

Testimony re SJR 101

Mr. Chairman, members of the Committee, I am Elinor Chehey, a past president of the League of Women Voters of Idaho. I live at 617 N. Ross St. in Boise. I am here, representing myself, in opposition to SJR 101, to amend the initiative process.

I believe that this amendment is unnecessary, and creates tyranny by a minority. See the list of the 2018 General Election results, showing the few counties that turned down the Medicaid Expansion initiative.

I have worked on several initiatives over the years, starting with the Sunshine Initiative in 1974, which established the laws for campaign finance and lobbyist reporting. The People agreed that we should be able to find out who is paying for political campaigns and for lobbyists. That initiative won by the biggest margin of any in the history of Idaho—a 77.6% Yes vote.

I worked on one or two forgettable initiatives in the 1980's, and then in 1989 and 1990 an initiative to create a citizens reapportionment commission. That was an issue that did not tug at people's heartstrings. When we asked people to sign, we drew blank stares, then gave a two-minute civics lesson to maybe get a signature. We had tried to talk to the legislature about creating a citizens' commission to reapportion the legislative districts. Most of them had not been around for the dogfights of the post 1970 and 1980 reapportionments. They were sure this was something they should do themselves. We attracted a lot of press about our initiative campaign. In 1993-94, after a bruising legislative session to rework the legislative districts, the legislature decided that the citizens commission wasn't such a bad idea after all. It is difficult and painful to combine rural districts, eliminating some friends from the body, in order to allow for a few more urban districts and keep One Man, One Vote as is required.

I am convinced that the only initiatives that would succeed under our current laws are those that would solve a problem that a large portion of the state is concerned about, but lobbyists have convinced the legislature that it is a bad idea. That brings out enough volunteers to carry the petitions, and enough people willing to sign them in the time allowed. It would be wrong to take away this method of making changes to Idaho laws.

I ask that you vote NO on SJR 101

2018 vote on Proposition 2, Medicaid Expansion

County	Yes	No	Plurality	% for	% against
Ada	131,198	57,475	74,433	69.7%	30.3%
Adams	1,126	739	387	60.4%	39.6%
Bannock	19,239	9,884	9,355	66.1%	33.9%
Bear Lake	1,104	1,042	62	51.4%	48.6%
Benewah	1,783	1,935	152	48.0%	52.0%
Bingham	6,905	6,290	615	52.3%	47.7%
Blaine	8,348	2,098	6,250	79.9%	20.1%
Boise	1,937	1,526	411	55.9%	44.1%
Bonner	9,867	8,717	1,150	53.1%	46.9%
Bonneville	20,243	15,030	5,213	57.4%	42.6%
Boundary	1,935	2,313	378	45.6%	54.4%
Butte	549	490	59	52.8%	42.1%
Camas	311	226	85	57.9%	43.2%
Canyon	35,973	27,321	8,652	56.8%	43.2%
Caribou	1,240	1,009	231	55.1%	44.9%
Cassia	3,037	3,145	108	49.1%	50.9%
Clark	137	113	24	54.8%	45.2%
Clearwater	1,686	1,480	206	53.3%	46.7%
Custer	1,070	1,068	2	50.0%	50.0%
Elmore	4,081	2,894	1,187	58.5%	41.5%
Franklin	1,603	2,199	596	42.2%	57.8%
Fremont	2,299	2,490	191	48.0%	52.0%
Gem	3,743	3,356	387	52.7%	47.3%
Gooding	2,245	1,969	476	55.4%	44.6%
Idaho	2,933	4,101	1,168	41.7%	58.3%
Jefferson	3,589	5,176	1,587	40.9%	59.1%
Jerome	3,073	2,321	752	57.0%	43.0%
Kootenai	28,374	27,875	499	50.4%	49.6%
Latah	11,269	4,661	6,608	70.7%	29.3%
Lemhi	1,960	1,496	464	56.7%	43.3%
Lewis	718	669	49	51.8%	48.2%
Lincoln	919	534	385	63.2%	36.8%
Madison	4,086	4,761	675	46.2%	53.8%
Minidoka	2,688	2,453	235	52.3%	47.7%
Nez Perce	9,138	5,315	3,823	63.2%	36.8%
Oneida	735	804	97	47.8%	52.2%
Owyhee	1,751	1,654	97	51.4%	48.6%
Payette	4,262	3,272	990	56.6%	43.4%
Power	1,306	878	428	59.8%	40.2%
Shoshone	2,473	1,772	701	58.3%	41.7%
Teton	3,396	1,368	2,028	71.3%	28.7%
Twin Falls	14,205	10,225	3,980	58.1%	41.9%
Valley	3,488	1,694	1,794	67.3%	32.7%
Washington	2,165	1,729	436	55.6%	44.4%
Statewide	364,187	237,567	126,620	60.5%	39.5%

Testimony to Idaho Senate Affairs Committee

February 1, 2023

Lisa A. Hecht

1920 E. Sagewood Drive

Boise, ID. 83716

Honorable Members of This Committee,

Thank you for your service in the Legislature and for providing this opportunity for the People of Idaho, whom you represent, to speak directly regarding SJR 101.

I am deeply opposed to this anti-democratic bill, which is in contravention to the intent of both our U.S. and Idaho Founders.

(President Abe Lincoln, in his Gettysburg Address, said: "That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed. That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or abolish it...").

In 1889, at the Idaho Constitutional Convention, our state founders likewise saw fit to provide a statute allowing for Citizen Initiatives.

Under consideration is whether to expand the requirement to gather 6% of 35 districts, vs. the current requirement of 18 districts, essentially doubling the difficulty of the task just to get a citizen initiative *on the ballot*, after which it must still be approved by a majority of Idaho voters across the entire state, which of course includes all 35 districts.

First, let's remember that the Idaho Supreme Court has already struck down a 35-district signature requirement in 2021, calling this requirement "a form of tyranny", as it gives one district the power to overrule the will of voters in the other 34 districts to block an initiative from the ballot.

Secondly, rural districts very much have a voice in this process. The current 18-district signature requirement will include many rural districts in Idaho. And voters in every district get to vote on any initiative; in fact, the 2018 Medicaid Expansion initiative won the majority of votes in nearly every Idaho rural district.

Third, it is already difficult enough to garner 6% of signatures in 18 districts around the state. I helped gather signatures for the most recent public school-funding initiative. I spent hours on multiple occasions, walking up to strangers to discuss and explain the initiative. Idahoans asked good questions. Over several hours I garnered perhaps 30 signatures, mainly because some folks had already signed! I could have been working on my business, taking care of items around my home, or spending time with family and friends. But preserving America's precious 200+ year experiment in Democracy was important enough to me that I dedicated those hours of my life to collecting signatures for a citizen ballot. Hundreds of other dedicated Idaho volunteers did the same, just to give ALL Idahoans the opportunity to vote on the initiative. To make this any harder would in all practicality render Citizen Initiatives impossible in Idaho.

Ladies and Gentlemen of this Committee, I ask that you vote a resounding NO on SJR 101, that Government Of, For, and By the People may not perish from this great state of Idaho!

Thank you.

Testimony in opposition to SJR 101
Senate State Affairs Committee
Hearing Jan.31, 2023

My name is Julia Page. I live in Boise and I am here today in opposition to SJR 101, a proposed constitutional amendment that would make it impossibly difficult to qualify any initiative for the ballot. In the name of being fair to the small rural districts, this constitutional change would have the opposite effect.

The right to an initiative is written into the Idaho Constitution and gives citizens of the state recourse, when the legislature enacts laws, or fails to enact laws that are wanted by the public but not supported by their electeds. Our democracy, with its three branches of government (executive, legislative, and judicial) provides checks and balances to each branch. I think the legislature disrespects the public, the citizens of Idaho, the voters, with this current attempt in SJR 101 to keep the public out of meaningful participation by making an initiative almost impossible to qualify. Basically the same tactic, requiring signatures from 6% of the voters in each of the 35 legislative districts, ostensibly for the same reason - to give rural voters a say, was tried in 2021 session with SB 1110. That law was judged unconstitutional by a unanimous ruling of the Idaho Supreme Court in the summer of 2021. Now we are seeing another attempt at the same thing through a proposed change in the Idaho constitution.

Citizen initiatives are a tradition in the west. I have worked on several initiatives - here in Idaho with Reclaim Idaho, both for Medicaid expansion several years ago and then last year for increased funding for public schools. Many years ago (1996) in Montana, I worked with a group of groups to qualify an initiative on water quality, only to have it fail in the election. Despite the loss, or perhaps because of it, another initiative qualified soon thereafter that was passed by voters to achieve much of the same goal of protecting water quality.

Please vote against this attempt to take away a **fundamental right** granted to the people of Idaho through its constitution. Vote no on SJR 101.

Thank you.

Julia Page

[REDACTED]
Boise, ID 83702

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The following paragraphs are from an AP article dated August 23, 2021, on the court case overturning SB 1110.

The high court rejected the Legislature's claim that the law would evenly distribute power across the state. Instead, it essentially gives every district "veto power" over qualifying initiatives and referenda, the court found.

"For example, a lone urban district in Boise could thwart an agricultural initiative with strong statewide support," Moeller wrote. "If the legislature's actual goal is to prevent any initiative or referendum from qualifying for the ballot, then this is probably an effective tactic. However, this is inconsistent with the constitutional requirement of a 'narrowly drawn' solution."

Idaho Supreme Court Justice Moeller

SJR101 TESTIMONY

Chairman Guthrie, committee members, my name is Jim Ruckh, we live here in Boise, and thank you for taking my testimony this morning. I respectfully request that the committee vote "NO" on this bill and please not move forward with it.

First, I've heard the claim that rural voters may not have a voice with the way the imitative process is now, but I must disagree. In fact, when the Medicaid expansion was on the ballot, they voted overwhelmingly "YES" in almost every rural legislative district. On the other hand, it is true that they wouldn't have that voice if that initiative measure was not on the ballot when voting in the November General Election.

Next, we've already been here before. Two years ago, the Idaho Supreme Court ruled against a similar proposal with all 35 legislative districts and 6% voter requirement. Just one district could block the will of the other 34 so that clearly would not represent the overall will of the people.

Just gathering signatures from the required 18 districts is such a chore that only a clearly needed and wanted initiative has a chance to make it on the ballot. Then it still must be voted in by the majority of Idahoans in November.

Bottom line, it is already restrictive enough. Please Vote "NO" on this new SJR101 restriction that would make future initiatives impossible.

Thank you,

Jim Ruckh


Boise, ID 83706

