

MINUTES
HOUSE STATE AFFAIRS COMMITTEE

DATE: Wednesday, March 06, 2024

TIME: 9:00 A.M.

PLACE: Room EW40

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

**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 (13) called the meeting to order at 9:00 AM.

H 599: **Rep. Mitchell** presented **H 599** explaining this legislation makes it illegal to delay or destroy another persons ballot, it allows paid employees and caregivers to deliver ballots. In response to committee questions, Rep. Mitchell clarified a person who is volunteering for a campaign cannot collect and deliver ballots.

Rep. Mitchell deferred additional committee questions to **Jason Hancock**, House Majority Chief of Staff, who clarified previous committee volunteers could deliver in a later election cycle in which they were not volunteering. He also stated the punishment is a misdemeanor to reserve felony punishment for people who are doing this at scale.

Phil McGrane, Idaho Secretary of State, testified **in support** of **H 599** stating this is a practice not seen in Idaho, though it is seen in many other states. In response to committee questions, Secretary McGrane explained he found the term caregiver sufficient and trusted prosecutorial judgment of who that includes.

Kendal Shaber, League of Women Voters Idaho, testified **in opposition** to **H 599** sharing fears regarding the autonomy of voters and explained individuals with disabilities and those without reliable transportation are anxious about this legislation.

Sam Sandmire testified **in opposition** to **H 599**, expressing concern this would make it illegal to help a one hundred year old neighbor get an absentee ballot to a dropbox.

Rep. Mitchell closed debate highlighting the definition for caregiver exists in Idaho Code 39-5302.

MOTION: **Rep. Crane (12)** made a motion to send **H 599** to the floor with a **DO PASS** recommendation.

Rep. Achilles spoke **in opposition** to the motion stating there should be zero tolerance for ballot destroying, however this will likely result in less volunteers and more paid ballot delivery.

Rep. Gannon spoke **in opposition** to the motion expressing concern this will have a chilling effect on people acting in good faith and stating issue with the confusing language of the exemptions in the bill.

VOTE ON MOTION **Motion carried by voice vote. Reps. Gannon and Achilles** requested to be recorded as voting **NAY. Rep. Mitchell** will sponsor the bill on the floor.

H 603: **Rep. Monks** presented **H 603** explaining this legislation prevents government organizations from donating or sponsoring non-governmental organizations, unless authorized by the governor or CEO. It includes penalties as lined out in code under misuse of public monies.

Kevin Bailey, Idaho Non-profit Center CEO, testified **in opposition** to **H 603** taking issue with the conflation of the terms donation and sponsorship in the legislation and expressed concern it would limit contracting under grant funding. In response to committee questions, Mr. Bailey expressed government organizations have a vested interest in the people and one of the best ways to be in front of the people is to sponsor events. He gave the example of a scholarships given for Americorps members to attend their annual conference and expressed concern those funds may be prohibited under this legislation.

Rep. Monks closed debate explaining a fee for service is still allowed only sponsorships and donations are under consideration. In response to committee questions, Rep. Monks clarified if a government organization purchases advertising space, that is allowed, but sponsoring an event in exchange for advertising would need approval.

MOTION: **Rep. Scott** made a motion to send **H 603** to the floor with a **DO PASS** recommendation.

Rep. Skaug spoke **in support** of the motion stating it adds proper sideboards to this kind of spending.

VOTE ON MOTION. **Motion carried by voice vote. Reps. Achilles and Gannon** requested to be recorded as voting **NAY. Rep. Monks** will sponsor the bill on the floor.

H 667: **Rep. Kingsley** presented **H 667** explaining this legislation stops political parties from mass mailing ballot request forms to citizens of Idaho. In response to committee questions, Rep. Kinglsey clarified the word jurisdiction refers to where a person votes. He also explained the only penalty included in the legislation is the ballot being disqualified.

Kendal Shaber, League of Women Voters Idaho, testified **in opposition** to **H 667** explaining this adds confusion about who can request an absentee ballot. She stated no excuse absentee balloting is popular in Idaho. In response to committee questions, Ms. Shaber explained she understands the bill to mean people within their jurisdiction on election day cannot request an absentee ballot regardless of their work schedule.

Douglas Miller, Trent Tripple, and Kathy Ackerman all testified **in opposition** to **H 667** as county clerks and employees stating this legislation eliminates no excuse absentee ballots and expressing concerns this could be used against officials if an absentee ballot is issued when the recipient does not meet the outlined expectations. They also highlighted clerks tireless work to ensure the security of elections. In response to committee questions, Mr. Miller explained his interpretation of jurisdiction to be within precinct boundaries. He also raised the questions of who would be investigating whether or not ballot recipients were actually outside of their precinct on voting day.

Phil McGrane, Idaho Secretary of State, testified **in opposition** to **H 667** emphasizing this legislation doesn't touch on security of elections just adds additional impediments. In response to committee questions, Secretary McGrane explained the signature verification process which includes law enforcement training on verifying signatures against those on voter registration and drivers licences. He also shared his interpretation of jurisdiction to mean county. He also gave the example of counties in which the total number of registered voters in the precinct is less than 140 and absentee ballots are the only method of voting.

Karen Hansen testified in opposition to H 667 explaining it can be beneficial to vote absentee ahead of election day to avoid unexpected problems, which is only one of many good reasons to allow voting by mail to any voter who requests absentee.

Rep. Kingsley closed debate highlighting this legislation is to reel in absentee voting. He expressed he was willing for the legislation to be sent to General Orders.

MOTION: **Rep. Barbieri** made a motion to send **H 667** to the floor with a **DO PASS** recommendation.

SUBSTITUTE MOTION: **Rep. Achilles** made a substitute motion to send **H 667** to General Orders.

Reps. Alfieri and Barbieri spoke **in support** of the original motion stating there are many ways a person can vote and it is the responsibility of the state to ensure everyone can vote, not that they get to vote.

Reps. Achilles and Gannon spoke **in support** of the substitute motion stating concerns around the lack of a definition of jurisdiction and the bill not accounting for election day not being a holiday and some working voters needing absentee ballots, despite being local.

VOTE ON SUBSTITUTE MOTION: **Motion carried by voice vote. Rep. Kingsley** will sponsor the bill on the floor.

Chairman Crane (13) turned the gavel over to **Vice Chairman Young**.

H 626: **Rep. Barbieri** presented **H 626** explaining this bill states in a legal review of administrative rules and codes instead of the judiciary determining the definition of a word is what the agency says it is, they should decide in favor of a reasonable definition which protects individual liberties.

MOTION: **Rep. Scott** made a motion to send **H 626** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote. Reps. Achilles and Gannon** requested to be recorded as voting **NAY. Rep. Barbieri** will sponsor the bill on the floor.

RS 31568: **Rep. Crane (13)** presented **RS 31568** explaining this proposed legislation is a reprint of legislation which came through this committee last week. The previous version had exemptions which were originally in statue but were left out. This version puts those exemptions back in. He stated if printed this legislation will go to the Business Committee.

Rep. Crane (12) and **Rep. Crane (13)** both declared a Rule 80.

MOTION: **Rep. Scott** made a motion to introduce **RS 31568. Motion carried by voice vote.**

ADJOURN: There being no further business to come before the committee, the meeting adjourned at 10:35 AM.

Representative Crane (13)
Chair

Kennedy Jones
Secretary