

MINUTES
HOUSE STATE AFFAIRS COMMITTEE

DATE: Monday, March 25, 2024

TIME: 9:00 A.M.

PLACE: Room EW40

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

MOTION: **Rep. Achilles** made a motion to approve the minutes of March 19, 2024. **Motion carried by voice vote.**

H 727: **Rep. Moyle** presented **H 727** explaining this legislation prevents a public utility from holding customers full social security number on record longer than five days, after which point they may only retain the last four digits. This legislation was brought in response to a public utility being hacked.

MOTION: **Rep. Andrus** made a motion to send **H 727** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Moyle** will sponsor the bill on the floor.

S 1394: **Rep. Mitchell** presented **S 1394** explaining this bill codifies that voting machines cannot be connected to the internet, cleans up outdated language and terms to increase transparency, and makes it a felony to tamper with voting machines.

Jo Dee Arnold testified in support of **S 1394** stating she supports the legislation but would like see e-poll book and unique identifier testing added. In response to committee questions, Ms. Arnold explained the public logic and accuracy testing (L & A) is the tests of all machines used in an election. She provided two examples of when a machine counted a photocopied ballot as valid during a L & A, along with a time non-republicans were wrongfully allowed to vote in a primary. Regarding the photocopied ballots she explained a board hearing was held regarding the machines which were manufactured by Hart.

Phil McGrane, Secretary of State, testified in support of **S 1394** explaining the code section this legislation looks at relates to voting equipment. This code is currently written around punch card machines and these changes make it more modern including the codified ban on internet. This also outlines clearly for the counties how the L & A testing should occur. In response to committee questions, Secretary McGrane clarified the current system for certification of voting machines includes them first being federally tested, then tested again to meet Idaho's standards. He explained the results of elections are sent via the internet, but that is a separate process from the counting of votes which happens via machines that are never connected to internet. He explained the difference between an audit which is hand count only and a recount which uses the machines and occurs when results are within five percent. L & A testing is administered before and after recounts. He further explained as part of device testing they ensure machines do not have the parts to be connected to the internet, and while some models include modems in

other states, they do not in Idaho. He explained counties cannot own machines until they have been tested and approved by the Secretary of State's office. In response to examples given in earlier testimony, Secretary McGrane stated there is statute which should have been followed that were not, and the e-poll book had been incorrectly set up. His office has used these examples as learning opportunities. He explained if a voting machine were to go down on election day it would likely be set aside and other machines would be used, or a repairman from a pre-approved list could be called. He closed stating this legislation does not address e-poll books because they exist in another section of code and are intentionally connected to the internet to prevent fraud as it happens.

MOTION: **Rep. Skaug** made a motion to send **S 1394** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Mitchell** will sponsor the bill on the floor.

SJR 104: **Rep. Andrus** presented **SJR 104** explaining this legislation proposed a constitutional amendment which states if there is a special session, it cannot last more than 20 days. This 20-day limit is already in statute if the Governor calls a special session. In response to committee questions, Rep. Andrus stated it is the original intent of the Constitution to ensure Idaho has a part-time citizen legislature and this helps to ensure that. He also explained there is no limit on the number of special session which can be called in a year. He recalled the last time the legislature was called into special session it only lasted one or two days.

Rep. Gannon stated concern with the legislation stating constitutional amendments should be really important, and he does not see the legislature wanting to be here more than 20 days.

MOTION: **Rep. Scott** made a motion to **HOLD SJR 104** in committee for time certain until April 15, 2024.

Rep. Scott spoke to her motion stating the legislature should not give away any more authority, especially after what happened during the Covid-19 crisis.

SUBSTITUTE MOTION: **Rep. Young** made a substitute motion to **HOLD SJR 104** subject to the call of the chair. **Motion carried by voice vote.** **Rep. Andrus** requested to be recorded as voting **NAY**.

RS 31629: **Rep. Barbieri** presented **RS 31629** explaining this proposed legislation establishes a definition of a candidate political committee and ensures they follow the same campaign finance reporting requirements as other committees. This ensures transparency regarding these organizations.

MOTION: **Rep. Crane (12)** made a motion to introduce **RS 31629**.

Rep. Gannon spoke **in support** of the motion stating this is really necessary giving the example of a mailer he received which quoted legislators, but had no responsible party attached to it.

VOTE ON MOTION: **Motion carried by voice vote.**

Chairman Crane turned the gavel over to **Vice Chairman Young**.

RS 31658: **Rep. Crane (13)** presented **RS 31658** explaining this proposed legislation states if large parcels of land become available in Idaho, the state should look into purchasing it. Land is a finite resource and the state should look for opportunities to purchase land. In response to committee questions, Rep. Crane (13) explained he was unsure if the State had a fund of money set aside for this kind of purchase, but encourages such a fund if they do not. He also explained the market will determine the price of land, but the state should have a seat at the table. He explained there is intentionally not an exact definition of large parcel of land, it would be up to the discretion of the state. He closed stating the land which prompted this legislation is privately owned land that likely will be sold soon.

MOTION: **Rep. Allgood** made a motion to introduce **RS 31658**.
Rep. Andrus spoke to the motion stating his concern surrounds the state is bidding against private citizens, as many people came to the United States in order to own personal property.

Rep. Crane (12) spoke **in support** of the motion stating though the land would be bought with taxpayer dollars, it would then be taxpayer land, accessible to everyone.

Rep. Scott spoke to the motion stating concerns about the state being able to outbid all others. She also explained many lands in northern Idaho are closed down and not accessible to the public, so that is not guaranteed.

Rep. Barbieri spoke **in support** of the motion and stated it would be preferred if the legislation included provisions stating the land would be publicly accessible.

Rep. Achilles and Rep. Gannon spoke **in support** of the motion stating keeping Idaho lands in public hands is important and there is a lot of foresight in this resolution.

VOTE ON MOTION: **Motion carried by voice vote.**

ADJOURN: There being no further business to come before the committee, the meeting adjourned at 10:26 AM.

Representative Crane (13)
Chair

Kennedy Jones
Secretary