

MINUTES
HOUSE STATE AFFAIRS COMMITTEE

DATE: Monday, March 20, 2023

TIME: 8:00 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

**ABSENT/
EXCUSED:** Barbieri

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 (13) called the meeting to order at 8:00 A.M.

RS 30721: **Rep. Mitchell** presented **RS 30721**, proposed legislation clarifying and creating uniformity in voter registration requirements. Rep. Mitchell stated out of state identifications have been removed as acceptable identification documents.

MOTION: **Rep. Crane (12)** made a motion to introduce **RS 30721** and have it sent directly to the Second Reading Calendar. **Motion carried by voice vote. Rep. Mitchell** will sponsor the bill on the floor.

RS 30724: **Rep. Crane (12)** presented **RS 30724**, proposed legislation closing a legal gap to give law enforcement and prosecutors the necessary changes to existing Idaho Code in order to prosecute human sex trafficking in Idaho.

MOTION: **Rep. Skaug** made a motion to introduce **RS 30724** and have it sent directly to the Second Reading Calendar. **Motion carried by voice vote. Rep. Crane (12)** will sponsor the bill on the floor.

RS 30723: **Rep. Blanksma** presented **RS 30723**, proposed legislation to refine the Trigger Law and change the affirmative defense structure of the law into an objective standard. Rep. Blanksma remarked there is an update to the definitions and title and there is an exception provided to treat a physical condition of a woman, which if left untreated would be life-threatening.

MOTION: **Rep. Palmer** made a motion to introduce **RS 30723. Motion carried by voice vote.**

H 174: **Rep. Boyle** presented **H 174**, legislation clarifying agency policies and guidance shall not have the force and effect of law.

David Lehman, Agriculture Aviation Association, testified **in support** of **H 174**, stating this legislation forces an action to remove penalties currently serving as guidance in policy and places them in rules.

MOTION: **Rep. Palmer** made a motion to send **H 174** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote. Rep. Boyle** will sponsor the bill on the floor.

Chairman Crane (13) put the committee at ease at 8:12 A.M.

Chairman Crane (13) reconvened the meeting at 8:25 A.M.

H 338: **Rep. Boyle** presented **H 338**, legislation prohibiting local governments from enacting any ordinance or policy limiting or prohibiting law enforcement from complying with federal immigration law.

MOTION: **Rep. Crane (12)** made a motion to send **H 338** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Boyle** will sponsor the bill on the floor.

H 279: **Rep. Sauter** presented **H 279**, legislation eliminating electioneering messages within 40 feet from property lines and ensuring voters may enter polling places without encumbrance and from being approached by individuals with electioneering messages.

Chris Troupis, testified **in opposition** of **H 279**, stating he believes this legislation violates the First, Fifth and Fourteenth Amendments of the US Constitution, and therefore, may cost the state legal expenses. Mr. Troupis remarked some reasonable time, manner and place restrictions may be put in place, however, restrictions can not be imposed regarding signs on private property.

Dorothy Moon, testified **in opposition**, of **H 279**, stating several examples of a polling place in Custer County which would pose problems if this legislation is passed. Ms. Moon remarked no one is aware of where the boundary lines are and may need to hire a company to mark them.

Phil McGrane, Secretary of State of Idaho, testified **in support** of **H 279**, stating every election his office receives complaints regarding electioneering messages, exit polling, and petition signature gathering at polling places. Mr. McGrane remarked there is existing code, however, it needs clarifying.

Rep. Sauter presented closing testimony, stating signs on private property are allowed in this legislation and the Legislature has a duty to provide citizens safe passage to and from the polling place.

MOTION: **Rep. Allgood** made a motion to send **H 279** to the floor with a **DO PASS** recommendation.

In opposition to the motion, **Rep. Young** stated there is a problem with the definition of electioneering in this legislation. **Rep. Alfieri** stated enforcement is difficult and this legislation complicates enforcement by requiring the County Clerk to know where the property lines are. **Rep. Scott** remarked the polling place is sacred but there is confusion in this bill and it is not ready.

ROLL CALL VOTE ON MOTION: Roll call vote was requested. **Motion failed by a tie vote of 6 AYE and 6 NAY and 1 Absent/Excused.** **Voting in favor** of the motion: **Reps. Crane (13), Palmer, Holtzclaw, Allgood, Crane (12), and Green.** **Voting in opposition** to the motion: **Reps. Young, Scott, Andrus, Skaug, Alfieri and Gannon.** **Rep. Barbieri was absent/excused.**

ADJOURN: There being no further business to come before the committee, the meeting adjourned at 9:14 A.M.

Representative Crane (13)
Chair

Lisa Hendricks
Secretary