

MINUTES
SENATE STATE AFFAIRS COMMITTEE

DATE: Friday, February 19, 2021

TIME: 8:00 A.M.

PLACE: Room WW55

MEMBERS PRESENT: Chairwoman Lodge, Vice Chairman Guthrie, Senators Winder, Anthon, Harris, Lee, Heider, Stennett, and Burgoyne

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.

CONVENED: **Chairwoman Lodge** called the meeting of the **Senate State Affairs Committee** (Committee) to order at 8:04 a.m.

PAGE GRADUATION: **Chairwoman Lodge** thanked Jaylee Harris for her good work as a page, commenting that she served another committee as well as State Affairs. **Ms. Harris** thanked the Committee members for their kindness. She also expressed her appreciation for the Senators' dedication to the State of Idaho and for their example of political civility. She noted that she would like to be a foreign service officer. **Senator Winder** commended Ms. Harris on her hard work as a page in a very unusual session. He extended his appreciation for her willingness to serve in the face of the risks accompanying the COVID pandemic and wished her the best for the future. **Chairwoman Lodge** expressed appreciation for the work Ms. Harris has done for the Committee. She presented Ms. Harris with awards and gifts from the Committee.

S 1031 **Chairwoman Lodge** advised the Committee that **S 1031** was removed from the agenda at the sponsor's request.

RS 28506 **Relating to Motor Vehicles; regarding an alternative driving authorization card.**
Senator Guthrie introduced **RS 28506** which enable people living and working in Idaho on a temporary basis and are not eligible for a drivers license to obtain authorization cards. He requested that **RS 28506** be sent to print and referred to the Senate Transportation Committee for a public hearing.

MOTION: **Senator Lee** moved to send **RS 28506** to print. **Senator Burgoyne** seconded the motion. The motion carried by **voice vote**.

RS 28628 **Relating to Guardians of Minors; regarding a temporary guardianship.**
Senator Lee informed the Committee that temporary guardianships are supposed to be six months in length. She observed that, although the statute was clear, there are some cases where the interpretation is not clear. **Senator Lee** advised the Committee that **RS 28628** allows for the regular 6-month guardianship to have only one extension up to 12 months. She stated that after that, the court must hear a permanent guardianship request.

MOTION: **Senator Harris** moved to send **RS 28628** to print. **Senator Stennett** seconded the motion. The motion carried by **voice vote**.

S 1110 **Relating to Ballot Initiatives and Referendums; to ensure that signatures are gathered from each of 35 districts**

CONTINUED

Chairwoman Lodge explained that public comments continuing from Thursday, February 18, would be heard regarding **S 1110**. She stated a two minute time limit would be observed.

TESTIMONY:

The following gave verbal testimony in support of **S 1110**:

- Mary Schwartz
- Brett Casperson
- Russ Hendricks, Idaho Farm Bureau

The following submitted written testimony in support of **S 1110**:

- Holly Hancock
- James Bazil
- Brody Miller
- Andrew Schauerhamer
- Sheryl Nuxoll
- Kirk Chandler
- Lynn Steadman
- Sid Freeman
- Tristan Winegar
- Dean Dryden
- Landon Kesler
- Greg Nedrow
- Val Hammond
- Ralph & Joyce Dalley
- Lori Anne Lau

The following were reasons given for support of **S 1110**:

- gives a voice to both urban and rural citizens, i.e. the whole state
- courts support this process if geographic districts have an equal populous
- cuts down on possible influence of special interest and out-of-state groups
- rural districts need better representation (See Attachment A)

The following gave verbal testimony in opposition to **S 1110**:

- Lori Burelle, National Organization for Women, SW Chapter
- Lauren Bramwell, American Civil Liberties Union of Idaho
- Melinda Ritts
- John Orlovick
- Bryan Bledsoe
- Louise Brannon
- Cameron Crow

- William Thomas
- Gary Moncrief
- Josie Gray
- Randall French
- Shireene Hale
- Cindy Logan
- Luke Mayville, Reclaim Idaho
- Alicia Abbot
- Baily Bingham
- Diane McConnaughey
- Carol Mendiola
- Russ Bellville, Idaho Citizens Coalition
- Stephanie Hansen

The following submitted written testimony in opposition to **S 1110**:

- Rae Charlton
- Jessica Mahuron
- Ellen B. Spencer
- Doug Paddock, Idaho Organization of Resource Councils

The following were reasons given for opposition to **S 1110**:

- places a burden on Idahoans' access to the initiative process
- restricts the constitutional rights of the people to bring initiatives
- Prevents a bill being placed on the ballot due to failure to meet the 6 percent signature criteria
- Increases the difficulty of getting an initiative on the ballot (See Attachment B)

DISCUSSION:

Senator Vick said current law states the requirement for signatures for an initiative to be placed on the ballot is 6 percent of the qualified electors in the State. He advised **S 1110** would change the requirement to 6 percent of qualified electors in all 35 legislative districts. He pointed out that the total number of signatures required would not change. **Senator Vick** observed that currently, the population in some districts is considerably larger than in others, but redistricting will remedy that situation by balancing the of the districts. He emphasized the need for equity of representation throughout the State. **Senator Vick** referred to testimony indicating signatures were required by counties. He advised that signatures are required by districts, not counties.

Senator Burgoyne stated many people believe the purpose of the bill is to decide whether or not an initiative should pass, not if it should be placed on the ballot. He pointed out that the bill defines the process for placing an initiative on the ballot. **Senator Burgoyne** observed that there are legitimate reasons for having an administrative process to place an initiative on the ballot to ensure the right of free and fair elections, and to make the ballot process manageable.

He noted that if the process becomes overwhelming, it may infringe on citizens right to vote. He expressed his concern that collecting signatures in compliance with this bill would be overwhelming.

MOTION: **Senator Burgoyne** moved to hold **S 1110** in Committee. **Senator Stennett** seconded the motion.

SUBSTITUTE MOTION: **Senator Guthrie** made a substitute motion to send **S 1110** to the floor with a **do pass** recommendation. **Senator Winder** seconded the motion.

DISCUSSION: **Senator Guthrie** referred to an initiative or proposition that would have required 32 of the 35 districts to have a 10 percent requirement for signatures with only 6 months to complete the process. He stated he believed that was unrealistic and he did not support the bill. He declared his support for **S 1110** that leaves the 6 percent and the 18 month requirements in place and represents all 35 districts.

Senator Stennett expressed her concern that with the rigor required by this bill nothing would be passed.

Senator Harris asserted that he believed this bill increases the involvement of the electorate, and that he will support the substitute motion.

Senator Guthrie noted that this process will gather signatures from all legislative districts because the number required is not large. He stated his belief that it will garner a better representation of what both rural and urban Idaho citizens want.

VOTE ON SUBSTITUTE MOTION: The substitute motion to send **S 1110** to the floor with a **do pass** recommendation carried by **voice vote**. **Senator Burgoyne** and **Senator Stennett** were recorded as voting nay.

Chairwoman Lodge thanked Soren Jacobsen, Senior IT Specialist, Legislative Services Office, for his work in managing the technology for remote testimony.

ADJOURNED: There being no further business at this time, **Chairwoman Lodge** adjourned the meeting at 9:43 a.m.

Senator Lodge
Chair

Twyla Melton
Secretary

Carol Cornwall
Assistant Secretary