

MINUTES  
**SENATE STATE AFFAIRS COMMITTEE**

**DATE:** Friday, March 10, 2023

**TIME:** 8:00 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 8:01 a.m.

**RS 30588** **Relating to the Protection of Minors - Amends Title 48, Idaho Code. Senator Cook** provided a brief overview and noted the changes made to the legislation would afford parents more rights in making decisions with their children. This legislation asked manufacturers to turn on parental filters by default within the state of Idaho. Senator Cook explained there was no impact to retailers or providers, only the manufacturer.

**MOTION:** **Senator Anthon** moved to send **RS 30588** to print. **Senator Winder** seconded the motion. **Senator Wintrow** had questions in particular about a reference to Idaho Code § 18-1514 and the broad strokes of that code. For her to approve this legislation, that definition needed to be removed, as well as hearing from some manufacturers. Senator Cook and Senator Wintrow will discuss her concerns. The motion carried by **voice vote**.

**RS 30517** **Relating to Motor Vehicles - Amends Chapter 6, Title 49, Idaho Code. Senator Lent** introduced the high school students who initiated this legislation: Luke Riggs, Isaac Oto, Sawyr Hansen, Landon White, and Aaron Jeppson, from Eagle High School.

As spokesman for the group, **Luke Riggs** informed of research related to secondhand smoke and the negative side effects it had on children. A study conducted by Harvard School of Public Health found alarming amounts of secondhand smoke were generated in under five minutes in various driving, ventilation, and smoking conditions. Even with the windows open and precautions taken, the carcinogens still created a deadly environment for children. Secondhand smoke contained more than 7,000 chemicals, hundreds of which were toxic, and about 70 were carcinogens. Children exposed to secondhand smoke had increased risk of developing respiratory issues and infants risked developing Sudden Infant Death Syndrome (SIDS). According to the American Cancer Society, children exposed to secondhand smoke were sick more often, had more lung infections, were more likely to cough, wheeze, and have shortness of breath, and suffered more ear infections. **Mr. Riggs** advised of the nine states in the United States that prohibited smoking in cars with minors present: Arkansas, California, Illinois, Louisiana, Maine, Oregon, Utah, Vermont, and Virginia. This legislation made it a secondary offense to smoke in a car with minors. He clarified that an offender could not be pulled over for that reason, but if pulled over and the officer had reasonable evidence the individual had been smoking in the car

with a minor, a \$50 fine could be imposed. The bill also stated that if a minor was present, no operator or passenger should smoke, vape, ignite an object for the purpose of smoking, or activate a device for the purpose of vaping. **Mr. Riggs** defined the terms smoke and vape. He asked for further hearings for **RS 30517** in order to protect the children of Idaho.

**Chairman Guthrie** thanked the group and commended their involvement in the governmental process. **Senator Winder** asked if any of the men would be available next year to bring the bill back for the next session. **Mr. Riggs** admitted they had not considered that, but they would converse with other Senior Project groups and urge them to carry on.

**MOTION:** **Senator Lee** moved to send **RS 30517** to print. **Senator Bernt** seconded the motion. The motion carried by **voice vote**.

**RS 30631** **Relating to Empowering Parents Program - Amends Section 33-1030, Idaho Code.** **Senator Winder** presented on behalf of Senator Den Hartog. He explained this was an update that was related primarily to changes that addressed accountability and transparency.

**MOTION:** **Senator Toews** moved to send **RS 30631** to print. **Senator Anthon** seconded the motion. **Senator Wintrow** quickly looked at the legislation and confirmed the amount of money designated to parents was not increased. She asked where to find the accountability piece. **Senator Winder** declared this was a print hearing and suggested there would be time later to discuss concerns and questions. The motion carried by **voice vote**. **Senators Wintrow** and **Ruchti** requested to be recorded as voting no.

**PASSED THE GAVEL:** Chairman Guthrie passed the gavel to Vice Chairman Bernt.

**RS 30626** **To the President of the United States, the Senate and the House of Representatives of the United States in Congress Assembled, and to the Congressional Delegation Representing the State of Idaho in the Congress of the United States.** **Chairman Guthrie** described this as a complement to earlier legislation. He said this dealt with the dynamics of the federal immigration policy and how the government failed the states. The federal government was vested with the responsibility and authority to establish terms of naturalization, control immigration, and establish and regulate the terms of conditions in which aliens entered the United States from foreign places. **Chairman Guthrie** stated the government failed miserably in that regard. As a result there was no robust, efficient system for entry of guest workers to meet the demands that labor required. The failure threatened the availability of labor needed to harvest and transport our domestic food supply and other necessary industries reliant on guest workers. This legislation would encourage the federal government to be more proactive in providing an immigration policy that made sense for the United States and Idaho. An effective guest worker program needed to meet demands of labor, agriculture, construction, hospitality, food processing, and other sectors of the economy. **Chairman Guthrie** said this resolution would bring more focus to the problems that had unintended consequences for Idaho to meet the needs of our labor force. He requested the Committee consider sending **RS 30626** to the **10th Order of Business**.

**MOTION:** **Senator Anthon** moved to send **RS 30626** to **10th Order of Business**. **Senator Lee** seconded the motion.

**DISCUSSION:** **Senator Anthon** recognized Chairman Guthrie's work on the legislation and noted the federal government had not done a good job with immigration. He asked how a sugar beet farm had the availability of an outside workers program, a program that allowed people from other countries to come into the state to help with the production and harvest of crops, but that other sectors of Idaho's economy did not have the same availability of a program. He continued, the federal government had not done a good job controlling the border or providing for workers to come into the country. He felt this was timely legislation and it was important for the state to continue to speak out about this issue. **Senator Anthon** stated it was right to take a position for the support of law and order, and for supporting industries to keep the state's economy running at the same time.

**Senator Wintrow** commented that Congressman Simpson was working hard on this issue and she appreciated his efforts from Washington to help Idaho.

**VOICE VOTE:** The motion carried by **voice vote**.

**PASSED THE GAVEL:** Vice Chairman Bernt passed the gavel back to Chairman Guthrie.

**PRESENTATION:** **Voter Registration Maintenance - Related to S 1351 (2022)**. **Chairman Guthrie** advised that the Voter Registration Maintenance presentation would be postponed until March 13, 2023.

**S 1127** **State Symbols - Adds to existing law to designate Oryctodromeus as the state dinosaur.** **Senator Cook** shared this was an important bill and recognized the hard work of 4th and 5th graders to present the Oryctodromeus for consideration as an Idaho state symbol. **Senator Cook** explained the Oryctodromeus was a burrowing creature who cared for its young and was about the size of a yellow Labrador Retriever. It was found in Fremont County Idaho and a small corner of Montana.

**TESTIMONY:** Joel Walton's classroom of 4th graders from Ucon Elementary School at Idaho Falls, testified in favor of naming Oryctodromeus as Idaho's state symbol. The children debated in favor of **S 1127** and asked for the Committee to send it to the floor with a do pass recommendation. The following were some reasons why Idaho needed a dinosaur symbol:

Idaho should have a state dinosaur.  
Oryctodromeus was mainly found in Idaho.  
Oryctodromeus fossils were found in Idaho.  
Only 24 out of 50 states had chosen a dinosaur for a state symbol.  
It is a unique dinosaur and the only dino known to dig burrows.

**Mr. Walton** shared that 30 children wanted to testify. He had to select a few because of the time constraints. He said Idaho was an evolving state that could eventually get too many state symbols, but this dinosaur was unique to Idaho and deserved to be celebrated.

**Jonathon Oppenheimer**, Idaho Conservation League (League), said that while Oryctodromeus was not still roaming the hills of southeast Idaho, the League supported the designation of Oryctodromeus as Idaho's 16th state symbol.

**Levi Herway**, a fifth generation Idahoan, stood in favor of **S 1127**. He shared he had been learning about how Idaho state symbols made Idaho special. In his opinion, *Oryctodromeus* should be an Idaho symbol for the following five reasons: 1) Idaho was the only state where a complete skeleton of the *Oryctodromeus* had been found. **Mr. Herway** added, that was cool. 2) *Oryctodromeus* raised their young, which was unique among dinosaurs; 3) it was a small dinosaur that was fast, flexible, and its tail could curl into a ball; 4) it was the only known dinosaur that burrowed; and 5) 17 other states had a state dinosaur, including some of our neighbors. He urged a yes vote for **S 1127** and that it be sent to the floor with a **do pass** recommendation.

**Senator Toews** asked Mr. Herway if the dinosaur was an herbivore or a carnivore. **Mr. Herway** declared it an herbivore. **Senator Toews** asked if maybe it ate potatoes as part of its diet. **Mr. Herway** suggested it maybe ate something similar. **Senator Toews** speculated this might have good marketing potential for the Idaho Potato Commission if the dinosaur symbol bill passed.

**Dr. L. J. Krumenacker**, an educator and paleontologist associated with the Idaho Museum of Natural History, informed there were 12 *Oryctodromeus* skeletons. He said it was known to be family-oriented because it cared for its young. So far, this was the only known burrowing dinosaur. It was about 11 feet long with an eight-foot tail and grew to adult size over a period of seven or eight years. **Dr. Krumenacker** said we know it was an herbivore because of its teeth. He shared that having the *Oryctodromeus* as a state symbol was a good way to support education and science.

**Senator Wintrow** asked how we knew the dinosaur burrowed? **Dr. Krumenacker** explained burrows were difficult to recognize as a fossil. He said a fossil burrow was recognized by layers of rock that included a tube of separate rock through the layers with a different filling.

**Senator Cook** concluded this had been a fun experience. He admitted he was never lobbied like this before and shared the efforts the children went to in order to lobby him and Senator Foreman.

The appended information about the *Oryctodromeus* was submitted by the following: Dr. L. J. Krumenacker, and students Macoy, Lakely, Llana, Lizzi, Elena, Maria, Diezel, Jaycie, Hadley, Warren, Matt, Qainn, Kyson, Arieia, Linzie, Clara, Vanessa, Emmie, Oaklee, Abby, Ryker, Ryan, Amber, Jacelyn, Elis, Logan, Ellie, and Ruby (Attachment 1).

**MOTION:** **Senator Anthon** moved to send **S 1127** to the floor with a **do pass** recommendation. **Senator Toews** seconded the motion. **Senator Anthon** commended the impressive presentation by all. He said they provided compelling reasons to make *Oryctodromeus* a symbol of Idaho. The motion carried by **voice vote**.

**MINUTES APPROVAL:** **Senator Wintrow** moved to approve the minutes of March 1, 2023. **Senator Bernt** seconded the motion. The motion carried by **voice vote**.

**Senator Wintrow** moved to approve the minutes of February 24, 2023. **Senator Lee** seconded the motion. The motion carried by **voice vote**.

**ADJOURNED:** There being no further business at this time, **Chairman Guthrie** adjourned the meeting at 8:40 A.M.

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Senator Guthrie  
Chair

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Joyce Brewer  
Secretary