

MINUTES  
**SENATE STATE AFFAIRS COMMITTEE**

**DATE:** Wednesday, March 17, 2021

**TIME:** 8:00 A.M.

**PLACE:** Room WW55

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

**ABSENT/ EXCUSED:** Senator Stennett

**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.

**HJM 1** **A House Joint Memorial to inform the U.S. President and Congress that China should be sanctioned in relation to the COVID-19 outbreak.**

**Representative Aaron von Ehlinger**, District 6, pointed out that **HJM 1** seeks to condemn the communist Chinese government and the Chinese Communist Party for its deceit, duplicity and crimes against humanity. **Representative von Ehlinger** explained **HJM 1** would also inform the President and Congress of the U.S. that the Idaho State Legislature's position is communist China should be sanctioned and/or otherwise punished for its misdeeds in relation to the COVID outbreak (see Attachment A).

**MOTION:** **Senator Heider** moved to send **HJM 1** to the floor with a **do pass** recommendation. **Senator Winder** seconded the motion.

**DISCUSSION:** **Senator Burgoyne** stressed that COVID is not a hoax. It has caused death and human suffering, disrupted the economy, and impacted people's ability to make a living. He stated that he will support **HJM 1**. **Senator Burgoyne** noted that it is important that the Legislature agrees that COVID is not a hoax and warrants this kind of a resolution.

**Senator Anthon** said he would support sending **HJM 1** to the floor. He emphasized that he knows of no one in the Idaho Senate who believes COVID is a hoax.

**VOTE:** The motion carried by **voice vote**.

**H 106** **Relating to Elections to eliminate August, one out of four possible election dates.**

**Jason Hancock**, Deputy Secretary of State, explained that **H 106** seeks to better serve voters by eliminating the August election. He explained a handout showing the election calendar, including the tasks, deadlines, and time requirements for each individual election (see Attachment B). He pointed out that clerks and their election staff do not have time to maintain voter registration lists, perform major updates on the voter registration system, provide training for new employees, and run elections every three months. **Mr. Hancock** noted that August elections are held for school levies and occasionally, a recall

election. He said by eliminating the August election, time would be available so that "clean" voter registration rolls would be updated going into the November elections.

**Senator Guthrie** inquired if the election workload has always been a problem or if something had changed to increase the problem. **Mr. Hancock** replied that it has been an issue since election consolidation. He explained that prior to ten years ago, county clerks only ran the primary and general elections in even-numbered years.

**Senator Lee** asked if the voter databases are maintained on a regular basis. She expressed concern regarding the integrity of elections. **Mr. Hancock** explained that a complete shutdown of the voter system occurs when there are major updates. He pointed out that keeping the 2003 equipment up to date to run 2021 programs is extremely challenging. It requires starting and stopping the system over three weekends to do the updates. **Senator Lee** asked if the voter update system is completed up to this date. **Mr. Hancock** noted that the recent transition is completed. He added that they are waiting for a new system that is necessary to process redistricting this year.

**TESTIMONY:**

The following gave testimony in favor of **H 106**:

- Chris Yamamoto, Canyon County Clerk
- Russ Hendricks, Idaho Farm Bureau, presented a letter from Bryan Searle, President, Idaho Farm Bureau Federation (See Attachment C)

The following reasons were given in favor of **H 106**: The lack of polling places; voter fatigue leading to smaller turnouts; time to complete maintenance and upgrades; training time for county clerks; and time to ensure transparency, accuracy, and confidence in the integrity of an election.

The following gave testimony in opposition to **H 106**:

- Quinn Perry, Idaho School Boards Association
- Jonathon Gillon, CFO, Ada School District
- Andy Grover, Executive Director, Idaho Association of School Administrators
- Curt Adams, Chairman, Middleton School District Board

Those opposed to **H 106** argued: It would result in loss of revenue for school districts for the current year; school district patrons expect to vote on school levies in August; August elections are critical to serve Idaho students; August elections are the last time districts can get a levy certified to meet cash flow requirements for the current year; the August election is for a supplemental levy over and above the State appropriation because budgets are not set in time for the May election; and November is too late for the current year. The result of the loss of revenue is reduction of instructional and support staff, classified staff, and several thousand dollars in classroom supplies.

**MOTION:**

**Senator Lee** moved to hold **H 106** in committee. **Senator Anthon** seconded the motion.

**DISCUSSION:**

**Senator Lee** stated that she wants to ensure integrity in elections, and encouraged the SOS and county clerks to do regular updates and maintenance. She emphasized that **H 106** would disadvantage schools in her district and educating the students should be a high priority.

**Senator Winder** compared the inconvenience to the clerks with the potential significant inconvenience to serve students. The schools need to use levies and

increase property taxes are symptoms of not appropriating money properly to schools. **Senator Winder** stated that Idaho needs to eliminate levies. The State should completely fund education in order to meet the obligation under Idaho's Constitution to provide a fair and equitable free education system for Idaho's students.

**VOTE:**

The motion carried by **voice vote**.

**H 232**

**Relating to Alcohol to revise provisions related to alcohol content and revenue distribution.**

**Senator Carl Crabtree**, District 7, explained that the bill involves craft brewing, craft beer, and hops in Idaho. He gave the history of taxing strong beer, i.e. beer that contains over 4 percent alcohol, as wine does, noting that the taxation was the result of a law passed in 1988. **Senator Crabtree** pointed out that the Idaho Wine Commission (IWC) has received 5 percent of the total wine excise tax, including taxes on strong beer. **Senator Crabtree** stated **H 232** updates the 1988 law, by moving the excise tax on strong beer from the IWC to the Idaho Hop Growers Commission (IHGC), and replenishing revenue taken from the IWC by increasing its portion of the wine excise tax to 80 percent based solely on wine produced in Idaho.

**TESTIMONY:**

The following testified in support of **H 232**:

- Roger Batt, Idaho Grape and Wine Commission (IGWC)
- Scott Smith, IGWC
- Mike Williamson, IWC
- Sheila Francis, Executive Director, Idaho Brewers United
- Brock Obendorf, IHGC

Reasons given in support of **H 232**: Assurance that the IWC budget remains intact; supports both the beer and the wine industries; repairs and preserves the IWC; preserves the hop industry; and promotes Idaho products.

Written testimony in support of **H 232** was submitted by Stacey Satterlee, President, Food Producers of Idaho, Inc. (See Attachment D).

The following testified in opposition to or were neutral to **H 232**:

- David Arkoosh, Idaho Beer Alliance, (opposed)
- Jeremy Pisca, Idaho Beer and Wine Distributors Association, (neutral)

Reasons given: Some aspects of the bill are misleading; bill needs to be amended; and IHGC is not authorized to promote beer.

**MOTION:**

**Senator Burgoyne** moved to send **H 232** to the 14th Order for possible amendment. The motion died for lack of a second.

**MOTION:**

**Senator Winder** moved to send **H 232** to the floor with a **do pass** recommendation. **Senator Lee** seconded the motion. The motion carried by **voice vote**.

**S 1183**

**Relating to the Fetal Heartbeat Preborn Child Protection Act.**

**Blaine Conzatti**, Executive Director, Family Policy Alliance of Idaho (FPAI), advised the Committee that obstetricians consider fetal heartbeat activity to be an important indicator of the preborn child's health. He noted that 95 percent

of preborn children with a fetal heartbeat detected early in the pregnancy will survive to term. **Mr. Conzatti** emphasized that the FPAI does not take a stand on whether life begins with the heartbeat. He asserted that legislative findings affirm that life begins at fertilization. He stated that the heartbeat is a universally recognized indicator of life, and that by the time a heartbeat is detectable, a unique and distinct person should be legally protected.

**Mr. Conzatti** referred to the previous hearing on **S 1183** and acknowledged the changes that have been made to the bill would harmonize the penalties for violating the law outlined in this chapter of Idaho Code with other pro-life laws. He explained that there is no conflict between **S 1183** and the criminal abortion trigger law. **Mr. Conzatti** pointed out that there are numerous organizations in Idaho that provide support and options for woman facing unwanted pregnancy. These organizations offer financial assistance, medical care, counseling, and other practical support for women, pregnant moms, and babies.

**TESTIMONY:**

The following gave testimony in support of **S 1183**:

- Samantha Doty, Stanton Health Care, Director of Clinical Services and Physician Assistant
- McKinzy Troudt, Stanton Health Care, Medical Stenographer
- Brittany Jones, Attorney, FPAI
- Linda Thomas, Stanton Healthcare
- Christian Welp, Catholic Diocese
- Josh Bales, Pastor, The Well Church
- Angela Dwyer, Stanton Healthcare

The following reasons were given in support of **S 1183**: Life needs to be protected, even if it is unborn; abortion is not women's health care; women deserve medically accurate information about what is happening in their bodies and about the development of their babies; a conviction based on the trigger language of this law is unlikely to occur; and the bill improves the current situation, but it would be better if it abolished all abortion.

The following gave testimony in opposition to **S 1183**:

- Naomi Watson, herself
- Sophia Grigg, herself
- Scott Watson, himself
- Benje Graves, Vision Community Church
- Angela Housley, herself
- Joseph Smith, himself

The following reasons were given in opposition to **S 1183**: Abortion needs to be completely abolished with no exceptions; every unborn child should be given a chance to live; exemptions should not be made for incest and rape; severe side effects often occur during an abortion even if the heartbeat is not discernible, or if it was the result of incest or rape; and unexpected inutero damage to the fetus may occur and **S 1183** would prevent an abortion even in this event.

Mistie Tolman, Idaho State Director, Planned Parenthood Votes Northwest and Hawaii, submitted written testimony (opposed). (See Attachment E).

In closing, **Mr. Conzatti** urged the Committee to send **S 1183** to the floor with a

do pass recommendation to protect the lives of unborn babies.

**DISCUSSION:**

**Senator Winder** acknowledged it would be a miracle to end all abortions. He explained incremental steps are being taken to arrive at a definition of when a baby becomes a person. **Senator Winder** stated that he believes it is at conception, but at this time the judicial system does not agree.

**MOTION:**

**Senator Winder** moved to send **S 1183** to the floor with a **do pass** recommendation. **Senator Heider** seconded the motion. The motion carried by **voice vote**. Senator Burgoyne was recorded as voting nay.

**MINUTES  
APPROVAL:**

**Senator Harris** moved to approve the Minutes of February 10, 2021. **Senator Heider** seconded the motion. The motion carried by **voice vote**.

**ADJOURNED:**

There being no further business at this time, **Chairwoman Lodge** adjourned the meeting at 9:34 a.m.

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Senator Lodge  
Chair

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Twyla Melton  
Secretary

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Carol Cornwall  
Assistant Secretary