to ensure correct statutory interpretation.
- MOTION:** **Vice Chairman Guthrie** moved to send **S 1335** to the floor with a **do pass** recommendation. **Senator Stennett** seconded the motion. The motion carried by **voice vote**.
- PASSED THE GAVEL:** Chairwoman Lodge passed the gavel to Vice Chairman Guthrie.
- S 1337** **RELATING TO CAMPAIGN FINANCE** to amend existing law to revise provisions regarding reporting requirements during a nonelection year.
- Chairwoman Lodge**, District 11, presented the legislation to improve transparency in Idaho's campaign finance system. She reported nearly \$12 million donated to 497 candidates and over \$7 million in campaign expenditures in 2021, a nonelection year. She said that prior to launch of the new campaign finance portal, much of that contribution and expenditure information was unavailable to the public until the end of the year. **Chairwoman Lodge** advised the bill would require any candidate for State or local office who received or spent an aggregate of \$500 or more to begin filing monthly campaign finance reports. She noted that the new portal greatly simplified the reporting process. She added that the bill was developed with the help of the Idaho Secretary of State.

DISCUSSION: **Senator Stennett** asked if the \$500 limit applied to a one-time transaction or an aggregate of transactions. **Chairwoman Lodge** responded a candidate would be required to file a monthly report throughout the year once the candidate's receipts or expenditures reached a total of \$500. She clarified that if the candidate did not spend or receive any money, only the annual report would be required.

Senator Burgoyne stated his appreciation for Chairwoman Lodge's persistence in bringing the legislation.

TESTIMONY: **Elinor Chehey**, League of Women Voters of Idaho, testified in support of **S 1337** because the bill would strengthen transparency and the public's right to know the sources of campaign money.

Phil McGrane, Ada County Clerk, testified in support of **S 1337** because campaigns had begun earlier and campaign contributions had greatly increased in nonelection years.

Chairwoman Lodge said she appreciated the statewide support to update campaign finance reporting.

MOTION: **Senator Burgoyne** moved to send **S 1337** to the floor with a **do pass** recommendation. **Senator Heider** seconded the motion. The motion carried by **voice vote**.

PASSED THE GAVEL: Vice Chairman Guthrie passed the gavel back to Chairwoman Lodge.

S 1338 **RELATING TO CAMPAIGNS** to amend existing law to provide for public disclosure of certain campaign contact information.

Ken Burgess, Idaho Press Club, presented the bill which would require a candidate to supply a phone number and email address when filing to run for office. He said the bill would also specify that candidate phone numbers and email addresses were public record. **Mr. Burgess** reported difficulties accessing candidate contact information since the launch of the new campaign filing portal.

TESTIMONY: **Mr. McGrane** testified in support of **S 1338** because the requirement to supply contact information would be helpful to the county clerks as well as the public.

Ms. Chehey testified in support of **S 1338** because it would facilitate completion of the League of Women Voters' online voter guide to disseminate candidate information to voters. She advised the Committee that the Secretary of State's office had denied them access to candidate email addresses since 2020.

MOTION: **Senator Lee** moved to send **S 1338** to the floor with a **do pass** recommendation. **Senator Stennett** seconded the motion. The motion carried by **voice vote**.

ADJOURNED: There being no further business at this time, **Chairwoman Lodge** adjourned the meeting at 8:52 a.m.

Senator Lodge
Chair

Twyla Melton
Secretary

Jeanne Jackson-Heim
Assistant Secretary