

MINUTES
SENATE STATE AFFAIRS COMMITTEE

DATE: Monday, March 19, 2018

TIME: 8:00 A.M.

PLACE: Room WW55

MEMBERS PRESENT: Chairman Siddoway, Vice Chairman Hagedorn, Senators Hill, Winder, Lodge, Vick, Anthon, Stennett, and Buckner-Webb

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.

CONVENE: **Chairman Siddoway** called the Senate State Affairs Committee (Committee) to order at 8:00 a.m. with a quorum present.

MINUTES APPROVAL: **Senator Vick** moved to accept the Minutes of February 23, 2018. **Senator Buckner-Webb** seconded the motion. The motion carried by **voice vote**.

RS 26330 RELATING TO INITIATIVE AND REFERENDUM ELECTIONS regarding false statements concerning a petition.

Tyrel Stevenson, Legislative Director for the Coeur d'Alene Tribe, introduced **RS 26330**. **Mr. Stevenson** read an excerpt from the First Amendment to the United States (U.S.) Constitution. **Mr. Stevenson** said the First Amendment is the cornerstone of U.S. democracy. Within the First Amendment, there are five freedoms: religion, speech, press, assembly, and petition. The right to petition is given to the people to seek redress from the government and to legislate; it is a right held by every voter.

In 1933, Idaho enacted code setting forth rules on how petitions would occur. Idaho Code § 34-1815 made it a felony to misrepresent the contents of a petition in order to gather signatures. That statute was overturned in the case of *Idaho Coalition United for Bears v. Cenarrusa* (D.Idaho 2001). The statute was struck down because the law was vague and overly broad, and there was a penalty involved. **RS 26330** proposes to lower the penalty from a felony to a misdemeanor and clearly specifies the conduct that is being regulated. This would potentially regulate the representations that are made to voters before they sign their name to a petition. **Mr. Stevenson** asked the Committee to introduce this RS so that it can be worked on during the interim in preparation for the next Legislative session.

Senator Stennett asked if the RS can be worked on during the interim even if it is not printed. **Mr. Stevenson** responded it could be done without being printed, but he asserted a printed bill as an actual document would be better for discussion purposes.

Senator Lodge asked if it could be done with a draft bill; she wondered why the RS was before the Committee so late in the session. **Mr. Stevenson** answered it could be a draft, but it is important to have a conversation about the structure of the initiative process and the importance of transparency. The legislation is late because the interest in a particular petition raised his interest in the initiative process. After completing research, this gap in the law was exposed.

Senator Winder asked what Chairman Siddoway's intent was regarding this RS. **Chairman Siddoway** stated the intent was to have the RS printed. He explained having the RS printed was the only way to have a bill available to the public for review and discussion. By printing the bill, it would allow discussion.

MOTION: **Senator Anthon** moved to send **RS 26330** to print. **Senator Hill** seconded the motion.

Senator Winder stated his intent to print with the clear understanding it was for discussion purposes only.

Senator Hill said he agreed printing the bill was for discussion. It is not unusual to get legislation out in the public domain for discussion during the interim.

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

RS 26404 **STATING LEGISLATIVE FINDINGS and approving administrative rules that impose a fee or charge.** **Dennis Stevenson**, Administrative Rules Coordinator, Department of Administration, brought this RS to the Committee.

MOTION: **Senator Winder** moved to send **RS 26404** to print. **Senator Anthon** seconded the motion. The motion carried by **voice vote**.

RS 26405 **STATING LEGISLATIVE FINDINGS and approving and extending temporary rules reviewed by the Legislature.** **Dennis Stevenson**, Administrative Rules Coordinator, Department of Administration, brought this RS to the Committee.

MOTION: **Senator Winder** moved to send **RS 26405** to print. **Senator Anthon** seconded the motion. The motion carried by **voice vote**.

H 666 **RELATING TO ADMINISTRATIVE RULES to continue certain administrative rules in full force and effect.** **Dennis Stevenson**, Administrative Rules Coordinator, Department of Administration, brought **H 666** to the Committee.

MOTION: **Vice Chairman Hagedorn** moved to send **H 666** to the floor with a **do pass** recommendation. **Senator Lodge** seconded the motion. The motion carried by **voice vote**. Vice Chairman Hagedorn will carry the **H 666** on the floor.

HCR 44 **STATING FINDINGS OF THE LEGISLATURE to recognize the contributions of Catholics in Idaho and celebrate the 125th anniversary of the creation of the Diocese of Boise.** **Representative Caroline Nilsson Troy**, District 5, presented **HCR 44** to the Committee.

MOTION: **Senator Hill** moved to send **HCR 44** to the floor with a **do pass** recommendation. **Senator Anthon** seconded the motion. The motion carried by **voice vote**

HCR 58 **STATING FINDINGS OF THE LEGISLATURE honoring Sheila Olsen for her commitment to Idaho.**

MOTION: **Senator Hill** moved to send **HCR 58** to the floor with a **do pass** recommendation. **Vice Chairman Hagedorn** seconded the motion. The motion carried by **voice vote**.

H 670 **RELATING TO SALARIES of state elective officers.**

Representative John Vander Woude, District 22, explained that **H 670** sets the salaries of constitutional officers as follows:

- The Governor – \$138,302
- The Attorney General – \$134,000
- The Lieutenant Governor – 35% of the Governor's salary.
- Other Constitutional Officers at 85% of the Governor's salary.
- Beginning in 2023, the Attorney General's salary at 90% of the Governor's salary.

Representative Vander Woude stated his belief that the way the Governor's salary is determined should be reviewed and the total compensation packages for all constitutional officers should be reviewed. Constitutional salaries can only be set every four years. The increases, totaling \$67,000 over current salaries, are effective immediately.

MOTION: **Senator Winder** moved to send **H 670** to the floor with a **do pass** recommendation. **Senator Vick** seconded the motion.

Senator Hill asked if the Idaho Attorney General's Office (AG) had approved the changes. **Representative Vander Woude** answered the AG's office agreed with this step.

Senator Winder indicated he worked on the committee for judge and constitutional officers' salaries this year. This approach made the most sense and provided some increase in compensation, although not a significant amount.

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

PAGE GRADUATION: **Chairman Siddoway** called Jayden Huston to the podium. He asked her to provide her views on what she learned during her service to the Legislature, the process, and things that could be changed. **Ms. Huston** stated she has enjoyed the process, learned much about the system, and had no disappointments. **Chairman Siddoway** inquired about her future plans. **Ms. Huston** announced she had been accepted to the University of Idaho (U of I) and will attend in the fall to study sports medicine. **Chairman Siddoway** expressed his appreciation for Ms. Huston's work for the Committee, Committee Secretary, and himself. He also applauded her work ethic, and stated it was one of the best he observed.

Chairman Siddoway presented Ms. Huston with a letter of appreciation signed by the Committee members, a letter of recommendation from the Chairman, and a gift from the Committee.

Vice Chairman Hagedorn added a reminder the Idaho College of Osteopathic Medicine is starting its first class for medical doctors this fall. \$3 million worth of medical scholarships will be available for Idaho students. He asked Jayden to keep that in mind when she finished her studies at U of I.

ADJOURNED: There being no further business, **Chairman Siddoway** adjourned the meeting at 8:25 a.m.

Senator Hagedorn
Vice Chair

Twyla Melton
Secretary