

MINUTES
HOUSE STATE AFFAIRS COMMITTEE

DATE: Wednesday, January 18, 2023

TIME: 9:00 A.M.

PLACE: Room EW40

MEMBERS: Chairman Crane(13), Vice Chairman Young, Representatives Palmer, Barbieri, Holtzclaw, Scott, Andrus, Skaug, Alfieri, Allgood, Crane(12), Gannon, Green (Lesmeister)

**ABSENT/
EXCUSED:** None

GUESTS: The sign-in sheet will be retained in the committee secretary's office; following the end of 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 am.

H 2: **Rep. Skaug** presented **H 2** and explained this bill provides for the withholding of sales and use tax revenues from local government entities that defy state law regarding abortion. The prior Attorney General's office advised this bill could be brought forward this session. There are some technical corrections in this bill, such as, regarding openly discussing abortion in the classroom. **H 2**, provides for the withholding of sales and use tax to any entity that defies the criminal statute. If city councils create a policy to allow abortions, they have 180 days to correct the policy.

Tammy Payne, Right to Life of Idaho, and Legislative District 23, testified **in support** of **H 2**. Ms. Payne stated the corrections are needed and municipalities should not be exempt from following the law.

Delbert Chapel, Legislative District 13, testified **in support** of **H 2**. Mr. Chapel stated Idaho's abortion laws should be followed by all citizens in Idaho.

Cindy Thorngren, Legislative District 21, spoke **in opposition** for **H 2**. Ms. Thorngren expressed her desire to let cities and counties set their own priorities for their citizens.

Christian Welp, Roman Catholic Diocese of Boise, testified **in support** of **H 2**. Mr. Welp stated abortion is illegal in the state of Idaho and, therefore, any public figure who knowingly refuses to enforce this law should be held accountable. **H 2** takes the appropriate measures to ensure abortion laws are followed and prosecuted, if need be in Idaho.

Blaine Konzatti, President of the Idaho Family Policy Center spoke **in support** for **H 2**. Mr. Konzatti applauded **Rep. Skaug** for sponsoring **H 2**. He stated when sanctuary cities or counties willingly defy the legislature, it sows anarchy into the system of government. Mr. Konzatti indicated that 70% of Idaho voters likely support the heartbeat law and a similar number support the trigger law. This legislation holds cities and counties accountable to the law in Idaho.

Shawn Witham, Legislative District 10, was registered to testify via telephone, however, due to technical difficulties this was not possible.

Rep. Skaug concluded the discussion on **H 2** and thanked all who testified either in support or in opposition. He said this body has a duty to sanction lawlessness and warned of the consequences. He further explained that this bill does not criminalize anyone, in any way, that wasn't already criminalized. The city will pay the penalty, not the individual, and a willful standard must be shown so a bookkeeper performing their responsibilities would not be included. The penalty for not enforcing this law is indicated in Section 18-5702, Idaho Code. Any public officer or public employee who knowingly violates the law will be in violation of Section 18-5701, Idaho Code for the misuse of public moneys.

MOTION: **Rep. Crane (12)** made a motion to send **H 2** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Gannon** and **Rep. Lesmeister** requested they be recorded as voting **NAY**. **Rep. Skaug** 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 (13)
Chair

Lisa Hendricks
Secretary