

MINUTES
SENATE STATE AFFAIRS COMMITTEE

DATE: Monday, February 20, 2023

TIME: 8:15 A.M.

PLACE: Room WW55

MEMBERS PRESENT: Chairman Guthrie, Vice Chairman Bernt, Senators Winder, Anthon, Harris, Lee, Toews, Wintrow, and Ruchti

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: **Chairman Guthrie** called the meeting of the Senate State Affairs Committee (Committee) to order at 8:17 a.m.

H 11 **ELECTIONS - Amends existing law to revise a provision regarding the use of private moneys for the purpose of election administration. Phil McGrane**, Secretary of State, explained **H 11** clarified how monies could be received or expended with regard to elections. It prohibited private money being spent on elections and closed loopholes for outside, private funding.

MOTION: **Senator Bernt** moved to send **H 11** to the floor with a **do pass** recommendations. **Senator Wintrow** seconded the motion. The motion carried by **voice vote**.

S 1048 **ELECTIONS - Amends existing law to provide an exemption from postelection audits for selected ballots. Secretary of State, Phil McGrane**, relayed the process for postelection audits outlined in **S 1048**. He said the postelection audit would happen immediately after an election at the precinct level.

Senator Bernt asked for an example of this type of audit. **Secretary McGrane** said the Friday following an election the Secretary of State's Office would conduct a random precinct sampling of all areas. The job would be conducted by the Secretary of State staff and volunteers to hand count ballots. Each political party could recommend volunteers to help. No county staff would be used because this was the State auditing the county. Past experiences produced a variance of one or two ballots. **Secretary McGrane** stated that overall, our elections were accurate. He recalled the closest race margin was a six-vote race.

MOTION: **Senator Winder** moved to send **S 1048** to the floor with a **do pass** recommendation. **Senator Lee** seconded the motion. The motion carried by **voice vote**.

S 1078 **VOTERS - Amends and adds to existing law to provide for a voters' guide with candidate information to be prepared by the Secretary of State. Secretary McGrane** presented a copy of the Idaho Voter Guide to the Committee (Attachment 1). He explained how his office planned and prepared the guide to assist voters by providing information on the candidates and their websites. He said his office would review guides published by other states for refinement. **Secretary McGrane** stated the fiscal note was \$750,000, which was postage and printing. He said there would be an online version as well. Questions were asked about fact checking and annual costs. **Secretary McGrane** repeated that his office was in communication with surrounding states and would learn from proven efforts by others. He stated he had a year to fine tune this guide without bogging down the legislative process.

TESTIMONY: **Kendal Shaber**, President of the League of Women Voters of Idaho, expressed her strong support for **S 1078**. She felt it was a comprehensive voter guide that would prove to be a win/win for the voters and the candidates.

Senator Bernt asked if a candidate could opt out of being in the voter guide. **Secretary McGrane** affirmed they could. He added the person would be recognized in the guide as a candidate without comments. He stated the purpose of the guide was to provide information about candidates so voters would know who was running, even if only a name.

MOTION: **Senator Wintrow** moved to send **S 1078** to the floor with a **do pass** recommendation. **Senator Lee** seconded the motion. **Senator Ruchti** commented on the importance of especially the judicial elections. He noted judges were not allowed to raise money like other candidates. He thought this guide would be a great idea. **Senator Guthrie** clarified the \$750,000 for this guide did not include staff time or recommendations for additional staff. **Secretary McGrane** assured it did not. **Senator Lee** reiterated her support and encouragement for this to be online. **Senator Ruchti** questioned any copywrite issues. **Secretary McGrane** said he would check on the copywrite question. He presumed it was all public information but agreed to check. **Senator Wintrow** said she would fight to keep this guide in peoples' mail boxes. She noted many people still do not use computers. The motion carried by **voice vote**.

RS 30219 **RELATING TO PERSONAL PRIVACY PROTECTION - Amends Title 30, Idaho Code.** **Senator Adams** presented **RS 30219** as an effort to shield 501c3 nonprofit organizations from having to disclose donors to the public. He shared similar legislation passed overwhelmingly in other states. **Senator Lee** asked about 501c4 organizations and how that was different. **Senator Adams** said a nonprofit organization was defined as 501c. **Senator Winder** questioned why this was before this committee. **Senator Adams** stated it was previously heard in the Judiciary and Rules Committee. **Senator Wintrow** wondered why this was important. **Senator Adams** said nonprofits deserved privacy protection to avoid weaponization. He noted pro-life and pro-abortion groups were in support of **RS 30219**. **Chairman Guthrie** explained he granted a print hearing before this committee.

MOTION: **Senator Toews** moved that **RS 30219** be sent to print. The motion died for lack of a second.

ADJOURNED: There being no further business at this time, **Chairman Guthrie** adjourned the meeting at 8:57 a.m.

Senator Guthrie
Chair

Joyce Brewer
Secretary