

MINUTES
HOUSE STATE AFFAIRS COMMITTEE

DATE: Monday, January 25, 2021

TIME: 9:00 A.M.

PLACE: Room EW40

MEMBERS: Chairman Crane, Vice Chairman Armstrong, Representatives Palmer, Barbieri, Holtzclaw, Monks, Scott, Andrus, Young, Furniss, Hanks, Skaug, Gannon, Mathias

**ABSENT/
EXCUSED:** None

GUESTS: None

Chairman Crane called the meeting to order at 9:00 a.m.

**UNANIMOUS
CONSENT
REQUEST:** **Chairman Crane** made a unanimous consent request to reorder the agenda. Hearing no objections the request was granted.

H 8: **Rep. Nate** presented **H 8** to ensure transparency in bond and levy elections by ensuring full disclosure of anticipated tax increases to voters and eliminating information about other bonds and levies which are not impacted by the outcome of the ballot questions. The legislation also provides for nullification and penalty if provisions are violated.

A handout was provided to show instances of non-compliance. A statement on bond and levy ballots would be required to state the actual cost per \$100,000 to taxpayers. He stated the public needs to understand the true impact of the bond or levy and there cannot be any advertising on the ballot, for or against.

Rep. Nate said if disclosure is not provided there would be consequences. If a complaint is lodged within so many days of an election and a judge rules in favor of the plaintiff, the election would be invalidated and the voting district would need to pay for the cost of the election. **Rep. Nate** requested **H 8** be sent to the amending order. He received input from the Secretary of State and wants to incorporate that information into the bill.

In response to questions, **Rep. Nate** said he does not anticipate the court system being overwhelmed. Instances of complaints are rare but significant. The court is reluctant to overturn elections because a remedy has not been provided. It is more appropriate to launch a media campaign to share the pros and cons of a bond or levy rather than stating it on the ballot. If a complaint is filed, the court guarantees a swift and speedy trial. It should not significantly delay work in the taxing district.

Chief Deputy Chad Houck, Secretary of State's office and **Brian Stetsman**, a private citizen from Idaho Falls, ID spoke **in support** of **H 8**. It is important to protect ballot integrity and there is time and opportunity to advertise the pros and cons of a bond or levy, prior to the vote. Mr. Houck said the language included in this legislation gives enough standing for a person to lodge a complaint and voters currently have 40 days to contest a ballot. **H 8** needs to reflect this number.

Karen Echeverria, Executive Director of the Idaho School Board Association and **Andy Grover**, Executive Director of the Idaho Association of School Administrators spoke **in opposition** to **H 8**. The bill, as written, would make school districts misrepresent information on the ballot. Include clarifying language to make citizens understand the impact of the bond or levy. The bond council reviews and refinances bonds, which can result in tax decreases. Transparency will be lost if this bill is passed.

Rep. Nate closed by stating voters deserve clear information about each bond or levy on the ballot. The bond question provides clarity. The current law is not working and there are no consequences if the rules are not followed. He asked the committee to send **H 8** to the amending order. During discussion, it was stated the ballot initiative and ballot question should both be content neutral and the only information on the ballot should be the bond or levy, its length and fiscal impact.

MOTION: **Rep. Hanks** made a motion to send **H 8** to the **General Orders**. **Motion carried by voice vote**. **Rep. Nate** will sponsor the bill on the floor.

RS 28305: **Rep. Andrus** presented **RS 28305**, preventing state agencies and officials from forcing certain non-profit groups to disclose more information than is required in Idaho Code. It prohibits public officials from using the power of the state to compel private foundations and charitable trusts to release additional, private information or to complete extra filings not already required by law. It does not apply to other nonprofits, like charter schools or hospitals, that are regulated under different sections of code.

MOTION: **Rep. Monks** made a motion to introduce **RS 28305**. **Motion carried by voice vote**.

UNANIMOUS CONSENT REQUEST: **Chairman Crane** made a unanimous consent request to hold **HCR 4** in committee while **Rep. Monks** gathers information requested for the bill hearing. There being no objection, the request was granted.

ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 10:03 a.m.

Representative Crane
Chair

Kelly Staskey
Secretary