

AGENDA
HOUSE JUDICIARY, RULES & ADMINISTRATION COMMITTEE
1:30 P.M.
Room EW42
Tuesday, January 09, 2024

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ew42/>

SUBJECT	DESCRIPTION	PRESENTER
RS 30846	Artificial Intelligence, child pornography and exploitation	Rep. Skaug Rep. Healey
RS 30847	Medical liens	Rep. Skaug

If you have written testimony, please provide a copy to the committee secretary.

COMMITTEE MEMBERS

Chairman Skaug

Vice Chairman Scott

Rep Ehardt

Rep Young

Rep Cannon

Rep Erickson

Rep Alfieri

Rep Allgood

Rep Dixon (24)

Rep Gallagher

Rep Garner

Rep Handy

Rep Lambert

Rep Sauter

Rep Wroten

Rep Gannon

Rep Nash

Rep Mathias

COMMITTEE SECRETARY

Nancy Conrad

Room: EW56

Phone: 332-1127

Email: hjud@house.idaho.gov

MINUTES
HOUSE JUDICIARY, RULES & ADMINISTRATION COMMITTEE

DATE: Tuesday, January 09, 2024
TIME: 1:30 P.M.
PLACE: Room EW42
MEMBERS: Chairman Skaug, Vice Chairman Scott, Representatives Ehardt, Young, Cannon, Erickson, Alfieri, Allgood, Dixon(24), Gallagher, Garner, Handy, Lambert, Sauter, Wroten, Gannon, Nash, Mathias
**ABSENT/
EXCUSED:** Representatives Erickson, Nash
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 Skaug called the meeting to order at 1:30pm.
Chairman Skaug assigned the task of proofreading to **Rep. Wroten** and **Rep. Nash**.
Chairman Skaug turned the gavel over to **Vice Chairman Scott**.
RS 30846: **Rep. Skaug** presented **RS 30846** regarding artificial intelligence, child pornography and exploitation.
Committee inquired regarding forms of artificially generated pornography.
MOTION: **Rep. Wroten** made a motion to introduce **RS 30846**. **Motion carried by voice vote**.
RS 30847: **Rep. Skaug** presented **RS 30847** regarding medical liens.
Committee inquired regarding types of insurance providers impacted.
MOTION: **Rep. Dixon (24)** made a motion to introduce **RS 30847**. **Motion carried by voice vote**.
ADJOURN: There being no further business to come before the committee, the meeting adjourned at 1:42pm.

Representative Skaug
Chair

Nancy Conrad
Secretary

AGENDA
HOUSE JUDICIARY, RULES & ADMINISTRATION COMMITTEE
1:30 P.M.
Room EW42
Thursday, January 11, 2024

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ew42/>

SUBJECT	DESCRIPTION	PRESENTER
<u>RS 30838</u>	Criminal domestic violence	Rep. Skaug
<u>RS 30839</u>	Minimum age for prosecution	Rep. Handy Rep. Skaug
<u>RS 30850</u>	Fire Code	Rep. Wroten
<u>RS 30851</u>	Investigating city and county employees	Rep. Skaug
<u>RS 30859</u>	Explicit synthetic media disclosure	Rep. Young

If you have written testimony, please provide a copy to the committee secretary.

COMMITTEE MEMBERS

Chairman Skaug	Rep Alfieri	Rep Lambert
Vice Chairman Scott	Rep Allgood	Rep Sauter
Rep Ehardt	Rep Dixon (24)	Rep Wroten
Rep Young	Rep Gallagher	Rep Gannon
Rep Cannon	Rep Garner	Rep Nash
Rep Erickson	Rep Handy	Rep Mathias

COMMITTEE SECRETARY

Nancy Conrad
Room: EW56
Phone: 332-1127
Email: hjud@house.idaho.gov

MINUTES
HOUSE JUDICIARY, RULES & ADMINISTRATION COMMITTEE

DATE: Thursday, January 11, 2024

TIME: 1:30 P.M.

PLACE: Room EW42

MEMBERS: Chairman Skaug, Vice Chairman Scott, Representatives Ehardt, Young, Cannon, Erickson, Alfieri, Allgood, Dixon(24), Gallagher, Garner, Handy, Lambert, Sauter, Wroten, Gannon, Nash, Mathias

**ABSENT/
EXCUSED:** Representatives Scott, Ehardt, Cannon, Sauter, Gannon

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.

MOTION: **Chairman Skaug** called the meeting to order at 1:32pm.

MOTION: **Rep. Wroten** made a motion to approve the January 9, 2024 meeting minutes. **Motion carried by voice vote.**

Chairman Skaug turned the gavel over to **Rep. Young**.

RS 30838: **Chairman Skaug** presented **RS 30838** regarding criminal domestic violence.

MOTION: **Rep. Wroten** made a motion to introduce **RS 30838**. **Motion carried by voice vote.**

RS 30839: **Rep. Handy** presented **RS 30839** regarding minimum age for prosecution.

Committee inquired regarding types of crimes for which children are currently being punished and how the minimum age was determined.

MOTION: **Rep. Garner** made a motion to introduce **RS 30839**. **Motion carried by voice vote.**

RS 30850: **Rep. Wroten** presented **RS 30850** regarding fire code.

MOTION: **Rep. Nash** made a motion to introduce **RS 30850**. **Motion carried by voice vote.**

RS 30851: **Chairman Skaug** presented **RS 30851** regarding investigating city and county employees.

Committee inquired as to which entity currently prosecutes city and county government officials.

Rep. Nash declared Rule 80.

MOTION: **Rep. Lambert** made a motion to introduce **RS 30851**. **Motion carried by voice vote.**

Rep. Young turned the gavel over to **Chairman Skaug**.

RS 30859: **Rep. Young** presented **RS 30859** regarding explicit media disclosure.

MOTION: **Rep. Erickson** made a motion to introduce **RS 30859**. **Motion carried by voice vote.**

ADJOURN: There being no further business to come before the committee, the meeting adjourned at 1:46pm.

Representative Skaug
Chair

Nancy Conrad
Secretary

JOINT AGENDA
**HOUSE JUDICIARY, RULES & ADMINISTRATION COMMITTEE
AND
SENATE JUDICIARY & RULES COMMITTEE**
1:30 P.M.
Lincoln Auditorium- WW02
Friday, January 12, 2024

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ww02/>

SUBJECT	DESCRIPTION	PRESENTER
	Idaho Criminal Justice Committee meeting	Ashley Dowell, Executive Director, Idaho Commission of Pardons and Parole
	High-level overview of criminal justice system	Ashley Dowell, Executive Director, Idaho Commission of Pardons and Parole
	Joint discussion with Idaho Commission of Pardons and Parole	Senator Lakey

If you have written testimony, please provide a copy to the committee secretary.

COMMITTEE MEMBERS

Chairman Skaug

Vice Chairman Scott

Rep Ehardt

Rep Young

Rep Cannon

Rep Erickson

Rep Alfieri

Rep Allgood

Rep Dixon (24)

Rep Gallagher

Rep Garner

Rep Handy

Rep Lambert

Rep Sauter

Rep Wroten

Rep Gannon

Rep Nash

Rep Mathias

COMMITTEE SECRETARY

Nancy Conrad

Room: EW56

Phone: 332-1127

Email: hjud@house.idaho.gov

MINUTES
JOINT MEETING

**HOUSE JUDICIARY, RULES & ADMINISTRATION COMMITTEE
SENATE JUDICIARY & RULES COMMITTEE**

DATE: Friday, January 12, 2024

TIME: 1:30 P.M.

PLACE: Lincoln Auditorium- WW02

MEMBERS: Chairman Skaug, Vice Chairman Scott, Representatives Ehardt, Young, Cannon, Erickson, Alfieri, Allgood, Dixon(24), Gallagher, Garner, Handy, Lambert, Sauter, Wroten, Gannon, Nash, Mathias

Chairman Lakey, Vice Chairman Foreman, Senators Lee, Anthon, Ricks, Hart, Hartgen, Wintrow, Ruchti

**ABSENT/
EXCUSED:** Representatives Ehardt, Young, Cannon, Gallagher, Nash,

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 Lakey called the meeting to order at 1:32pm.

Ashley Dowell, Chair of the Idaho Criminal Justice Commission, presented an overview of the Idaho Criminal Justice System.

Chairman Lakey inquired regarding the interactions between the Commission of Pardons and Parole and the Office of the Governor.

Josh Tewalt, Director of the Idaho Department of Correction, presented information regarding probation, incarceration, methods of avoiding prison, risk principles, petitions, and supervision.

Committee inquired regarding probation and parole violations, and oversight of counties' probation programs.

Sheriff Kieran Donahue, Canyon County Sheriff's Department, presented information regarding probation oversight, procedure, alternative sentencing, treatment programs and pre-trial divisions.

Judge Thomas Sullivan, Canyon County Magistrate, presented information regarding the decision-making process regarding probation.

Committee inquired regarding risk assessment, pre-trial release, funding, supervision, blended sentencing, and release.

Sara Omundson, Administrative Director of Courts, Idaho Supreme Court, presented information regarding funding associated with bond, bail, and pre-trial services.

Judge Jonathon Brody, Fifth Judicial District, presented information regarding blended sentencing, truth-in-sentencing, judiciary discretion, and fixed and indeterminate sentencing.

Ashley Dowell, Chair of the Idaho Criminal Justice Commission, presented information regarding the decision-making process for release and hearings.

Committee inquired regarding employer and government cooperation for the benefit of individuals in the system and employers in Idaho, system capacity, population dynamics and the number and composition of incarcerations housed out-of-state.

Chairman Lakey turned the gavel over to **Chairman Skaug**.

ADJOURN: There being no further business to come before the committee, the meeting adjourned at 2:34pm.

Representative Skaug
Chair

Nancy Conrad
Secretary

AGENDA
HOUSE JUDICIARY, RULES & ADMINISTRATION COMMITTEE
1:30 P.M.
Room EW42
Wednesday, January 17, 2024

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ew42/>

SUBJECT	DESCRIPTION	PRESENTER
RS 30853	Lewd conduct- capital punishment	Rep. Tanner Rep. Skaug
H 387	Domestic violence, penalties	Rep. Skaug
H 388	Juvenile corrections	Rep. Handy
RS 30863C1	Fentanyl, mandatory minimums	Rep. Allgood Rep. Hill Senator Lakey
RS 30933	F.A.I.R Election Act	Rep. Rubel Rep. Skaug
RS 30963	Volunteer Ski Patrol liability	Rep. Dixon (24) Senator Lee

**PERSONS UNDER THE AGE OF 18
WHO WANT TO TESTIFY MUST HAVE A
PARENT/GUARDIAN PRESENT OR PROVIDE
A COMPLETED PARENTAL PERMISSION
SLIP.**

***Public Testimony Will Be Taken by Registering Through the Following Link:
[Register to Testify](#)***

If you have written testimony, please provide a copy to the committee secretary.

COMMITTEE MEMBERS

Chairman Skaug
Vice Chairman Scott
Rep Ehardt
Rep Young
Rep Cannon
Rep Erickson

Rep Alfieri
Rep Allgood
Rep Dixon (24)
Rep Gallagher
Rep Garner
Rep Handy

Rep Lambert
Rep Sauter
Rep Wroten
Rep Gannon
Rep Nash (Coberly)
Rep Mathias

COMMITTEE SECRETARY

Nancy Conrad
Room: EW56
Phone: 332-1127
Email: hjud@house.idaho.gov

MINUTES
HOUSE JUDICIARY, RULES & ADMINISTRATION COMMITTEE

DATE: Wednesday, January 17, 2024

TIME: 1:30 P.M.

PLACE: Room EW42

MEMBERS: Chairman Skaug, Vice Chairman Scott, Representatives Ehardt, Young, Cannon, Erickson, Alfieri, Allgood, Dixon(24), Gallagher, Garner, Handy, Lambert, Sauter, Wroten, Gannon, Nash (Coberly), Mathias

**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 Skaug called the meeting to order at 1:29pm.

MOTION: **Rep. Wroten** made a motion to approve the January 11, 2024 and January 12, 2024 meeting minutes. **Motion carried by voice vote.**

RS 30853: **Rep. Tanner** presented **RS 30853** regarding lewd conduct with a minor and capital punishment.

MOTION: **Vice Chairman Scott** made a motion to introduce **RS 30853**. **Motion carried by voice vote.**

Chairman Skaug turned the gavel over to **Vice Chairman Scott**.

H 387: **Chairman Skaug** presented **H 387** regarding domestic violence penalties.

MOTION: **Rep. Wroten** made a motion to send **H 387** to the floor with a **DO PASS** recommendation.

Committee inquired regarding mandatory minimum sentences within legislation.

VOTE ON MOTION: **Motion carried by voice vote. Chairman Skaug** will sponsor the bill on the floor.

Vice Chairman Scott turned the gavel over to **Chairman Skaug**.

H 388: **Rep. Handy** presented **H 388** regarding juvenile corrections.

Monty Prow, Director of Idaho Department of Juvenile Corrections, presented information regarding development of the adolescent brain and comprehension of criminal intent.

Committee inquired regarding criminal intent and adolescents, the age of culpability, restitution, restorative justice, entrance procedures into the state system, application of justice, and bifurcation of the juvenile justice system.

MOTION: **Vice Chairman Scott** made a motion to **HOLD H 388** in committee.

SUBSTITUTE MOTION: **Rep. Young** made a substitute motion to send **H 388** to the floor with a **DO PASS** recommendation.

ROLL CALL VOTE ON SUBSTITUTE MOTION: Chairman Skaug requested a roll call vote on the substitute motion to send H 388 to the floor with a **DO PASS** recommendation. **Motion failed by a tie vote of 9 AYE, and 9 NAY.** Voting in favor of the motion: **Reps. Skaug, Ehardt, Young, Cannon, Erickson, Handy, Gannon, Coberly, Mathias.** Voting in opposition to the motion: **Reps. Scott, Alfieri, Allgood, Dixon (24) Gallagher, Garner, Lambert, Sauter, Wroten.**

ROLL CALL VOTE ON MOTION: Chairman Skaug requested a roll call vote on the original motion to **HOLD H 388** in committee. **Motion failed by a tie vote of 9 AYE and 9 NAY.** Voting in favor of the motion: **Reps. Scott, Alfieri, Allgood, Dixon (24), Gallagher, Garner, Lambert, Sauter, Wroten.** Voting in opposition to the motion: **Reps. Skaug, Ehardt, Young, Cannon, Erickson, Handy, Gannon, Coberly, Mathias.**

MOTION: Rep. Mathias made a motion to send H 388 to the floor with **NO RECOMMENDATION.**

ROLL CALL VOTE: Chairman Skaug requested a roll call vote on the motion to send H 388 to the floor with **NO RECOMMENDATION.** **Motion failed by a vote of 8 AYE and 10 NAY.** Voting in favor of the motion: **Reps. Skaug, Ehardt, Young, Cannon, Erickson, Handy, Coberly, Mathias.** Voting in opposition to the motion: **Reps. Scott, Alfieri, Allgood, Dixon (24), Gallagher, Garner, Lambert, Sauter, Wroten, Gannon.**

RS 30863C1: Rep. Allgood presented **RS 30863C1** regarding Fentanyl and mandatory minimums.

Committee inquired regarding knowledge required of Fentanyl content in possessed substances, and clarity regarding trafficking intent.

MOTION: Rep. Garner made a motion to introduce **RS 30863C1.**

Committee inquired regarding solicitation of trafficked substances, total number of Fentanyl deaths last year, and quantity of Fentanyl seized.

SUBSTITUTE MOTION: Rep. Cannon made a substitute motion to introduce **RS 30863C1** with the following changes: page 1 line 24 following "any person" add "with the intent to distribute to another person or persons." page 1 lines 32 and 33 strike "or any mixture or substance containing a detectable amount of any such substance," strike page 2 section 3 lines 31- 44.

ROLL CALL VOTE ON SUBSTITUTE MOTION: Chairman Skaug requested a roll call vote on the substitute motion to introduce **RS 30863C1** with the indicated changes. **Motion failed by a vote of 8 AYE and 10 NAY.** Voting in favor of the motion: **Reps. Scott, Ehardt, Young, Cannon, Erickson, Gannon, Coberly, Mathias.** Voting in opposition to the motion: **Reps. Skaug, Alfieri, Allgood, Dixon (24), Gallagher, Garner, Handy, Lambert, Sauter, Wroten.**

ROLL CALL VOTE ON MOTION: Chairman Skaug requested a roll call vote on the motion to introduce **RS 30863C1.** **Motion carried by a vote of 15 AYE and 3 NAY.** Voting in favor of the motion: **Reps. Skaug, Scott, Ehardt, Young, Erickson, Alfieri, Allgood, Dixon (24), Gallagher, Garner, Handy, Lambert, Sauter, Wroten, Mathias.** Voting in opposition: **Cannon, Gannon, Coberly.**

RS 30933: Rep. Rubel presented **RS 30933** regarding the FAIR Election Act and deep-fake, artificially generated audio and visual material in electioneering.

MOTION: Rep. Young made a motion to introduce **RS 30933.** **Motion carried by voice vote.**

RS 30963: Rep. Dixon (24) presented **RS 30963** regarding volunteer ski patrol liability.

Committee inquired regarding the difference between current statute and the proposed legislation.

MOTION: Rep. Ehardt made a motion to introduce **RS 30963.** **Motion carried by voice vote.**

ADJOURN: There being no further business to come before the committee, the meeting adjourned at 2:55pm.

Representative Skaug
Chair

Nancy Conrad
Secretary

AGENDA
HOUSE JUDICIARY, RULES & ADMINISTRATION COMMITTEE
9:30 A.M.
Room EW42
Friday, January 19, 2024

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ew42/>

SUBJECT	DESCRIPTION	PRESENTER
H 406	Fentanyl, sentencing for convicted traffickers	Rep. Allgood Rep. Hill Senator Lakey

**PERSONS UNDER THE AGE OF 18
WHO WANT TO TESTIFY MUST HAVE A
PARENT/GUARDIAN PRESENT OR PROVIDE
A COMPLETED PARENTAL PERMISSION
SLIP.**

***Public Testimony Will Be Taken by Registering Through the Following Link:
[Register to Testify](#)***

If you have written testimony, please provide a copy to the committee secretary.

COMMITTEE MEMBERS

Chairman Skaug

Vice Chairman Scott

Rep Ehardt

Rep Young

Rep Cannon

Rep Erickson

Rep Alfieri

Rep Allgood

Rep Dixon (24)

Rep Gallagher

Rep Garner

Rep Handy

Rep Lambert

Rep Sauter

Rep Wroten

Rep Gannon

Rep Nash (Coberly)

Rep Mathias

COMMITTEE SECRETARY

Nancy Conrad

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MINUTES

HOUSE JUDICIARY, RULES & ADMINISTRATION COMMITTEE

DATE: Friday, January 19, 2024

TIME: 9:30 A.M.

PLACE: Room EW42

MEMBERS: Chairman Skaug, Vice Chairman Scott, Representatives Ehardt, Young, Cannon, Erickson, Alfieri, Allgood, Dixon(24), Gallagher, Garner, Handy, Lambert, Sauter, Wroten, Gannon, Nash (Coberly), Mathias

**ABSENT/
EXCUSED:** Representative Handy

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 Skaug called the meeting to order at 9:32am.

H 406: **Rep. Hill** presented **H 406** regarding Fentanyl and sentencing for convicted traffickers, thresholds for possession, determining intent to traffic, deterrence through legislation and enforcement.

Chairman Skaug informed the committee that testimony would be taken regarding **H 406** and the vote would occur on January 23, 2024.

Senator Todd Lakey presented information regarding drug policy and application to Fentanyl, comparisons between Heroin and Fentanyl, dangers to law enforcement through exposure to Fentanyl and violence related to drug trafficking.

Mike Pohanka, Tracy Basterrechea, Idaho Chiefs of Police, **Jordan McCarthy**, Fraternal Order of Police, **Blaine Konzatti**, Idaho Family Policy Center, **Kelly Hobbs, Sheriff Kieran Donahue**, Canyon County Sheriff's Office, Idaho Sheriffs Association, National Sheriffs Association, testified **in support** of **H 406**.

Committee inquired regarding recent drug quantities seized, application of mandatory minimums and knowledge of Fentanyl content, annual fatalities in Idaho, accidental possession, plea deals in regard to trafficking and possession, prosecutorial discretion, coordination with the federal government, identifying characteristics of Fentanyl, recidivism rate, inelasticity of drug demand compared to elasticity of price, necessary point of focus to diminish Fentanyl issues, Fentanyl patch thefts from hospitals, origin of illegal Fentanyl in the United States, field test availability, expected decrease in number of deaths if legislation passed, constructive possession, and deterrence of strong penalties.

Todd Hogan, Susan Mansfield, Mike French, Idaho Association of Criminal Defense Lawyers, **Dennis Mansfield**, CPAC, **Jean Fisher**, Right on Crime, testified **in opposition** to **H 406**.

Committee inquired regarding drug courts, definitions of users and sellers, determining intent to deliver, effectiveness of mandatory minimums, categories of currently incarcerated users, juvenile murder auto-waivers, application of the legislation to minors, prosecutorial discretion, proof of causation, comparison between vehicular homicide and drug homicide, Good Samaritan Law application, prosecutor amended charges, reluctance to administer aid due to lack of affirmative defense, plea bargains and lack of required charge of homicide.

Chairman Skaug put the committee at ease at 10:27am.

Chairman Skaug reconvened the meeting at 10:28am.

Chairman Skaug put the committee at ease at 11:40am.

Chairman Skaug reconvened the meeting at 11:53am.

Gus Powel, Sheriff Matt Clifford, Idaho Sheriffs Association, Ada County Sheriffs Office, **Trevor Chadwick**, Mayor of Star, **Grant Loebbs**, Idaho Prosecuting Attorney's Association, testified **in support** of **H 406**.

Committee inquired regarding the phrase "any detectable amount of Fentanyl", reluctance to clarify bill language, quantity of Fentanyl laced into other drugs required for charge, five ounces of Fentanyl laced Marijuana does not hold an equal charge as five ounces of Fentanyl, legislative encroachment upon judicial discretion, possible hesitance to create drug laws due to over-crowded prisons, time line regarding mandatory minimum sentencing, and the challenge of determining intent.

Kate Heil and **Jennifer Zielinski**, Idaho Anti-Trafficking Coalition, testified **in opposition** to **H 406**.

ADJOURN: There being no further business to come before the committee, the meeting adjourned at 12:50pm.

Representative Skaug
Chair

Nancy Conrad
Secretary

AMENDED AGENDA #2
HOUSE JUDICIARY, RULES & ADMINISTRATION COMMITTEE
1:30 P.M.
Room EW42
Tuesday, January 23, 2024

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ew42/>

SUBJECT	DESCRIPTION	PRESENTER
H 406	Fentanyl, sentencing for convicted traffickers No further testimony will be taken.	Rep. Allgood Rep. Hill Senator Lakey

**PERSONS UNDER THE AGE OF 18
WHO WANT TO TESTIFY MUST HAVE A
PARENT/GUARDIAN PRESENT OR PROVIDE
A COMPLETED PARENTAL PERMISSION
SLIP.**

If you have written testimony, please provide a copy to the committee secretary.

COMMITTEE MEMBERS

Chairman Skaug

Vice Chairman Scott

Rep Ehardt

Rep Young

Rep Cannon

Rep Erickson

Rep Alfieri

Rep Allgood

Rep Dixon (24)

Rep Gallagher

Rep Garner

Rep Handy

Rep Lambert

Rep Sauter

Rep Wroten

Rep Gannon

Rep Nash (Coberly)

Rep Mathias

COMMITTEE SECRETARY

Nancy Conrad

Room: EW56

Phone: 332-1127

Email: hjud@house.idaho.gov

MINUTES

HOUSE JUDICIARY, RULES & ADMINISTRATION COMMITTEE

DATE: Tuesday, January 23, 2024

TIME: 1:30 P.M.

PLACE: Room EW42

MEMBERS: Chairman Skaug, Vice Chairman Scott, Representatives Ehardt, Young, Cannon, Erickson, Alfieri, Allgood, Dixon(24), Gallagher, Garner, Handy, Lambert, Sauter, Wroten, Gannon, Nash (Coberly), Mathias

**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 Skaug called the meeting to order at 1:28pm.

MOTION: **Rep. Wroten** made a motion to approve the January 17, 2024 and January 19, 2024 meeting minutes. **Motion carried by voice vote.**

H 406: **Senator Todd Lakey** and **Rep. Hill** presented **H 406** regarding Fentanyl and mandatory minimums for convicted traffickers.

ORIGINAL MOTION: **Rep. Wroten** made a motion to send **H 406** to the floor with a **DO PASS** recommendation.

SUBSTITUTE MOTION: **Rep. Cannon** made a substitute motion to send **H 406** to **GENERAL ORDERS** for amendment.

AMENDED SUBSTITUTE MOTION: **Rep. Garner** made a motion to send **H 406** to the floor with **NO RECOMMENDATION.**

Committee discussed homicidal language of legislation, intent provision, application to minors, confidence in law enforcement officer testimony, effectiveness of similar laws, differentiating between users and dealers, current rate of user incarceration, descriptions of trafficking, necessity of law enforcement tools, 322 Fentynal deaths in Idaho last year, and the drug threat to all demographics.

Committee inquired regarding waivers for juveniles, clarification of Fentanyl mixtures and quantities, dosage quantities related to intent and murder charges, explanation of "an indeterminate sentence of life", culpability regarding groups of college kids who use and death occurs, judicial discretion, legislative impact regarding open border with Mexico, China as the origin of precursor ingredients, statistics of drug related offenses, seizure rates, recidivism, and data regarding trafficking charges pled down to possession.

MOTION TO CALL FOR THE QUESTION: **Rep. Garner** made a motion to call for the previous question.

ROLL CALL VOTE ON THE MOTION: **Chairman Skaug** requested a roll call vote. **Motion failed by a vote of 6 AYE and 12 NAY. Voting in favor** of the motion: **Reps. Skaug, Allgood, Dixon (24), Garner, Sauter, Wroten. Voting in opposition** to the motion: **Reps. Scott, Ehardt, Young, Cannon, Erickson, Alfieri, Gallagher, Handy, Lambert, Gannon, Coberly, Mathias.**

Committee discussed due process of law, accountability of law enforcement, the value of legislators' responsibilities, pressures from outside entities regarding Fentanyl legislation, complexity of the issue, and concerns regarding drug mixtures.

**ROLL CALL
VOTE ON
AMENDED
SUBSTITUTE
MOTION:**

Chairman Skaug requested a roll call vote. **Motion carried by a vote of 13 AYE and 5 NAY. Voting in favor of the motion: Reps. Skaug, Scott, Young, Cannon, Alfieri, Dixon (24), Gallagher, Garner, Handy, Lambert, Sauter, Wroten, Gannon. Voting in opposition to the motion: Reps. Ehardt, Erickson, Allgood, Coberly, Mathias. Rep. Hill** will sponsor the bill on the floor.

Reps. Ehardt, Erickson, and Allgood requested to change their vote to **AYE**. **Chairman Skaug** granted the request.

**ADJUSTED
ROLL CALL
VOTE:**

Motion carried by a vote of 16 AYE and 2 NAY. Voting in favor of the motion: Reps. Skaug, Scott, Ehardt, Young, Cannon, Erickson, Alfieri, Allgood, Dixon (24), Gallagher, Garner, Handy, Lambert, Sauter, Wroten, Gannon. Voting in opposition to the motion: Reps. Coberly and Mathias.

ADJOURN:

There being no further business to come before the committee, the meeting adjourned at 3:19pm.

Representative Skaug
Chair

Nancy Conrad
Secretary

AGENDA
HOUSE JUDICIARY, RULES & ADMINISTRATION COMMITTEE
1:30 P.M.
Room EW42
Thursday, January 25, 2024

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ew42/>

SUBJECT	DESCRIPTION	PRESENTER
RS 30862	Special inquiry judge, attorney general	Rep. Skaug

If you have written testimony, please provide a copy to the committee secretary.

COMMITTEE MEMBERS

Chairman Skaug

Vice Chairman Scott

Rep Ehardt

Rep Young

Rep Cannon

Rep Erickson

Rep Alfieri

Rep Allgood

Rep Dixon (24)

Rep Gallagher

Rep Garner

Rep Handy

Rep Lambert

Rep Sauter

Rep Wroten

Rep Gannon

Rep Nash (Coberly)

Rep Mathias

COMMITTEE SECRETARY

Nancy Conrad

Room: EW56

Phone: 332-1127

Email: hjud@house.idaho.gov

MINUTES
HOUSE JUDICIARY, RULES & ADMINISTRATION COMMITTEE

DATE: Thursday, January 25, 2024
TIME: 1:30 P.M.
PLACE: Room EW42
MEMBERS: Chairman Skaug, Vice Chairman Scott, Representatives Ehardt, Young, Cannon, Erickson, Alfieri, Allgood, Dixon(24), Gallagher, Garner, Handy, Lambert, Sauter, Wroten, Gannon, Nash (Coberly), Mathias
**ABSENT/
EXCUSED:** Representatives Ehardt, Young, Gannon
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.
Vice Chairman Scott called the meeting to order at 1:29pm.
RS 30862: **Chairman Skaug** presented **RS 30862** regarding the allowance of the Attorney General to request a special inquiry proceeding from the judiciary to investigate crime and corruption.
Committee inquired regarding duplication of process, obligation of investigation, clarification of investigative process, types of investigations, and special circumstances requiring the involvement of the Attorney General.
MOTION: **Rep. Mathias** made a motion to introduce **RS 30862. Motion carried by voice vote.**
ADJOURN: There being no further business to come before the committee, the meeting adjourned at 1:38pm.

Representative Scott
Vice Chair

Nancy Conrad
Secretary

AMENDED AGENDA #3
HOUSE JUDICIARY, RULES & ADMINISTRATION COMMITTEE
2:00 P.M.
Room EW42
Monday, January 29, 2024

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ew42/>

SUBJECT	DESCRIPTION	PRESENTER
RS 31001	Fentanyl testing strips	Rep. Erickson Rep. Rubel
RS 31030C1	Smoking products, minors, penalties	Rep. Raymond
RS 31041C1	Attorney general, duty, statutes	Senator Winder Rep. Skaug

If you have written testimony, please provide a copy to the committee secretary.

COMMITTEE MEMBERS

Chairman Skaug

Vice Chairman Scott

Rep Ehardt

Rep Young

Rep Cannon

Rep Erickson

Rep Alfieri

Rep Allgood

Rep Dixon (24)

Rep Gallagher

Rep Garner

Rep Handy

Rep Lambert

Rep Sauter

Rep Wroten

Rep Gannon

Rep Nash (Coberly)

Rep Mathias

COMMITTEE SECRETARY

Nancy Conrad

Room: EW56

Phone: 332-1127

Email: hjud@house.idaho.gov

MINUTES
HOUSE JUDICIARY, RULES & ADMINISTRATION COMMITTEE

DATE: Monday, January 29, 2024

TIME: 2:00 P.M.

PLACE: Room EW42

MEMBERS: Chairman Skaug, Vice Chairman Scott, Representatives Ehardt, Young, Cannon, Erickson, Alfieri, Allgood, Dixon(24), Gallagher, Garner, Handy, Lambert, Sauter, Wroten, Gannon, Nash (Coberly), Mathias

**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 Skaug called the meeting to order at 2:00pm.

MOTION: **Rep. Wroten** made a motion to approve the January 23, 2024 and January 25, 2024 meeting minutes. **Motion carried by voice vote.**

RS 31001: **Rep. Erickson** presented **RS 31001** regarding Fentanyl testing strips.

Committee inquired regarding clarification of language in current statute that categorizes Fentanyl testing strips as drug paraphernalia, standard-use of Fentanyl testing strips, chemical composition of Fentanyl testing strips, and the knowledge of Fentanyl content and intent.

MOTION: **Rep. Cannon** made a motion to introduce **RS 31001**. **Motion carried by voice vote.**

RS 31030C1: **Rep. Raymond** presented **RS 31030C1** regarding smoking products and minors.

Committee inquired regarding the impact on adults under the legal tobacco use age, taxes, current penalties for those who sell tobacco products to minors, existence of tobacco-free vape products, clarification of seller language within statute, and provision of differing levels of penalties between vape and tobacco products.

MOTION: **Rep. Wroten** made a motion to introduce **RS 31030C1**. **Motion carried by voice vote.**

Chairman Skaug turned the gavel over to **Vice Chairman Scott**.

RS 31041C1: **Chairman Skaug** presented **RS 31041C1** regarding the Attorney General and support sought from the President Pro Tempore of the Senate or the Speaker of the House.

Committee inquired regarding language clarification and application to pending cases.

MOTION: **Rep. Wroten** made a motion to introduce **RS 31041C1**. **Motion carried by voice vote.**

ADJOURN: There being no further business to come before the committee, the meeting adjourned at 2:27pm.

Representative Skaug
Chair

Nancy Conrad
Secretary

AMENDED AGENDA #1
HOUSE JUDICIARY, RULES & ADMINISTRATION COMMITTEE
2:00 P.M.
Room EW42
Wednesday, January 31, 2024

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ew42/>

SUBJECT	DESCRIPTION	PRESENTER
RS 30796	Office of Administrative Hearings	Rep. Dixon (24)
RS 30808	Commission of Pardons and Parole	Rep. Dixon (24)
H 405	Lewd conduct, minors, penalties	Rep. Skaug Rep. Tanner
	Introduction	Juneal Kerrick, Senior District Judge
	Principles of Statutory Interpretation	Eric Wildman, Administrative District Judge, Fifth Judicial District
	Complex Civil Cases in District Court	Rick Carnaroli, Administrative District Judge, Sixth Judicial District
	The Idaho Court Data Website	Thomas Whitney, District Judge, Third Judicial District

Public Testimony Will Be Taken by Registering Through the Following Link:
[Register to Testify](#)

If you have written testimony, please provide a copy to the committee secretary.

COMMITTEE MEMBERS

Chairman Skaug
Vice Chairman Scott
Rep Ehardt
Rep Young
Rep Cannon
Rep Erickson

Rep Alfieri
Rep Allgood
Rep Dixon (24)
Rep Gallagher
Rep Garner
Rep Handy

Rep Lambert
Rep Sauter
Rep Wroten
Rep Gannon
Rep Nash (Coberly)
Rep Mathias

COMMITTEE SECRETARY

Nancy Conrad
Room: EW56
Phone: 332-1127
Email: hjud@house.idaho.gov

MINUTES

HOUSE JUDICIARY, RULES & ADMINISTRATION COMMITTEE

DATE: Wednesday, January 31, 2024

TIME: 2:00 P.M.

PLACE: Room EW42

MEMBERS: Chairman Skaug, Vice Chairman Scott, Representatives Ehardt, Young, Cannon, Erickson, Alfieri, Allgood, Dixon(24), Gallagher, Garner, Handy, Lambert, Sauter, Wroten, Gannon, Nash (Coberly), Mathias

**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 Skaug called the meeting to order at 2:00pm.

MOTION: **Rep. Wroten** made a motion to approve the January 29, 2024 meeting minutes. **Motion carried by voice vote.**

RS 30796: **Rep. Dixon (24)** presented **RS 30796** regarding the Office of Administrative Hearings.

MOTION: **Rep. Wroten** made a motion to introduce **RS 30796**. **Motion carried by voice vote.**

RS 30808: **Rep. Dixon (24)** presented **RS 30808** regarding the Commission of Pardons and Parole.

MOTION: **Rep. Mathias** made a motion to introduce **RS 30808**. **Motion carried by voice vote.**

Chairman Skaug turned the gavel over to **Vice Chairman Scott**.

H 405: **Rep. Skaug** and **Rep. Tanner** presented **H 405** regarding extreme, heinous sexual abuse of minors and capital penalties for convicted offenders.

MOTION: **Rep. Wroten** made a motion to send **H 405** to the floor with a **DO PASS** recommendation.

Committee inquired regarding the distinction between a jury trial and no jury trial and the application of the legislation, juvenile offenders, the annual number of child rape cases in Idaho, scenarios of older teens raping older teens, and other crimes with similar penalties.

SUBSTITUTE MOTION: **Rep. Mathias** made a substitute motion to **HOLD H 405** in committee.

Chairman Skaug expressed his support of the committee to **HOLD H 405** in committee at the call of the chair.

UNANIMOUS CONSENT REQUEST: **Rep. Mathias** requested unanimous consent to withdraw his substitute motion. Committee granted the unanimous consent request.

SUBSTITUTE MOTION: **Rep. Mathias** made a substitute motion to **HOLD H 405** in committee at the call of the chair.

**ROLL CALL
VOTE ON
SUBSTITUTE
MOTION:**

Vice Chairman Scott requested a roll call vote in reverse order. **Substitute motion carried by a vote of 17 AYE, 0 NAY, and 1 Absent/Excused. Voting in favor of the motion: Reps. Mathias, Coberly, Gannon, Wroten, Sauter, Lambert, Handy, Garner, Gallagher, Dixon (24), Allgood, Alfieri, Erickson, Cannon, Young, Scott, Skaug. Rep. Ehardt was absent/excused.**

Vice Chairman Scott turned the gavel over to **Chairman Skaug**.

Judge Juneal Kerrick, Senior District Judge of the Idaho Supreme Court, introduced the judicial presentation.

Judge Eric Wildman, Administrative District Judge, Fifth Judicial District, presented principles of statutory interpretation.

Committee inquired regarding recourse available when statute is unambiguous but the ruling is outside the law.

Judge Rick Carnaroli, Administrative District Judge, Sixth Judicial District, presented information regarding complex civil cases in district court.

Judge Thomas Whitney, District Judge, Third Judicial District, and **Emily Carroll**, Senior Data & Evaluation Manager, Administrative Office of the Courts, presented information regarding the Idaho court data website.

Chairman Skaug put the committee at ease at 3:06pm.

Chairman Skaug returned the meeting to order at 3:10pm.

Committee inquired regarding website and ability to track changes made by legislation.

ADJOURN:

There being no further business to come before the committee, the meeting adjourned at 3:18pm.

Representative Skaug
Chair

Nancy Conrad
Secretary

AMENDED AGENDA #1
HOUSE JUDICIARY, RULES & ADMINISTRATION COMMITTEE
1:30 P.M.
Room EW42
Thursday, February 01, 2024

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ew42/>

SUBJECT	DESCRIPTION	PRESENTER
RS 31141	Artificial intelligence, child exploitation	Rep. Skaug Rep. Healey

If you have written testimony, please provide a copy to the committee secretary.

COMMITTEE MEMBERS

Chairman Skaug

Vice Chairman Scott

Rep Ehardt

Rep Young

Rep Cannon

Rep Erickson

Rep Alfieri

Rep Allgood

Rep Dixon (24)

Rep Gallagher

Rep Garner

Rep Handy

Rep Lambert

Rep Sauter

Rep Wroten

Rep Gannon

Rep Nash (Coberly)

Rep Mathias

COMMITTEE SECRETARY

Nancy Conrad

Room: EW56

Phone: 332-1127

Email: hjud@house.idaho.gov

MINUTES
HOUSE JUDICIARY, RULES & ADMINISTRATION COMMITTEE

DATE: Thursday, February 01, 2024
TIME: 1:30 P.M.
PLACE: Room EW42
MEMBERS: Chairman Skaug, Vice Chairman Scott, Representatives Ehardt, Young, Cannon, Erickson, Alfieri, Allgood, Dixon(24), Gallagher, Garner, Handy, Lambert, Sauter, Wroten, Gannon, Nash (Coberly), Mathias
**ABSENT/
EXCUSED:** Representatives Ehardt and Mathias
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.
Vice Chairman Scott called the meeting to order at 1:30pm.
RS 31141: **Chairman Skaug** presented **RS 31141** regarding artificial intelligence and child exploitation.
MOTION: **Rep. Gannon** made a motion to introduce **RS 31141**. **Motion carried by voice vote.**
ADJOURN: There being no further business to come before the committee, the meeting adjourned at 1:37pm.

Representative Scott
Vice Chair

Nancy Conrad
Secretary

AMENDED AGENDA #3
HOUSE JUDICIARY, RULES & ADMINISTRATION COMMITTEE
2:00 P.M.
Room EW42
Monday, February 05, 2024

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ew42/>

SUBJECT	DESCRIPTION	PRESENTER
RS 30849	Juvenile corrections, hearings	Rep. Handy
RS 31113C1	Juvenile corrections	Rep. Handy
RS 31121	Lewd conduct, three years older	Rep. Cannon
RS 31169	Human Trafficking	Senator Lakey Rep. Crane (12) Rep. Skaug

If you have written testimony, please provide a copy to the committee secretary.

COMMITTEE MEMBERS

Chairman Skaug
Vice Chairman Scott
Rep Ehardt
Rep Young
Rep Cannon
Rep Erickson

Rep Alfieri
Rep Allgood
Rep Dixon (24)
Rep Gallagher
Rep Garner
Rep Handy

Rep Lambert
Rep Sauter
Rep Wroten
Rep Gannon
Rep Nash (Coberly)
Rep Mathias

COMMITTEE SECRETARY

Nancy Conrad
Room: EW56
Phone: 332-1127
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MINUTES
HOUSE JUDICIARY, RULES & ADMINISTRATION COMMITTEE

DATE: Monday, February 05, 2024

TIME: 2:00 P.M.

PLACE: Room EW42

MEMBERS: Chairman Skaug, Vice Chairman Scott, Representatives Ehardt, Young, Cannon, Erickson, Alfieri, Allgood, Dixon(24), Gallagher, Garner, Handy, Lambert, Sauter, Wroten, Gannon, Nash (Stinson), Mathias

**ABSENT/
EXCUSED:** Representative Lambert

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 Skaug called the meeting to order at 2:00pm.

MOTION: **Rep. Wroten** made a motion to approve the January 31, 2024 and February 1, 2024 meeting minutes. **Motion carried by voice vote.**

RS 31169: **Rep. Crane (12)** presented **RS 31169** regarding changes to the human trafficking code. The term "prostitution" will change to "commercial sexual activity."

MOTION: **Rep. Scott** made a motion to introduce **RS 31169** with the following change: page 5 line 17 strike "regularly." **Motion carried by voice vote.**

RS 30849: **Rep. Handy** presented **RS 30849** regarding juvenile corrections and hearings.

MOTION: **Rep. Wroten** made a motion to introduce **RS 30849**. **Motion carried by voice vote.**

RS 31113C1: **Rep. Handy** presented **RS 31113C1** regarding juvenile corrections.

MOTION: **Rep. Erickson** made a motion to introduce **RS 31113C1**.
Committee inquired regarding changes in legislation, the inclusion of community services, penalties for children who commit first or second degree murder, and prosecutors' input.

SUBSTITUTE MOTION: **Rep. Scott** made a substitute motion to return **RS 31113C1** to the sponsor.

ROLL CALL VOTE ON SUBSTITUTE MOTION: **Chairman Skaug** requested a roll call vote in reversed seniority order. **Substitute motion failed by a vote of 5 AYE, 12 NAY, and 1 Absent/Excused. Voting in favor of the motion: Reps. Gannon, Sauter, Gallagher, Alfieri, Scott. Voting in opposition to the motion: Reps. Mathias, Stinson, Wroten, Handy, Garner, Dixon (24), Allgood, Erickson, Cannon, Young, Ehardt, Skaug. Rep. Lambert was absent/excused.**

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

Chairman Skaug held the remaining agenda item until the next committee meeting.

ADJOURN:

There being no further business to come before the committee, the meeting adjourned at 2:24pm.

Representative Skaug
Chair

Nancy Conrad
Secretary

AMENDED AGENDA #1
HOUSE JUDICIARY, RULES & ADMINISTRATION COMMITTEE
1:30 P.M.
Room EW42
Wednesday, February 07, 2024

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ew42/>

SUBJECT	DESCRIPTION	PRESENTER
RS 31110	Religious security teams, immunity	Rep. Dixon (1)
RS 31121	Lewd conduct, three years older	Rep. Cannon
RS 31133	Offenses, children, penalties	Rep. Redman
RS 31137	Sheriff duties, traffic	Rep. Boyle
RS 31155	Sexual offender registry	Rep. Ehardt
H 465	Sexual abuse, visual representation	Rep. Skaug Rep. Healey
H 405	Lewd conduct, minors, capital punishment	Rep. Tanner Rep. Skaug
RS 31164C1	Lewd conduct, minors, capital punishment	Rep. Tanner Rep. Skaug
RS 31194	Explicit synthetic media	Rep. Young
RS 31217	Liabilities of skiers and ski area operators	Rep. Ehardt
RS 31227	Freedom of speech, religion, civil action	Sen. Toews
RS 31228	Medicaid provider fraud, punishment	Rep. Cornilles
RS 31229	Joint Rule Three	Rep. Redman Sen. Toews
RS 31230	Critical infrastructure	Rep. Raybould
RS 30833	No public funds for gender transition	Rep. Young Rep. Skaug

Public Testimony Will Be Taken by Registering Through the Following Link:
[**Register to Testify**](#)

If you have written testimony, please provide a copy to the committee secretary.

COMMITTEE MEMBERS

Chairman Skaug
Vice Chairman Scott
Rep Ehardt
Rep Young
Rep Cannon
Rep Erickson

Rep Alfieri
Rep Allgood
Rep Dixon (24)
Rep Gallagher
Rep Garner
Rep Handy
Rep Lambert
Rep Sauter
Rep Wroten
Rep Gannon
Rep Nash (Stinson)
Rep Mathias

COMMITTEE SECRETARY

Nancy Conrad
Room: EW56
Phone: 332-1127
Email: hjud@house.idaho.gov

MINUTES
HOUSE JUDICIARY, RULES & ADMINISTRATION COMMITTEE

DATE: Wednesday, February 07, 2024

TIME: 1:30 P.M.

PLACE: Room EW42

MEMBERS: Chairman Skaug, Vice Chairman Scott, Representatives Ehardt, Young, Cannon, Erickson, Alfieri, Allgood, Dixon(24), Gallagher, Garner, Handy, Lambert, Sauter, Wroten, Gannon, Nash (Stinson), Mathias

**ABSENT/
EXCUSED:** Representative Allgood

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.

Vice Chairman Scott called the meeting to order at 1:32pm.

MOTION: **Rep. Stinson** made a motion to approve the February 5, 2024 meeting minutes.
Motion carried by voice vote.

RS 31110: **Rep. Dixon (1)** presented **RS 31110** regarding religious security teams and immunity.

MOTION: **Rep. Alfieri** made a motion to introduce **RS 31110**.
Committee inquired regarding training of religious security teams.
Motion carried by voice vote.

**VOTE ON
MOTION:**

RS 31121: **Rep. Cannon** presented **RS 31121** regarding lewd conduct and statutory rape.
Vice Chairman Scott put the committee at ease at 1:36pm.
Vice Chairman Scott reconvened the meeting at 1:38pm.

**UNANIMOUS
CONSENT
REQUEST:** **Vice Chairman Scott** requested unanimous consent to move **RS 31121** to the bottom of the agenda. There being no objection, consent was granted.

RS 31133: **Rep. Redman** presented **RS 31133** regarding mandatory minimums for crimes against children.

MOTION: **Rep. Alfieri** made a motion to introduce **RS 31133**. **Motion carried by voice vote.**

RS 31137: **Rep. Boyle** presented **RS 31137** regarding sheriff duties and traffic.

MOTION: **Rep. Garner** made a motion to introduce **RS 31137**. **Motion carried by voice vote.**
Vice Chairman Scott turned the gavel over to **Chairman Skaug**.

RS 31155: **Rep. Ehardt** presented **RS 31155** regarding the sexual offender registry.
Committee inquired regarding clarity of legislation.

MOTION: **Rep. Scott** made a motion to introduce **RS 31155**. **Motion carried by voice vote.**

H 465: **Rep. Healey** presented **H 465** regarding sexual abuse of children and artificial intelligence.

MOTION: **Rep. Scott** made a motion to send **H 465** to the floor with a **DO PASS** recommendation.

Jeff Nye, Idaho Office of the Attorney General, **Jared Mendenhall**, Internet Crimes Against Children Task Force, **Mary Ellen Nourse**, **Jonathan Wheatley**, **Whitne Strain**, and **John Dinger**, Idaho Prosecuting Attorney's Association, testified in support. No testimony was given in opposition.

Committee inquired regarding immunity, extent of victim exploitation, protocol for addressing reports, offender recidivism, frequency of AI pornography found on apprehended child sex offenders, effectiveness of legislation to protect children, and the use of artificial intelligence to fight AI child exploitation.

VOTE ON MOTION:

Motion carried unanimously by voice vote. Rep. Healey will sponsor the bill on the floor.

Chairman Skaug turned the gavel over to **Vice Chairman Scott**.

H 405: RS 31164C1:

Chairman Skaug presented **H 405** regarding sexual offenders, heinous sexual abuse of children under the age of twelve, and capital punishment.

Chairman Skaug requested the committee **HOLD H 405** in committee at the call of the chair and, upon introduction, **RS 31164C1** be sent to the Second Reading Calendar.

Rep. Erickson inquired regarding point of order of **Chairman Skaug's** request.

Vice Chairman Scott verified parliamentary accuracy.

Committee inquired regarding differences in **H 405** and **RS 31164C1**.

MOTION:

Rep. Cannon made a motion to **HOLD H 405** in committee at the call of the chair and to introduce **RS 31164C1** and recommend it be sent directly to the Second Reading Calendar.

Whitne Strain testified in support.

VOTE ON MOTION:

Vice Chairman Scott called for a vote on the motion to **HOLD H 405** in committee at the call of the chair. **Motion carried by voice vote. Rep. Mathias** requested to be recorded as voting **NAY**.

VOTE ON MOTION:

Vice Chairman Scott called for a vote on the motion to introduce **RS 31164C1** and recommend it be sent directly to the Second Reading Calendar. **Motion carried by voice vote.** Representatives **Mathias**, **Stinson**, and **Gannon** requested to be recorded as voting **NAY**. **Rep. Tanner** and **Rep. Skaug** will sponsor the bill on the floor.

Vice Chairman Scott turned the gavel over to **Chairman Skaug**.

Chairman Skaug put the committee at ease at 2:32pm.

Chairman Skaug reconvened the meeting at 2:34pm.

RS 31121:

Rep. Cannon presented **RS 31121** regarding lewd conduct with a minor child under sixteen.

MOTION:

Rep. Ehardt made a motion to introduce **RS 31121** with the following changes: line 9 strike "three", insert "four", and line 10 strike "(3)", insert "(4)". **Motion carried by unanimous voice vote.**

RS 31194:

Rep. Young presented **RS 31194** regarding explicit synthetic media.

MOTION:

Rep. Gannon made a motion to introduce **RS 31194** with the following changes: page 1 line 28, change "(3)" to "(5)", page 2 line 16, insert "human authored" before "drawings" and page 2, delete lines 24-26. **Motion carried by unanimous voice vote.**

MOTION:

Rep. Erickson made a motion to introduce **RS 31217**, **RS 31227**, **RS 31228**, **RS 31229**, **RS 31230**, and **RS 30833**. **Motion carried by voice vote.**

ADJOURN: There being no further business to come before the committee, the meeting adjourned at 2:50pm.

Representative Skaug
Chair

Nancy Conrad
Secretary

AMENDED AGENDA #1
HOUSE JUDICIARY, RULES & ADMINISTRATION COMMITTEE
1:30 P.M.
Room EW42
Tuesday, February 13, 2024

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ew42/>

SUBJECT	DESCRIPTION	PRESENTER
H 461	Administrative procedures	Rep. Dixon (24) Bryan Nickels, Office of Administrative Hearings
H 462	Commission of pardons and parole	Rep. Dixon (24) Ashley Dowell, Commission of Pardons and Parole
S 1220	Domestic terrorism	Rep. Pickett Senator Anthon

**PERSONS UNDER THE AGE OF 18
WHO WANT TO TESTIFY MUST HAVE A
PARENT/GUARDIAN PRESENT OR PROVIDE
A COMPLETED PARENTAL PERMISSION
SLIP.**

Public Testimony Will Be Taken by Registering Through the Following Link:
[Register to Testify](#)

If you have written testimony, please provide a copy to the committee secretary.

COMMITTEE MEMBERS

Chairman Skaug

Vice Chairman Scott

Rep Ehardt

Rep Young

Rep Cannon

Rep Erickson

Rep Alfieri

Rep Allgood

Rep Dixon (24)

Rep Gallagher

Rep Garner

Rep Handy

Rep Lambert

Rep Sauter

Rep Wroten

Rep Gannon

Rep Nash (Coberly)

Rep Mathias

COMMITTEE SECRETARY

Nancy Conrad

Room: EW56

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Email: hjud@house.idaho.gov

MINUTES

HOUSE JUDICIARY, RULES & ADMINISTRATION COMMITTEE

DATE: Tuesday, February 13, 2024

TIME: 1:30 P.M.

PLACE: Room EW42

MEMBERS: Chairman Skaug, Vice Chairman Scott, Representatives Ehardt, Young, Cannon, Erickson, Alfieri, Allgood, Dixon(24), Gallagher, Garner, Handy, Lambert, Sauter, Wroten, Gannon, Nash (Stinson), Mathias

**ABSENT/
EXCUSED:** Representative Alfieri

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 Skaug called the meet to order at 1:29pm.

MOTION: **Rep. Wroten** made a motion to approve the February 7, 2024 meeting minutes.
Motion carried by voice vote.

H 461: **Rep. Dixon (24)** and **Bryan Nickels**, Chief Administrative Officer, Office of Administrative Hearings, presented **H 461** regarding administrative proceedings of the Office of Administrative Hearings.

MOTION: **Rep. Wroten** made a motion to send **H 461** to the floor with a **DO PASS** recommendation.

Committee inquired regarding implications of the legislation, departments falling under addressed disputes, and agency growth.

**VOTE ON
MOTION:** **Motion carried by voice vote. Rep. Dixon (24)** will sponsor the bill on the floor.

H 462: **Rep. Dixon (24)** and **Ashley Dowell**, Executive Director of the Idaho Commission of Pardons and Parole, presented **H 462** regarding the Commission of Pardons and Parole and to correct errors and clarify existing language.

Committee inquired regarding specific changes, bodies authorized to issue warrants, ultimate supervisory authority, history of the Commission of Pardons and Parole and the catalyst of the change in statute.

MOTION: **Rep. Garner** made a motion to send **H 462** to the floor with a **DO PASS** recommendation.

Julianne Donnelly Tzul, ACLU of Idaho, testified in neutrality toward **H 462**.

**VOTE ON
MOTION:** **Motion carried by voice vote. Rep. Dixon (24)** will sponsor the bill on the floor.

S 1220: **Rep. Pickett** presented **S 1220** regarding domestic terrorism, due process, and the weaponization of labels.

Chairman Skaug informed the committee that testimony would be taken regarding **S 1220** and the vote would occur at a later date.

Committee inquired regarding current code that addresses domestic terrorism, history of code, impact of the law in Idaho, increase in quantity of individuals on the terrorist watch list, existence of an Idaho agency that currently tracks domestic terrorism, and protection of due process for individual American citizens.

Jennie Bateman, Minidoka Republican Central Committee, **Jill Clark**, **Mark Herr**, Center for Self Governance, testified **in support**.

Dianna David, **Eric Gironda**, **Tara Adams**, **Karen Hansen**, **Kathy Dawes**, **Andrea Wilson**, testified **in opposition**.

Committee inquired regarding lack of reporting assault, the spectrum of groups of citizens participating in First Amendment protected protests, impact of removing the "domestic" aspect of legislation regarding terrorism, application of current criminal law, non-governmental organization influence, and clarification of state and federal involvement.

Chairman Skaug put the committee at ease at 3:04pm.

Chairman Skaug reconvened the meeting at 3:17pm.

Nizhoni Crane, **Eric Parker**, and **Julie Lynde**, Idaho Family Policy Center, testified **in support**.

Julianne Donnelly Tzul, ACLU of Idaho, and **Marsha Bravo** testified **in opposition**.

Committee inquired regarding actual scenarios, domestic terrorist designation notification, ACLU support in similar legislation in Georgia, ACLU involvement with the Southern Poverty Law Center, existence of harm to Idaho citizens from an Idaho reporting mechanism between the state and federal government, clarity of definitions to protect civil liberties, vagueness of the definition "domestic terrorism", and sponsors' openness to language changes.

ADJOURN: There being no further business to come before the committee, the meeting adjourned at 3:55pm.

Representative Skaug
Chair

Nancy Conrad
Secretary

AMENDED AGENDA #1
HOUSE JUDICIARY, RULES & ADMINISTRATION COMMITTEE
1:30 P.M.
Room EW42
Thursday, February 15, 2024

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ew42/>

SUBJECT	DESCRIPTION	PRESENTER
H 408	Ski patrol, volunteer, liability	Rep. Dixon (24)
H 518	Medicaid fraud, penalties	Rep. Cornilles
H 544	Adoption records, age	Rep. Young

**PERSONS UNDER THE AGE OF 18
WHO WANT TO TESTIFY MUST HAVE A
PARENT/GUARDIAN PRESENT OR PROVIDE
A COMPLETED PARENTAL PERMISSION
SLIP.**

Public Testimony Will Be Taken by Registering Through the Following Link:
[Register to Testify](#)

If you have written testimony, please provide a copy to the committee secretary.

COMMITTEE MEMBERS

Chairman Skaug
Vice Chairman Scott
Rep Ehardt
Rep Young
Rep Cannon
Rep Erickson

Rep Alfieri
Rep Allgood
Rep Dixon (24)
Rep Gallagher
Rep Garner
Rep Handy

Rep Lambert
Rep Sauter
Rep Wroten
Rep Gannon
Rep Nash (Stinson)
Rep Mathias

COMMITTEE SECRETARY

Nancy Conrad
Room: EW56
Phone: 332-1127
Email: hjud@house.idaho.gov

MINUTES
HOUSE JUDICIARY, RULES & ADMINISTRATION COMMITTEE

DATE: Thursday, February 15, 2024

TIME: 1:30 P.M.

PLACE: Room EW42

MEMBERS: Chairman Skaug, Vice Chairman Scott, Representatives Ehardt, Young, Cannon, Erickson, Alfieri, Allgood, Dixon(24), Gallagher, Garner, Handy, Lambert, Sauter, Wroten, Gannon, Nash (Stinson), Mathias

**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 Skaug called the meeting to order at 1:30pm.

MOTION: **Rep. Stinson** made a motion to approve the February 13, 2024 meeting minutes. **Motion carried by voice vote.**

Chairman Skaug put the committee at ease at 1:31pm.

Chairman Skaug reconvened the meeting at 1:32pm.

H 408: **Rep. Dixon (24)** presented **H 408** regarding volunteer ski patrol liability.

Bill Myers, Bogus Basin Ski Patrol, testified **in support**.

MOTION: **Rep. Wroten** made a motion to send **H 408** to the floor with a **DO PASS** recommendation.

Committee inquired regarding ski patrol standards, dues required by national ski patrol organization, competitors to the system, other relevant Good Samaritan statutes, emergency and non-emergency insurance coverage comparisons, quantity of civil liability suits brought, definition of "bike patroller," and the impact of legislation on other volunteer entities.

Barbara Jordan, Idaho Trial Lawyers Association, testified **in opposition**.

Committee inquired regarding other options for volunteer ski patrol protection, lack of insurance coverage, cost and availability of insurance coverage, the reasoning behind volunteer waivers, and the necessity of a volunteer ski patrol.

VOTE ON MOTION: **Motion carried by voice vote. Rep. Dixon (24)** will sponsor the bill on the floor.

H 518: **Rep. Cornilles** presented **H 518** regarding penalties for Medicaid fraud.

Jeff Nye, Idaho Office of the Attorney General, testified **in support**.

Committee inquired regarding the cost of Medicaid fraud in Idaho, clarification of federal and state prosecution, relative punishment between federal and state convictions, and scenarios of Medicaid fraud.

MOTION: **Rep. Scott** made a motion to send **H 518** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote. Rep. Cornilles** will sponsor the bill on the floor.

H 544: **Rep. Young** presented **H 544** regarding adoption records.

Committee inquired regarding sealed records, privacy concerns for birth parents, access to medical records and family history, application to adoptions from past agreements between birth parents and the state, impact of a paper-trail to decrease and increase adoptions and abortions respectively, and clarification of the registry process for both parties.

Rep. Gallagher declared Rule 80.

MOTION: **Rep. Ehardt** made a motion to send **H 544** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Young** will sponsor the bill on the floor.

ADJOURN: There being no further business to come before the committee, the meeting adjourned at 2:48pm.

Representative Skaug
Chair

Nancy Conrad
Secretary

AGENDA
HOUSE JUDICIARY, RULES & ADMINISTRATION COMMITTEE
1:30 P.M.
Room EW42
Monday, February 19, 2024

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ew42/>

SUBJECT	DESCRIPTION	PRESENTER
H 482	Juvenile corrections, hearings	Rep. Handy
H 517	Freedom of religion, speech, action	Rep. Skaug Senator Toews
HCR 23	Joint rule 11	Rep. Moyle

**PERSONS UNDER THE AGE OF 18
WHO WANT TO TESTIFY MUST HAVE A
PARENT/GUARDIAN PRESENT OR PROVIDE
A COMPLETED PARENTAL PERMISSION
SLIP.**

Public Testimony Will Be Taken by Registering Through the Following Link:
[***Register to Testify***](#)

If you have written testimony, please provide a copy to the committee secretary.

COMMITTEE MEMBERS

Chairman Skaug
Vice Chairman Scott
Rep Ehardt
Rep Young
Rep Cannon
Rep Erickson

Rep Alfieri
Rep Allgood
Rep Dixon (24)
Rep Gallagher
Rep Garner
Rep Handy

Rep Lambert
Rep Sauter
Rep Wroten
Rep Gannon
Rep Nash (Stinson)
Rep Mathias

COMMITTEE SECRETARY

Nancy Conrad
Room: EW56
Phone: 332-1127
Email: hjud@house.idaho.gov

MINUTES
HOUSE JUDICIARY, RULES & ADMINISTRATION COMMITTEE

DATE: Monday, February 19, 2024

TIME: 1:30 P.M.

PLACE: Room EW42

MEMBERS: Chairman Skaug, Vice Chairman Scott, Representatives Ehardt, Young, Cannon, Erickson, Alfieri, Allgood, Dixon(24), Gallagher, Garner, Handy, Lambert, Sauter, Wroten, Gannon, Mathias, 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 Skaug called the meeting to order at 1:31pm.

MOTION: **Rep. Wroten** made a motion to approve the February 15, 2024 meeting minutes. **Motion carried by voice vote.**

HCR 23: **Rep. Moyle** presented **HCR 23** regarding Joint Rule 11.

Committee inquired regarding possible Senate response and whether legislation would only impact JFAC.

MOTION: **Rep. Wroten** made a motion to send **HCR 23** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Mathias** requested to be recorded as voting **NAY**. **Rep. Moyle** will sponsor the bill on the floor.

Chairman Skaug turned the gavel over to **Vice Chairman Scott**.

H 517: **Rep. Skaug** and **Sen. Toews** presented **H 517** regarding freedom of religion and speech.

Committee inquired regarding limitation of federal rights, application of criminal acts and gross misconduct, scope of employment, clarification of liability of government entities, redundancy of statute, requirement of a finding of malice or intent, and definition of religion.

ORIGINAL MOTION: **Rep. Alfieri** made a motion to send **H 517** to the floor with a **DO PASS** recommendation.

Katherine Hartley, Pacific Justice Institute, testified **in support**.

Paul Rolig, Nissa Nagel, Sara LaWall, Boise Unitarian Universalist Fellowship, and **Julianne Donnelly Tzul**, ACLU of Idaho, testified **in opposition**.

Committee inquired regarding impact on religions that do not believe in certain medical procedures, balancing protection of employees and others, codification of state law to align with current federal protections, application of the authority of the attorney general, federal supremacy compared to state authority regarding freedom of religion and speech, benefits of legislation, the possibility of judges being sued, past examples to which legislation could have been applied, and speed and cost of litigation.

SUBSTITUTE MOTION: **Rep. Sauter** made a motion to **HOLD H 517** in committee at the call of the chair.

**ROLL CALL
VOTE ON
SUBSTITUTE
MOTION:**

Vice Chairman Scott requested a roll call vote in reversed order of seniority. **Substitute motion failed by a vote of 8 AYE and 10 NAY. Voting in favor of the motion: Reps. Achilles, Mathias, Gannon, Wroten, Sauter, Garner, Dixon (24), Allgood. Voting in opposition to the motion: Reps. Lambert, Handy, Gallagher, Alfieri, Erickson, Cannon, Young, Ehardt, Scott, Skaug.**

**ROLL CALL
VOTE ON
ORIGINAL
MOTION:**

Vice Chairman Scott requested a roll call vote in reversed order of seniority. **Original motion carried by a vote of 12 AYE and 6 NAY. Voting in favor of the motion: Reps. Wroten, Lambert, Handy, Gallagher, Allgood, Alfieri, Erickson, Cannon, Young, Ehardt, Scott, Skaug. Voting in opposition to the motion: Reps. Achilles, Mathias, Gannon, Sauter, Garner, Dixon (24). Rep. Skaug** will sponsor the bill on the floor.

Vice Chairman Scott turned over the gavel to **Chairman Skaug**.

H 482:

Rep. Handy presented **H 482** regarding juvenile corrections and expungement hearings.

Committee inquired if current statute requires an attorney.

MOTION:

Rep. Scott made a motion to send **H 482** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote. Rep. Handy** will sponsor the bill on the floor.

ADJOURN:

There being no further business to come before the committee, the meeting adjourned at 2:51pm.

Representative Skaug
Chair

Nancy Conrad
Secretary

AGENDA
HOUSE JUDICIARY, RULES & ADMINISTRATION COMMITTEE
2:30 P.M.
Room EW42
Wednesday, February 21, 2024

NOTE MEETING TIME

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ew42/>

SUBJECT	DESCRIPTION	PRESENTER
H 494	Combatting commercial sex trafficking	Rep. Crane (12) Rep. Skaug Senator Lakey
H 575	Malicious disclosure of AI media	Rep. Young
H 520	No public funds for gender transition	Rep. Young

**PERSONS UNDER THE AGE OF 18
WHO WANT TO TESTIFY MUST HAVE A
PARENT/GUARDIAN PRESENT OR PROVIDE
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SLIP.**

***Public Testimony Will Be Taken by Registering Through the Following Link:
[Register to Testify](#)***

If you have written testimony, please provide a copy to the committee secretary.

COMMITTEE MEMBERS

Chairman Skaug
Vice Chairman Scott
Rep Ehardt
Rep Young
Rep Cannon
Rep Erickson

Rep Alfieri
Rep Allgood
Rep Dixon (24)
Rep Gallagher
Rep Garner
Rep Handy

Rep Lambert
Rep Sauter
Rep Wroten
Rep Gannon
Rep Nash (Stinson)
Rep Mathias

COMMITTEE SECRETARY

Nancy Conrad
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Email: hjud@house.idaho.gov

MINUTES

HOUSE JUDICIARY, RULES & ADMINISTRATION COMMITTEE

DATE: Wednesday, February 21, 2024

TIME: 2:30 P.M.

PLACE: Room EW42

MEMBERS: Chairman Skaug, Vice Chairman Scott, Representatives Ehardt, Young, Cannon, Erickson, Alfieri, Allgood, Dixon(24), Gallagher, Garner, Handy, Lambert, Sauter, Wroten, Gannon, Mathias, Achilles

**ABSENT/
EXCUSED:** Representatives Ehardt and Sauter

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.

Vice Chairman Scott called the meeting to order at 2:30pm.

MOTION: **Rep. Wroten** made a motion to approve the February 19, 2024 meeting minutes. **Motion carried by voice vote.**

H 494: **Rep. Crane (12)** and **Jeff Nye**, Chief Deputy, Idaho Office of the Attorney General, presented **H 494** regarding combatting commercial sex trafficking.

Vice Chairman Scott turned the gavel over to **Chairman Skaug**.

Committee inquired regarding removed language, clarity in definitions of "commercial sex trafficking" and "victims of human trafficking", evidentiary basis between a victim and a commercial seller of sex, resources needed for an additional attorney, transient nature of commercial sex trafficking, database of perpetrators, and an overview of human trafficking data.

Paula Barthelmess testified in support.

Jay Logson, Idaho Association of Criminal Defense Attorneys, testified in opposition.

Committee inquired regarding quantity of sex trafficking performed by family members, cartels, and deviants, scenarios involving women who have been victims of commercial sex trafficking, and solutions to preventing the unknowing transportation of commercial sex traffickers.

MOTION: **Rep. Wroten** made a motion to send **H 494** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Crane (12)** will sponsor the bill on the floor.

H 575: **Rep. Young** and **Rep. Gannon** presented **H 575** regarding malicious disclosure of explicit AI generated media.

Jonathan Wheatley, **Grace Howat**, Idaho Family Policy Center, and **Jeff Nye**, Chief Deputy, Idaho Office of the Attorney General, testified in support.

Committee inquired regarding tactics to stop incidents of explicit AI exploitation and effectiveness of legislation in the future.

MOTION: **Rep. Wroten** made a motion to send **H 575** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Young** and **Rep. Gannon** will sponsor the bill on the floor.

H 520: **Rep. Young** presented **H 520** regarding no public funding for gender transition.

Mark Bryan, Mary Ellen Nourse, Mark Eaton, and Thad Butterworth testified in support.

Isaac Craghtten, Nikson Matthews, Amy Dundon, American Civil Liberties Union of Idaho, **Anthony Loper, Micah McDonald, and Mistie DelliCarpini-Tolman**, Planned Parenthood Alliance Advocates, testified in opposition.

Committee inquired regarding tax paying adults and elective surgeries, the ability of state employees to receive insurance coverage for hormone therapy, the impact on intersex individuals, Constitutional standing regarding elective surgeries and Medicaid, insurance coverage process regarding puberty blockers, equal rights, frequency of state dollars used for gender transition therapy, the contrast between surgeries to remove harmful body parts as opposed to surgeries to remove healthy body parts, exceptions for adults and children, and explanation of applicable health-care facilities.

MOTION: **Rep. Scott** made a motion to send **H 520** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Reps. Mathias, Achilles,** and **Garner** requested to be recorded as voting **NAY.** **Rep. Young** and **Rep. Skaug** will sponsor the bill on the floor.

ADJOURN: There being no further business to come before the committee, the meeting adjourned at 4:35pm.

Representative Skaug
Chair

Nancy Conrad
Secretary

AGENDA
HOUSE JUDICIARY, RULES & ADMINISTRATION COMMITTEE
12:00 PM OR UPON ADJOURNMENT
Room EW42
Friday, February 23, 2024

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ew42/>

SUBJECT	DESCRIPTION	PRESENTER
<u>05-0102-2301</u>	Rules and Standards for Secure Juvenile Detention Centers (ZBR Chapter Repeal) - Proposed Rule	Director Monty Prow, Idaho Department of Juvenile Corrections
<u>05-0104-2301</u>	Uniform Standards for Juvenile Probation Services (ZBR Chapter Rewrite) - Proposed Rule	Director Monty Prow, Idaho Department of Juvenile Corrections
<u>05-0201-2301</u>	Rules for Residential Treatment Providers (ZBR Chapter Repeal) - Proposed Rule	Director Monty Prow, Idaho Department of Juvenile Corrections
<u>11-0701-2301</u>	Rules Governing Motor Vehicles - General Rules (ZBR Chapter Rewrite) - Proposed Rule	Lt. Col. Bill Gardiner, ISP Deputy Director
<u>11-0703-2301</u>	Rules Governing Emergency Vehicles/Authorized Emergency Vehicles (ZBR Chapter Rewrite) - Proposed Rule	Lt. Col. Bill Gardiner, ISP Deputy Director
<u>11-1001-2301</u>	Rules Governing Idaho Public Safety and Security Information System (Fee Rule) - Temporary and Proposed Rule	Leila McNeill, Criminal Identification Bureau Chief
<u>50-0101-2301</u>	Rules of the Commission of Pardons and Parole (ZBR Chapter Rewrite) - Proposed Rule	Executive Director Ashley Dowell, Idaho Commission of Pardons and Parole
<u>62-0101-2301</u>	Idaho Rules of Administrative Procedure (New Chapter) - Proposed Rule	Bryan Nickels, Chief Administrative Hearing Officer, Office of Administrative Hearings

Public Testimony Will Be Taken by Registering Through the Following Link:
[**Register to Testify**](#)

If you have written testimony, please provide a copy to the committee secretary.

COMMITTEE MEMBERS

Chairman Skaug
 Vice Chairman Scott
 Rep Ehardt
 Rep Young
 Rep Cannon
 Rep Erickson

Rep Alfieri
 Rep Allgood
 Rep Dixon (24)
 Rep Gallagher
 Rep Garner
 Rep Handy

Rep Lambert
 Rep Sauter
 Rep Wroten
 Rep Gannon
 Rep Nash (Stinson)
 Rep Mathias

COMMITTEE SECRETARY

Nancy Conrad
 Room: EW56
 Phone: 332-1127
 Email: hjud@house.idaho.gov

MINUTES
HOUSE JUDICIARY, RULES & ADMINISTRATION COMMITTEE

DATE: Friday, February 23, 2024

TIME: 12:00 PM OR UPON ADJOURNMENT

PLACE: Room EW42

MEMBERS: Chairman Skaug, Vice Chairman Scott, Representatives Ehardt, Young, Cannon, Erickson, Alfieri, Allgood, Dixon(24), Gallagher, Garner, Handy, Lambert, Sauter, Wroten, Gannon, Mathias, Achilles

**ABSENT/
EXCUSED:** Representatives Alfieri, Garner, Lambert, Sauter

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.

Vice Chairman Scott called the meeting to order at 12:32pm.

MOTION: **Rep. Wroten** made a motion to approve the February 21, 2024 meeting minutes.
Motion carried by voice vote.

DOCKET NO. 05-0102-2301: **Director Monty Prow**, Idaho Department of Juvenile Corrections, presented **Docket No. 05-0102-2301** regarding rules and standards for secure juvenile detention centers.

MOTION: **Rep. Cannon** made a motion to approve **Docket No. 05-0102-2301** in its entirety. Committee inquired regarding verification of no substantive changes, and definition of "status offense".

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

DOCKET NO. 05-0104-2301: **Director Monty Prow**, Idaho Department of Juvenile Corrections, presented **Docket No. 05-0104-2301** regarding uniform standards for juvenile probation services. Committee inquired regarding facility compliance and standards, and frequency and comprehensiveness of reviews.

MOTION: **Rep. Wroten** made a motion to approve **Docket No. 05-0104-2301** in its entirety.
Motion carried by voice vote.

DOCKET NO. 05-0201-2301: **Director Monty Prow**, Idaho Department of Juvenile Corrections, presented **Docket No. 05-0201-2301** regarding rules for residential treatment providers.

MOTION: **Rep. Wroten** made a motion to approve **Docket No. 05-0201-2301** in its entirety.
Motion carried by voice vote.

DOCKET NO. 11-0701-2301: **Lt. Col. Bill Gardiner**, Deputy Director, Idaho State Police, presented **Docket No. 11-0701-2301** regarding rules governing motor vehicles. Committee inquired regarding removed section.

MOTION: **Rep. Wroten** made a motion to approve **Docket No. 11-0701-2301** in its entirety.
Motion carried by voice vote.

DOCKET NO. 11-0703-2301: **Lt. Col. Bill Gardiner**, Deputy Director, Idaho State Police, presented **Docket No. 11-0703-2301** regarding rules governing emergency vehicles.

Committee inquired regarding authorization requirements, certificates carried, emergency vehicle categorization, and distracted driving concerns due to texting.

MOTION: **Rep. Wroten** made a motion to approve **Docket No. 11-0703-2301** in its entirety. **Motion carried by voice vote.**

DOCKET NO. 11-1001-2301: **Leila McNeill**, Criminal Identification Bureau Chief, presented **Docket No. 11-1001-2301** regarding rules governing Idaho public safety and security information system.

Committee inquired regarding agency feedback, reasons for fee increases, total number of system users, and the basis of distribution of users among the various categories.

MOTION: **Rep. Wroten** made a motion to approve **Docket No. 11-1001-2301** in its entirety. **Motion carried by voice vote.**

DOCKET NO. 50-0101-2301: **Ashley Dowell**, Executive Director, Idaho Commission of Pardons and Parole, presented **Docket No. 50-0101-2301** regarding rules of the Commission of Pardons and Parole.

Committee inquired regarding sex offender risk assessment, inclusion of language referencing the authority to establish rules per statute, if the agency creates rules outside statute, and promulgation of rules within the law or apart from the law.

MOTION: **Rep. Wroten** made a motion to approve **Docket No. 50-0101-2301** in its entirety. **Motion carried by voice vote.**

DOCKET NO. 62-0101-2301: **Bryan Nickels**, Chief Administrative Officer, Office of Administrative Hearings, presented **Docket No. 62-0101-2301** regarding Idaho rules of administrative procedure.

Committee inquired regarding navigation of the Office of Administrative Hearings, types of cases heard, hearing process time-line, number of cases adjudicated annually, the possibility of providing assistance to the Water Board, explanation of hearing expense, oversight of hearing expense, number of cases in which attorneys represent a party, the number of disputes last year in which resolution or mediation was encouraged, the appeals process after agency decisions, and child protective services application.

MOTION: **Rep. Allgood** made a motion to approve **Docket No. 62-0101-2301** in its entirety. **Motion carried by voice vote.**

ADJOURN: There being no further business to come before the committee, the meeting adjourned at 1:30pm.

Representative Scott
Vice Chair

Nancy Conrad
Secretary

AMENDED AGENDA #1
HOUSE JUDICIARY, RULES & ADMINISTRATION COMMITTEE
1:30 PM or UPON ADJOURNMENT
Room EW42
Tuesday, February 27, 2024

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ew42/>

SUBJECT	DESCRIPTION	PRESENTER
H 600	Assault, battery, penalties	Rep. Allgood
H 629	Divorce, guardian ad litem	Rep. Pickett
H 514	Sexual offender registry	Rep. Ehardt

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SLIP.**

Public Testimony Will Be Taken by Registering Through the Following Link:
[Register to Testify](#)

If you have written testimony, please provide a copy to the committee secretary.

COMMITTEE MEMBERS

Chairman Skaug	Rep Alfieri	Rep Lambert
Vice Chairman Scott	Rep Allgood	Rep Sauter
Rep Ehardt	Rep Dixon (24)	Rep Wroten
Rep Young	Rep Gallagher	Rep Gannon
Rep Cannon	Rep Garner	Rep Mathias
Rep Erickson	Rep Handy	Rep Achilles

COMMITTEE SECRETARY

Nancy Conrad
Room: EW56
Phone: 332-1127
Email: hjud@house.idaho.gov

MINUTES
HOUSE JUDICIARY, RULES & ADMINISTRATION COMMITTEE

DATE: Tuesday, February 27, 2024

TIME: 1:30 PM or UPON ADJOURNMENT

PLACE: Room EW42

MEMBERS: Chairman Skaug, Vice Chairman Scott, Representatives Ehardt, Young, Cannon, Erickson, Alfieri, Allgood, Dixon(24), Gallagher, Garner, Handy, Lambert, Sauter, Wroten, Gannon, Mathias, Achilles

**ABSENT/
EXCUSED:** Representatives Dixon (24), Lambert

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 Skaug called the meeting to order at 3:02pm.

MOTION: **Rep. Wroten** made a motion to approve the February 23, 2024 meeting minutes. **Motion carried by voice vote.**

H 600: **Rep. Allgood** presented **H 600** regarding assault by strangulation, battery, and penalties.

MOTION: **Rep. Scott** made a motion to send **H 600** to the floor with a **DO PASS** recommendation.

Committee inquired regarding efforts to double-down on crime with more prison time, and danger to officers during domestic violence calls.

Jennifer Beazer, Dan Dinger, Ada County Prosecutor, and **Bridget Kernan**, Caldwell Police Department, testified **in support**.

Committee inquired regarding the definition of attempted strangulation, necessity of dating relationship of perpetrator to victim, and the commensurate application to sibling disputes.

VOTE ON MOTION: **Motion carried by voice vote. Rep. Cannon** requested to be recorded as voting **NAY. Rep. Allgood** will sponsor the bill on the floor.

H 629: **Rep. Pickett** presented **H 629** regarding divorce and guardian ad litem.

MOTION: **Rep Wroten** made a motion to send **H 629** to the floor with a **DO PASS** recommendation.

Committee inquired as to guardianship during divorce proceedings and the application of a guardian ad litem, and the history of guardian ad litem in Idaho.

VOTE ON MOTION: **Motion carried by voice vote. Rep. Pickett** will sponsor the bill on the floor.

H 514: **Rep. Ehardt** presented **H 514** regarding sexual offender registry.

Stephanie Brunson testified **in support**.

Committee inquired regarding clarification of aggravated offense dependent upon age of victim and age span between perpetrator and victim.

MOTION: **Rep. Gallagher** made a motion to send **H 514** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote. Rep. Ehardt** will sponsor the bill on the floor.

ADJOURN: There being no further business to come before the committee, the meeting adjourned at 3:46pm.

Representative Skaug
Chair

Nancy Conrad
Secretary

AMENDED AGENDA #3
HOUSE JUDICIARY, RULES & ADMINISTRATION COMMITTEE
1:30 PM or UPON ADJOURNMENT
Room EW42
Thursday, February 29, 2024

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ew42/>

SUBJECT	DESCRIPTION	PRESENTER
H 654	Corrections, employment, benefits	Rep. Erickson
H 513	Sheriff, duties, traffic	Rep. Boyle
H 606	Marijuana, penalty, less than 3 oz	Rep. Skaug Rep. Redman
H 613	Advertising illegal products	Rep. Boyle
H 668	No public funds for gender transition	Rep. Young Rep. Skaug
	Execution Report	Director Josh Tewalt, Idaho Department of Correction

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SLIP.**

Public Testimony Will Be Taken by Registering Through the Following Link:
[Register to Testify](#)

If you have written testimony, please provide a copy to the committee secretary.

COMMITTEE MEMBERS

Chairman Skaug	Rep Alfieri	Rep Lambert
Vice Chairman Scott	Rep Allgood	Rep Sauter
Rep Ehardt	Rep Dixon (24)	Rep Wroten
Rep Young	Rep Gallagher	Rep Gannon
Rep Cannon	Rep Garner	Rep Mathias
Rep Erickson	Rep Handy	Rep Achilles

COMMITTEE SECRETARY

Nancy Conrad
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Phone: 332-1127
Email: hjud@house.idaho.gov

MINUTES
HOUSE JUDICIARY, RULES & ADMINISTRATION COMMITTEE

DATE: Thursday, February 29, 2024

TIME: 1:30 PM or UPON ADJOURNMENT

PLACE: Room EW42

MEMBERS: Chairman Skaug, Vice Chairman Scott, Representatives Ehardt, Young, Cannon, Erickson, Alfieri, Allgood, Dixon(24), Gallagher, Garner, Handy, Lambert, Sauter, Wroten, Gannon, Mathias, Achilles

**ABSENT/
EXCUSED:** Representative Mathias

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 Skaug called the meeting to order at 1:51pm.

MOTION: **Rep. Wroten** made a motion to approve the February 27, 2024 meeting minutes. **Motion carried by voice vote.**

H 654: **Rep. Erickson** and **Director Josh Tewalt**, Idaho Department of Correction, presented **H 654** regarding corrections, employment, and benefits.

Committee inquired regarding the number of inmates, additional burdens to employees when hiring former or current inmates, and application to county jails.

MOTION: **Rep. Wroten** made a motion to send **H 654** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Erickson** will sponsor the bill on the floor.

H 513: **Rep. Boyle** presented **H 513** regarding sheriff duties and traffic.

Committee inquired regarding current emergency practices, and other authorities permitted to close roads.

Sheriff Chris Goetz, Clearwater County Sheriff, Idaho Sheriff's Association, and **Sheriff Matt Thomas**, Washington County Sheriff's Office, testified **in support**.

Committee inquired regarding opposition to the legislation, and boundaries of authority for different entities.

MOTION: **Rep. Garner** made a motion to send **H 513** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Boyle** will sponsor the bill on the floor.

Chairman Skaug turned the gavel over to **Vice Chairman Scott**.

H 606: **Rep. Skaug** presented **H 606** regarding penalties for possession of less than 3 ounces of marijuana.

Committee inquired regarding penalties, discretion, harshness of fine, range of penalties, and 3 ounce language in current statute.

Lieutenant Jason Kimball, Nampa Police Department, **Anthony Oxsen**, **Sheriff Matt Thomas**, Washington County Sheriff's Office, **Titus Folks**, Idaho Family Policy Center, and **Dan Murphy** testified **in support**.

Amy Dundon, ACLU of Idaho, testified **in opposition**.

Committee inquired regarding marijuana possession as a misdemeanor, court costs and restitution, first offense issues regarding minors and comparison to under-age alcohol consumption, judicial discretion, juvenile probation, infractions, relationship between alcohol and violent crime, and abuse and use of medical marijuana.

MOTION: **Rep. Alfieri** made a motion to send **H 606** to the floor with a **DO PASS** recommendation.

SUBSTITUTE MOTION: **Rep. Cannon** made a substitute motion to **HOLD H 606** in committee. **Motion carried by voice vote.**

Vice Chairman Scott turned the gavel over to **Chairman Skaug**.

H 613: **Rep. Boyle** presented **H 613** regarding advertisement of illegal products.

Sheriff Chris Goetz, Clearwater County Sheriff, Idaho Sheriff's Association, **Chief Rex Ingram**, Caldwell Police Department, and **Grace Howat**, Idaho Family Policy Center, testified **in support**.

Julianne Donnelly Tzul, ACLU of Idaho, testified **in opposition**.

Committee inquired regarding clarification of intent of legislation, regulation of services, application of the term "willfully", clarification of types of media, federal application, and language confusion.

MOTION: **Rep. Ehardt** made a motion to send **H 613** to the floor with a **DO PASS** recommendation.

SUBSTITUTE MOTION: **Rep. Young** made a substitute motion to send **H 613** to General Orders. **Motion carried by voice vote.** **Reps. Cannon** and **Ehardt** requested to be recorded as voting **NAY**. **Rep. Boyle** will sponsor the bill on the floor.

Director Josh Tewalt, Idaho Department of Correction, presented a post execution report regarding the attempted execution of **Thomas Creech**.

Committee inquired regarding the death warrant process, execution time-line of thirty days, application of mechanized firing squad, location of IV attempts, assessment of available veins, exterior firing squad facility viability, present hindrances to setting up a firing squad structure, possibility of politics playing a part in the failed execution, and possibility of countermeasures by **Mr. Creech**.

Chairman Skaug held the remaining agenda item to be heard at a future meeting.

ADJOURN: There being no further business to come before the committee, the meeting adjourned at 3:56pm.

Representative Skaug
Chair

Nancy Conrad
Secretary

AGENDA
HOUSE JUDICIARY, RULES & ADMINISTRATION COMMITTEE
1:30 PM or UPON ADJOURNMENT
Room EW42
Friday, March 01, 2024

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ew42/>

SUBJECT	DESCRIPTION	PRESENTER
H 601	Security teams	Rep. Dixon (1)
S 1220	Domestic terrorism No further testimony will be taken.	Rep. Pickett
H 623	Domestic terrorism	Rep. Pickett
H 522	Amending cannibalism statute	Rep. Scott

**PERSONS UNDER THE AGE OF 18
WHO WANT TO TESTIFY MUST HAVE A
PARENT/GUARDIAN PRESENT OR PROVIDE
A COMPLETED PARENTAL PERMISSION
SLIP.**

***Public Testimony Will Be Taken by Registering Through the Following Link:
[Register to Testify](#)***

If you have written testimony, please provide a copy to the committee secretary.

COMMITTEE MEMBERS

Chairman Skaug

Vice Chairman Scott

Rep Ehardt

Rep Young

Rep Cannon

Rep Erickson

Rep Alfieri

Rep Allgood

Rep Dixon (24)

Rep Gallagher

Rep Garner

Rep Handy

Rep Lambert

Rep Sauter

Rep Wroten

Rep Gannon

Rep Mathias

Rep Achilles

COMMITTEE SECRETARY

Nancy Conrad

Room: EW56

Phone: 332-1127

Email: hjud@house.idaho.gov

MINUTES

HOUSE JUDICIARY, RULES & ADMINISTRATION COMMITTEE

DATE: Friday, March 01, 2024

TIME: 1:30 PM or UPON ADJOURNMENT

PLACE: Room EW42

MEMBERS: Chairman Skaug, Vice Chairman Scott, Representatives Ehardt, Young, Cannon, Erickson, Alfieri, Allgood, Dixon(24), Gallagher, Garner, Handy, Lambert, Sauter, Wroten, Gannon, Mathias, Achilles

**ABSENT/
EXCUSED:** Representatives Cannon, Erickson

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.

H 601: **Chairman Skaug** called the meeting to order at 1:30pm.

Rep. Dixon (1) presented **H 601** regarding security teams.

Committee inquired regarding firearm training, insurance expense, and current examples of civil liability incidents.

MOTION: **Rep. Scott** made a motion to send **H 601** to the floor with a **DO PASS** recommendation.

**ROLL CALL
VOTE ON
MOTION:** **Chairman Skaug** stated he was in doubt regarding the voice vote and called for a roll call vote on the motion. **Motion carried by a vote of 12 AYE, 4 NAY and 2 Absent/Excused. Voting in favor of the motion: Reps. Skaug, Scott, Ehardt, Young, Alfieri, Allgood, Dixon (24), Gallagher, Handy, Lambert, Sauter, Wroten. Voting in opposition to the motion: Reps. Garner, Gannon, Mathias, Achilles. Reps. Cannon and Erickson were absent/excused. Rep. Dixon (1) will sponsor the bill on the floor.**

S 1220: **Rep. Pickett** requested the committee **HOLD S 1220** in committee.

MOTION: **Rep. Mathias** made a motion to **HOLD S 1220** in committee at the call of the chair.

**SUBSTITUTE
MOTION:** **Rep. Scott** made a substitute motion to send **S 1220** to the floor with a **DO PASS** recommendation.

**AMENDED
SUBSTITUTE
MOTION:** **Rep. Wroten** made an amended substitute motion to **HOLD S 1220** in committee.

**UNANIMOUS
CONSENT
REQUEST:** **Rep. Scott** requested unanimous consent to withdraw her substitute motion. **Rep. Young** objected.

**VOTE ON
AMENDED
SUBSTITUTE
MOTION:** **Amended substitute motion carried by voice vote.**

H 623: **Rep. Pickett** presented **H 623** regarding domestic terrorism.

Maria Brown, Jenny Shurtliff, Julie Lynde, Idaho Family Policy Center, **Lydon Crane,** and **Jennie Bateman,** testified in support.

Dianna David, Karen Hansen, and Julianne Donnelly Tzul, ACLU of Idaho, testified in opposition.

Committee inquired regarding clarification of application to faith-based organizations, questionable validity of connections of faith-based organizations to foreign terrorist entities, criminal charges compared to domestic terrorism language, definition of terrorism, and positive impact to parents at school board meetings.

ORIGINAL MOTION:

Rep. Scott made a motion to send **H 623** to the floor with a **DO PASS** recommendation.

SUBSTITUTE MOTION:

Rep. Mathias made a substitute motion to **HOLD H 623** in committee.

AMENDED SUBSTITUTE MOTION:

Rep. Garner made an amended substitute motion to send **H 623** to General Orders.

ROLL CALL VOTE ON AMENDED SUBSTITUTE MOTION:

Chairman Skaug requested a roll call vote. **Amended substitute motion failed by a vote of 7 AYE, 9 NAY, and 2 Absent/Excused. Voting in favor of the motion: Reps. Dixon (24), Garner, Sauter, Wroten, Gannon, Mathias, Achilles. Voting in opposition to the motion: Reps. Skaug, Scott, Ehardt, Young, Alfieri, Allgood, Gallagher, Handy, Lambert. Reps. Cannon and Erickson were absent/excused.**

ROLL CALL VOTE ON SUBSTITUTE MOTION:

Chairman Skaug requested a roll call vote. **Substitute motion failed by a tie vote of 8 AYE, 8 NAY, and 2 Absent/Excused. Voting in favor of the motion: Reps. Allgood, Dixon (24), Garner, Sauter, Wroten, Gannon, Mathias, Achilles. Voting in opposition to the motion: Reps. Skaug, Scott, Ehardt, Young, Alfieri, Gallagher, Handy, Lambert. Reps. Cannon and Erickson were absent/excused.**

ROLL CALL VOTE ON ORIGINAL MOTION:

Chairman Skaug requested a roll call vote. **Motion failed by a tie vote of 8 AYE, 8 NAY, and 2 Absent/Excused. Voting in favor of the motion: Reps. Skaug, Scott, Ehardt, Young, Alfieri, Gallagher, Handy, Lambert. Voting in opposition to the motion: Reps. Allgood, Dixon (24), Garner, Sauter, Wroten, Gannon, Mathias, Achilles. Reps. Cannon and Erickson were absent/excused.**

Chairman Skaug put the committee at ease at 2:50pm.

Chairman Skaug reconvened the meeting at 2:58pm.

H 522:

Rep. Scott presented **H 522** regarding amending the cannibalism statute.

MOTION:

Rep. Dixon (24) made a motion to send **H 522** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote. Rep. Scott** will sponsor the bill on the floor.

ADJOURN:

There being no further business to come before the committee, the meeting adjourned at 3:01pm.

Representative Skaug
Chair

Nancy Conrad
Secretary

AGENDA
HOUSE JUDICIARY, RULES & ADMINISTRATION COMMITTEE
1:30 PM or UPON ADJOURNMENT
Room EW42
Tuesday, March 05, 2024

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ew42/>

SUBJECT	DESCRIPTION	PRESENTER
	Introduction	Senior Magistrate Judge Bryan Murray
	Benefits and process of domestic violence courts	Magistrate Judge Kira Dale, Fourth Judicial District
	Challenges with protective orders in child protection proceedings	Magistrate Judge Andrew Ellis, Fourth Judicial District
	Daily work of Idaho magistrate judges	Magistrate Judge Faren Eddins, Seventh Judicial District
H 651	Costs of recapture, reimbursement	Rep. Boyle
S 1232aa	Child protection, parental rights	Rep. Scott Sen. Herndon
S 1326	Aggravated driving while reckless	Rep. Dixon (24) Sen. Hartgen
S 1329	Parental rights, medical decisions	Rep. Ehardt Sen. Anthon

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SLIP.**

***Public Testimony Will Be Taken by Registering Through the Following Link:
[Register to Testify](#)***

If you have written testimony, please provide a copy to the committee secretary.

COMMITTEE MEMBERS

Chairman Skaug
Vice Chairman Scott
Rep Ehardt
Rep Young
Rep Cannon
Rep Erickson

Rep Alfieri
Rep Allgood
Rep Dixon (24)
Rep Gallagher
Rep Garner
Rep Handy

Rep Lambert
Rep Sauter
Rep Wroten
Rep Gannon
Rep Mathias
Rep Achilles

COMMITTEE SECRETARY

Nancy Conrad
Room: EW56
Phone: 332-1127
Email: hjud@house.idaho.gov

MINUTES

HOUSE JUDICIARY, RULES & ADMINISTRATION COMMITTEE

DATE: Tuesday, March 05, 2024

TIME: 1:30 PM or UPON ADJOURNMENT

PLACE: Room EW42

MEMBERS: Chairman Skaug, Vice Chairman Scott, Representatives Ehardt, Young, Cannon, Erickson, Alfieri, Allgood, Dixon(24), Gallagher, Garner, Handy, Lambert, Sauter, Wroten, Gannon, Mathias (Church), 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.

MOTION: **Chairman Skaug** called the meeting to order at 1:33pm.

Rep. Wroten made a motion to approve the February 29, 2024 and March 1, 2024 meeting minutes. **Motion carried by voice vote.**

Senior Magistrate Judge Bryan Murray introduced the magistrate judges.

Magistrate Judge Kira Dale, Fourth Judicial District, presented benefits and process of domestic violence courts.

Committee inquired regarding the number of domestic violence courts in the state, statistics regarding recidivism and jail terms, application to juvenile violence, stress-coping mechanisms of judges and resource-providing organizations working with the courts.

Magistrate Judge Andrew Ellis, Fourth Judicial District, presented challenges with protective orders in child protection proceedings.

Committee inquired regarding the annual number of children in the adjudication process, removal process, time-line of process, oversight, and explanation of summons.

Magistrate Judge Faren Eddins, Seventh Judicial District, presented daily work of Idaho magistrate judges.

H 651: **Rep. Boyle** and **Sheriff Matt Clifford**, Ada County Sheriff's Association, presented **H 651** regarding costs of recapture and reimbursement.

Committee inquired regarding invoice process and oversight, resource limitations, invoice disputes, warrant tracking, and retrieval responsibility.

MOTION: **Rep. Gallagher** made a motion to send **H 651** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Boyle** will sponsor the bill on the floor.

S 1232aa: **Rep. Scott** and **Sen. Herndon** presented **S 1232aa** regarding child protection and parental rights.

Committee inquired regarding safety assessments, assessment settings, communication of bill requirements, clarification of language, and remedy.

MOTION: **Rep. Ehardt** made a motion to send **S 1232aa** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Scott** will sponsor the bill on the floor.

S 1326: **Rep. Dixon (24), Sen. Hartgen, and Robby Bleazard** presented **S 1326** regarding aggravated driving while reckless.

Committee inquired regarding comparison between road-rage and aggravated driving, origin of legislation, degrees of offense, and conflict regarding restitution.

Chairman Skaug put the committee at ease at 3:10pm.

Chairman Skaug reconvened the meeting at 3:20pm.

Committee inquired regarding clarification of "great bodily harm" and mandatory minimums.

Mike Pohanka and Michael Wendler testified in support.

ORIGINAL MOTION: **Rep. Allgood** made a motion to send **S 1326** to the floor with a **DO PASS** recommendation.

SUBSTITUTE MOTION: **Rep. Gannon** made a substitute motion to send **S 1326** to General Orders.

ROLL CALL VOTE ON SUBSTITUTE MOTION: **Rep. Scott** requested a a roll call vote. **Substitute motion failed by a tie vote of 9 AYE and 9 NAY. Voting in favor** of the motion: **Reps. Scott, Ehardt, Young, Cannon, Alfieri, Gallagher, Handy, Lambert, Gannon. Voting in opposition** to the motion: **Reps. Skaug, Erickson, Allgood, Dixon (24), Garner, Sauter, Wroten, Church, Achilles.**

ROLL CALL VOTE ON ORIGINAL MOTION: **Chairman Skaug** requested a roll call vote. **Original motion carried by a vote of 13 AYE and 5 NAY. Voting in support** of the motion: **Reps. Chairman, Ehardt, Young, Erickson, Allgood, Dixon (24), Garner, Handy, Sauter, Wroten, Gannon, Church, Achilles. Voting in opposition** to the motion: **Reps. Scott, Cannon, Alfieri, Gallagher, Lambert. Rep. Dixon (24)** will sponsor the bill on the floor.

S 1329: **Rep. Ehardt and Jordan Carpenter**, Alliance Defending Freedom, presented **S 1329** regarding parental rights and medical decisions.

Committee inquired regarding conflict with federal laws, interaction with federal health records, and application to faith-healings.

Jennifer Arzola and Kristi Hardy testified in support.

Michelle King, LC Valley Youth Resource Center, **Mistie Tolman**, Planned Parenthood Alliance Advocates, **Rory Cole**, and **Julianne Donnelly Tzul**, ACLU of Idaho, testified **in opposition.**

Committee inquired regarding negative impacts, referring physicians, contradiction to Idaho code, application to mental health, broadness of current statute, emergency exemptions, parental access to medical records, and negative impact of treatment provided without knowledge of family health history.

ORIGINAL MOTION: **Rep. Lambert** made a motion to send **S 1329** to the floor with a **DO PASS** recommendation.

SUBSTITUTE MOTION: **Rep. Erickson** made a substitute motion to **HOLD S 1329** in committee.

AMENDED SUBSTITUTE MOTION: **Rep. Sauter** made an amended substitute motion to send **S 1329** to General Orders.

VOTE ON AMENDED SUBSTITUTE MOTION: **Amended substitute motion failed by voice vote.**

**ROLL CALL
VOTE ON
SUBSTITUTE
MOTION:**

Rep. Wroten requested a roll call vote. **Substitute motion failed by a vote of 7 AYE , 9 NAY and 2 absent/excused. Voting in favor** of the motion: **Reps. Erickson, Garner, Sauter, Wroten, Gannon, Church, Achilles. Voting in opposition** to the motion: **Reps. Skaug, Scott, Ehardt, Young, Cannon, Alfieri, Gallagher, Handy, Lambert. Reps. Allgood and Dixon (24)** were absent/excused.

**ROLL CALL
VOTE ON
ORIGINAL
MOTION:**

Chairman Skaug requested a roll call vote. **Motion carried by a vote of 13 AYE, 3 NAY, and 2 absent/excused. Voting in favor** of the motion: **Reps. Skaug, Scott, Ehardt, Young, Cannon, Erickson, Alfieri, Gallagher, Garner, Handy, Lambert, Sauter, Wroten. Voting in opposition** to the motion: **Reps. Gannon, Church, Achilles. Reps. Allgood and Dixon (24)** were absent/excused. **Rep. Ehardt** will sponsor the bill on the floor.

ADJOURN:

There being no further business to come before the committee, the meeting adjourned at 4:51pm.

Representative Skaug
Chair

Nancy Conrad
Secretary

AGENDA
HOUSE JUDICIARY, RULES & ADMINISTRATION COMMITTEE
1:30 PM or UPON ADJOURNMENT
Room EW42
Thursday, March 07, 2024

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ew42/>

SUBJECT	DESCRIPTION	PRESENTER
H 668	No public funds for gender transition	Rep. Young Rep. Skaug

**PERSONS UNDER THE AGE OF 18
WHO WANT TO TESTIFY MUST HAVE A
PARENT/GUARDIAN PRESENT OR PROVIDE
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SLIP.**

Public Testimony Will Be Taken by Registering Through the Following Link:
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COMMITTEE MEMBERS

Chairman Skaug
Vice Chairman Scott
Rep Ehardt
Rep Young
Rep Cannon
Rep Erickson

Rep Alfieri
Rep Allgood
Rep Dixon (24)
Rep Gallagher
Rep Garner
Rep Handy

Rep Lambert
Rep Sauter
Rep Wroten
Rep Gannon
Rep Mathias (Church)
Rep Achilles

COMMITTEE SECRETARY

Nancy Conrad
Room: EW56
Phone: 332-1127
Email: hjud@house.idaho.gov

MINUTES

HOUSE JUDICIARY, RULES & ADMINISTRATION COMMITTEE

DATE: Thursday, March 07, 2024

TIME: 1:30 PM or UPON ADJOURNMENT

PLACE: Room EW42

MEMBERS: Chairman Skaug, Vice Chairman Scott, Representatives Ehardt, Young, Cannon, Erickson, Alfieri, Allgood, Dixon(24), Gallagher, Garner, Handy, Lambert, Sauter, Wroten, Gannon, Mathias (Church), 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.

H 668: **Chairman Skaug** called the meeting to order at 1:30pm.

Rep. Young and Dr. Lynn Teague presented **H 668** regarding no public funds for gender transition.

Committee inquired regarding testimony from Idaho physicians, inclusion of medications on the previous bill, and application of state insurance.

John Collins, Sandra Eaton, Sidney Fetzer, Tony Oxsen, Hallie Fetzer, Stephanie Fetzer, Brandon Shippy, and Thad Butterworth testified in support.

Committee inquired regarding post-surgery follow-up care.

Isaac Craghtten, Julianne Donnelly Tzul, ACLU of Idaho, Erin Love McDermott, Celeste Terra, Merrick Collins, TransHoming Project, David Kociol, Karen Hansen, Marvin Alviso, AlexaLynn Fill, Mistie Tolman, Planned Parenthood Alliance Advocates, Nikson Matthews, and Katie Gentry testified in opposition.

Committee inquired regarding authority of parents in the lives of their children, satisfaction of those who received gender transition treatments, tax-payer responsibility, frequency of post-surgery regret, input from patients who had surgeries over seven years ago, application to other elective surgeries, average age of patients beginning hormone treatments, reproductive health side-effects, perceived threatened rights, perceived differences in treatment of different groups, definition of "medical necessity", definition of "dysphoria," average length of treatment plan, description of current insurance interactions, and available psychological help.

Chairman Skaug put the committee at ease at 3:03pm.

Chairman Skaug reconvened the meeting at 3:18pm.

Committee inquired regarding language of legislation, impacted health-care plans, and application to other state-funded entities.

MOTION: **Rep. Scott** made a motion to send **H 668** to the floor with a **DO PASS** recommendation.

SUBSTITUTE MOTION: **Rep. Achilles** made a substitute motion to send **H 668** to General Orders.

**ROLL CALL
VOTE ON
SUBSTITUTE
MOTION:**

Rep. Achilles requested a roll call vote. **Chairman Skaug** requested the roll call vote be in reverse order of seniority. **Substitute motion failed with a vote of 3 AYE and 15 NAY. Voting in favor** of the motion: **Reps. Achilles, Church, Gannon. Voting in opposition** to the motion: **Reps. Wroten, Sauter, Lambert, Handy, Garner, Gallagher, Dixon (24), Allgood, Alfieri, Erickson, Cannon, Young, Ehardt, Scott, Skaug.**

**VOTE ON
ORIGINAL
MOTION:**

Original motion carried by voice vote. Reps. Achilles, Gannon, and Church requested to be recorded as voting **NAY. Rep. Young** will sponsor the bill on the floor.

MOTION:

Rep. Wroten made a motion to approve the March 5, 2024 meeting minutes. **Motion carried by voice vote.**

ADJOURN:

There being no further business to come before the committee, the meeting adjourned at 3:45pm.

Representative Skaug
Chair

Nancy Conrad
Secretary

AMENDED AGENDA #2
HOUSE JUDICIARY, RULES & ADMINISTRATION COMMITTEE
1:30 PM or UPON ADJOURNMENT
Room EW42
Monday, March 11, 2024

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ew42/>

SUBJECT	DESCRIPTION	PRESENTER
<u>S 1275</u>	Immunity, employer, firearms	Rep. Hill Sen. Trakel
<u>S 1276</u>	Courts, electronic payment fees	Rep. Dixon (24) Jason Spillman, Legal Counsel, Idaho Supreme Court Judge Juneal Kerrick, Senior District Judge, Idaho Supreme Court
<u>S 1277</u>	Judicial officers, address confidentiality	Rep. Allgood Jason Spillman, Legal Counsel, Idaho Supreme Court Judge Juneal Kerrick, Senior District Judge, Idaho Supreme Court
<u>S 1280</u>	Adoption, residency requirements	Rep. Erickson Sen. VanOrden

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WHO WANT TO TESTIFY MUST HAVE A
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SLIP.**

Public Testimony Will Be Taken by Registering Through the Following Link:
[*Register to Testify*](#)

If you have written testimony, please provide a copy to the committee secretary.

COMMITTEE MEMBERS

Chairman Skaug
Vice Chairman Scott
Rep Ehardt
Rep Young
Rep Cannon
Rep Erickson

Rep Alfieri
Rep Allgood
Rep Dixon (24)
Rep Gallagher
Rep Garner
Rep Handy

Rep Lambert
Rep Sauter
Rep Wroten
Rep Gannon
Rep Mathias (Church)
Rep Achilles

COMMITTEE SECRETARY

Nancy Conrad
Room: EW56
Phone: 332-1127
Email: hjud@house.idaho.gov

MINUTES
HOUSE JUDICIARY, RULES & ADMINISTRATION COMMITTEE

- DATE:** Monday, March 11, 2024
- TIME:** 1:30 PM or UPON ADJOURNMENT
- PLACE:** Room EW42
- MEMBERS:** Chairman Skaug, Vice Chairman Scott, Representatives Ehardt, Young, Cannon, Erickson, Alfieri, Allgood, Dixon(24), Gallagher, Garner, Handy, Lambert, Sauter, Wroten, Gannon, Mathias, Achilles
- ABSENT/
EXCUSED:** Representative Cannon
- 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.
- MOTION:** **Chairman Skaug** called the meeting to order at 2:58pm.
- MOTION:** **Rep. Wroten** made a motion to approve the March 7, 2024 meeting minutes.
Motion carried by voice vote.
- S 1275:** **Rep. Scott** and **Sen. Trakel** presented **S 1275** regarding employer immunity and firearms.
- Committee inquired regarding concealed carry, constitutional carry, competency, negligence, language, storage of firearms, and guidance.
- Dan Murphy** testified in support.
- Tara Adams, Dianna David,** Gliffords Gun Owners for Safety, **Lynn Schneider, Marsha Bravo,** and **Kylie Castellaw** testified in opposition.
- Committee inquired regarding negligence laws, immunity, civil damages, and statistics regarding knife and gun violence.
- MOTION:** **Rep. Ehardt** made a motion to send **S 1275** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Reps. Gannon, Achilles,** and **Mathias** requested they be recorded as voting **NAY.** **Rep. Hill** will sponsor the bill on the floor.
- S 1276:** **Rep. Dixon (24)** and **Jason Spillman,** Legal Counsel, Idaho Supreme Court, presented **S 1276** regarding courts and electronic payment fees.
- Committee inquired regarding fees, fee statutes, language, processing, merchant agreement, card use, and efficiency.
- MOTION:** **Rep. Wroten** made a motion to **HOLD S 1276** in committee at the call of the chair.
Motion carried by voice vote.
- S 1277:** **Rep. Scott** made a motion to **HOLD S 1277** in committee at the call of the chair.
Motion carried by voice vote.
- S 1280:** **Rep. Erickson** presented **S 1280** regarding adoption and residency requirements.
- Committee inquired regarding connection to a specific case, impact on adoption time-line or investigation, clarification of language, and child protection case scenario.
- MOTION:** **Rep. Ehardt** made a motion to send **S 1280** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Erickson** will sponsor the bill on the floor.

ADJOURN: There being no further business to come before the committee, the meeting adjourned at 3:58pm.

Representative Skaug
Chair

Nancy Conrad
Secretary

AMENDED AGENDA #2
HOUSE JUDICIARY, RULES & ADMINISTRATION COMMITTEE
1:30 PM or UPON ADJOURNMENT
Room EW42
Tuesday, March 19, 2024

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ew42/>

SUBJECT	DESCRIPTION	PRESENTER
S 1276	Courts, electronic payment fees No further testimony will be taken.	Rep. Dixon (24) Jason Spillman, Legal Counsel, Idaho Supreme Court
S 1277	Judicial officers, address confidentiality	Rep. Allgood Jason Spillman, Legal Counsel, Idaho Supreme Court
S 1327	Unlawful detainer, records	Rep. Handy Sen. Rabe
S 1328aa	Runaways	Rep. Wroten Sen. Rabe
S 1348aa	Courts, debt collection	Rep. Raybould Sen. Lee
S 1369	Manslaughter, penalties	Rep. Dixon (24) Sen. Bernt

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SLIP.**

Public Testimony Will Be Taken by Registering Through the Following Link:
[***Register to Testify***](#)

If you have written testimony, please provide a copy to the committee secretary.

COMMITTEE MEMBERS

Chairman Skaug
Vice Chairman Scott
Rep Ehardt
Rep Young
Rep Cannon
Rep Erickson

Rep Alfieri
Rep Allgood
Rep Dixon (24)
Rep Gallagher
Rep Garner
Rep Handy

Rep Lambert
Rep Sauter
Rep Wroten
Rep Gannon
Rep Mathias
Rep Achilles

COMMITTEE SECRETARY

Nancy Conrad
Room: EW56
Phone: 332-1127
Email: hjud@house.idaho.gov

MINUTES
HOUSE JUDICIARY, RULES & ADMINISTRATION COMMITTEE

DATE: Tuesday, March 19, 2024

TIME: 1:30 PM or UPON ADJOURNMENT

PLACE: Room EW42

MEMBERS: Chairman Skaug, Vice Chairman Scott, Representatives Ehardt, Young, Cannon, Erickson, Alfieri, Allgood, Dixon(24), Gallagher, Garner, Handy, Lambert, Sauter, Wroten, Gannon, Mathias, 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 Skaug called the meeting to order at 1:30pm.

MOTION: **Rep. Wroten** made a motion to approve the March 11, 2024 meeting minutes. **Motion carried by voice vote.**

S 1276: **Rep. Dixon (24)** presented **S 1276** regarding courts and electronic payment fees.

MOTION: **Rep. Handy** made a motion to send **S 1276** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Dixon (24)** will sponsor the bill on the floor.

S 1277: **Rep. Allgood** presented **S 1277** regarding judicial officers and address confidentiality.

MOTION: **Rep. Wroten** made a motion to send **S 1277** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Allgood** will sponsor the bill on the floor.

S 1327: **Rep. Handy** and **Sen. Rabe** presented **S 1327** regarding unlawful detainer and eviction records.

MOTION: **Vice Chairman Scott** made a motion to send **S 1327** to the floor with a **DO PASS** recommendation.

Kendra Knighten, Idaho Center for Fiscal Policy, and Idaho Asset Building Network, **Evan Stewart**, Jesse Tree of Idaho, **Spencer Henderson**, NARPM Southwest Idaho & IREM Idaho, and **Tyler Wolters**, Idaho Apartment Association, testified **in support**.

Committee inquired regarding clarification of scenarios, ability to rent with record of eviction, impact on management companies, and frequency of events other than job loss contributing to evictions.

VOTE ON MOTION: **Motion carried by voice vote.** **Rep. Handy** will sponsor the bill on the floor.

S 1328aa: **Rep. Wroten** and **Sen. Rabe** presented **S 1328aa** regarding runaways.

Committee inquired regarding process of parental contact, follow-up procedure, counseling resources, parental consent, assessment center reporting time-line, and law enforcement involvement.

Michelle King, LC Valley Youth Resource Center, testified **in support**.

MOTION: **Rep. Dixon (24)** made a motion to send **S 1328aa** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Wroten** will sponsor the bill on the floor.

S 1348aa: **Rep. Raybould** and **Sen. Lee** presented **S 1348aa** regarding courts and debt collection.

Committee inquired regarding fines and fees, impacted group, incentives to payment, collection issues, cost-benefit analysis, determination of fees, and contempt of court repercussions.

Pete Wood, Emily Croston, ACLU of Idaho, and **Erica Marshall**, Idaho Justice Project, testified **in opposition**.

Jason Spillman, Legal Counsel, Idaho Supreme Court, testified **in neutrality**.

Committee inquired regarding those imprisoned and fined, accrual of fees while in jail, options for those with no ability to pay, penalty inequity, deterrence for those with no financial means, negatively impacted groups, contempt of court, impact on collection rates, and county concerns.

MOTION: **Rep. Sauter** made a motion to send **S 1348aa** to the floor with a **DO PASS** recommendation.

SUBSTITUTE MOTION: **Rep. Ehardt** made a substitute motion to **HOLD S 1348aa** in committee at the call of the chair.

AMENDED SUBSTITUTE MOTION: **Vice Chairman Scott** made an amended substitute motion to **LAY S 1348aa** on the table.

ROLL CALL VOTE ON AMENDED SUBSTITUTE MOTION: **Chairman Skaug** requested a roll call vote. **Amended substitute motion failed by a vote of 6 AYE, 11 NAY and 1 Absent/Excused.** **Voting in favor** of the motion: **Reps. Scott, Alfieri, Gallagher, Lambert, Mathias, Achilles.** **Voting in opposition** to the motion: **Reps. Skaug, Ehardt, Young, Cannon, Erickson, Allgood, Dixon (24), Garner, Handy, Sauter, Wroten.** **Rep. Gannon** was **absent/excused**.

Rep. Cannon stated point of order regarding the substitute motion.

UNANIMOUS CONSENT REQUEST: **Rep. Ehardt** made a unanimous consent request to withdraw her substitute motion. There being no objection, the request was granted.

SUBSTITUTE MOTION: **Rep. Ehardt** made a substitute motion to **HOLD S 1348aa** in committee.

ROLL CALL VOTE ON SUBSTITUTE MOTION: **Chairman Skaug** requested a roll call vote. **Substitute motion carried by a vote of 12 AYE, 5 NAY and 1 Absent/Excused.** **Voting in favor** of the motion: **Reps. Skaug, Scott, Ehardt, Young, Cannon, Erickson, Alfieri, Gallagher, Handy, Lambert, Mathias, Achilles.** **Voting in opposition** to the motion: **Reps. Allgood, Dixon (24), Garner, Sauter, Wroten.** **Rep. Gannon** was **absent/excused**.

Chairman Skaug put the committee at ease at 3:20pm.

Chairman Skaug reconvened the meeting at 3:32pm.

S 1369: **Rep. Dixon (24)** and **Sen. Bernt** presented **S 1369** regarding manslaughter and penalties.

Committee inquired regarding fines, application to DUI charges at different ages, prior convictions, aggravated and reckless driving, and mandatory minimums.

Shandy Lam testified **in support**.

MOTION: Rep. Sauter made a motion to send **S 1369** to the floor with a **DO PASS** recommendation.

ROLL CALL VOTE ON MOTION: Chairman Skaug stated he was in doubt regarding the voice vote and requested a roll call vote. **Motion failed by a vote of 7 AYE, 9 NAY, 2 Absent/Excused.** Voting in favor of the motion: **Reps. Skaug, Allgood, Dixon (24), Garner, Sauter, Wroten, Achilles.** Voting in opposition to the motion: **Reps. Scott, Ehardt, Young, Cannon, Erickson, Alfieri, Gallagher, Handy, Lambert.** Reps. Gannon and Mathias were **absent/excused.**

ADJOURN: There being no further business to come before the committee, the meeting adjourned at 3:51pm.

Representative Skaug
Chair

Nancy Conrad
Secretary

AGENDA
HOUSE JUDICIARY, RULES & ADMINISTRATION COMMITTEE
1:30 p.m. or UPON ADJOURNMENT
Room EW42
Thursday, March 21, 2024

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ew42/>

SUBJECT	DESCRIPTION	PRESENTER
S 1309aa	Adoption expenses	Rep. Mitchell Sen. VanOrden
S 1368	Adoptions, unlicensed	Rep. Green Sen. VanOrden
S 1262	Harassment, telecommunications	Rep. Lambert Sen. Nichols
S 1278	Ignition interlock system	Rep. Wroten Sen. Lakey
S 1350	Juvenile corrections, reporting	Rep. Cannon Sen. Wintrow
S 1413	False reports, violence	Rep. Boyle Sen. Nichols

**PERSONS UNDER THE AGE OF 18
WHO WANT TO TESTIFY MUST HAVE A
PARENT/GUARDIAN PRESENT OR PROVIDE
A COMPLETED PARENTAL PERMISSION
SLIP.**

Public Testimony Will Be Taken by Registering Through the Following Link:
[Register to Testify](#)

If you have written testimony, please provide a copy to the committee secretary.

COMMITTEE MEMBERS

Chairman Skaug	Rep Alfieri	Rep Lambert
Vice Chairman Scott	Rep Allgood	Rep Sauter
Rep Ehardt	Rep Dixon (24)	Rep Wroten
Rep Young	Rep Gallagher	Rep Gannon
Rep Cannon	Rep Garner	Rep Mathias
Rep Erickson	Rep Handy	Rep Achilles

COMMITTEE SECRETARY

Nancy Conrad
Room: EW56
Phone: 332-1127
Email: hjud@house.idaho.gov

MINUTES
HOUSE JUDICIARY, RULES & ADMINISTRATION COMMITTEE

DATE: Thursday, March 21, 2024

TIME: 1:30 or UPON ADJOURNMENT

PLACE: Room EW42

MEMBERS: Chairman Skaug, Vice Chairman Scott, Representatives Ehardt, Young, Cannon, Erickson, Alfieri, Allgood, Dixon(24), Gallagher, Garner, Handy, Lambert, Sauter, Wroten, Gannon, Mathias, Achilles

**ABSENT/
EXCUSED:** Representative Allgood

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.

MOTION: **Chairman Skaug** called the meeting to order at 2:22pm.

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

S 1309aa: **Rep. Mitchell** presented **S 1309aa** regarding adoption expenses.

MOTION: **Rep. Wroten** made a motion to send **S 1309aa** to the floor with a **DO PASS** recommendation.

Terri Marcroft testified in support.

Committee inquired regarding clarification of process.

VOTE ON MOTION: **Motion carried by voice vote. Rep. Mitchell** will sponsor the bill on the floor.

S 1368: **Rep. Green** presented **S 1368** regarding unlicensed adoptions.

Terri Marcroft testified in support.

Committee inquired regarding regulation and facilitators in other states.

MOTION: **Rep. Garner** made a motion to send **S 1368** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote. Rep. Green** will sponsor the bill on the floor.

S 1262: **Rep. Lambert** and **Sen. Nichols** presented **S 1262** regarding harassment and telecommunications.

Committee inquired regarding currently regulated forms of telecommunication, goal of legislation, application to opt-out options, opinion of the Attorney General, and clarification of applicable scenarios.

MOTION: **Rep. Young** made a motion to send **S 1262** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote. Rep. Alfieri** requested to be recorded as voting **NAY. Rep. Lambert** will sponsor the bill on the floor.

S 1278: **Rep. Wroten** and **Jason Spillman**, Legal Counsel, Administrative Office of Courts, presented **S 1278** regarding ignition interlock systems.

Committee inquired regarding the bill origin.

MOTION: **Vice Chairman Scott** made a motion to send **S 1278** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote. Rep. Wroten** will sponsor the bill on the floor.

- S 1350:** **Rep. Cannon** and **Director Monty Prow**, Idaho Department of Juvenile Corrections, presented **S 1350** regarding juvenile corrections and reporting to identify human trafficking of minors.
Committee inquired regarding diligence in report requests.
- MOTION:** **Rep. Ehardt** made a motion to send **S 1350** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Cannon** will sponsor the bill on the floor.
- S 1413:** **Sen. Nichols** presented **S 1413** regarding false reports and violence.
Committee inquired regarding mandatory minimum sentencing, possible redundancy and ambiguity of legislation, clarification of the term "emergency" and the phrase "causes it to be made", and possible issues with current code.
Chairman Skaug put the committee at ease at 3:32pm.
Chairman Skaug reconvened the meeting at 3:33pm.
Committee inquired regarding intent, and swatting incidents.
Robert Gillis testified in support.
Committee inquired regarding consequences of unknowingly making false reports, and current criminal code with similar penalties.
- MOTION:** **Rep. Gannon** made a motion to **HOLD S 1413** in committee. **Motion carried by voice vote.** **Rep. Dixon (24)** requested to be recorded as voting **NAY**.
- ADJOURN:** There being no further business to come before the committee, the meeting adjourned at 3:50pm.

Representative Skaug
Chair

Nancy Conrad
Secretary

AMENDED AGENDA #1
HOUSE JUDICIARY, RULES & ADMINISTRATION COMMITTEE
8:00 A.M.
Room EW42
Wednesday, March 27, 2024

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ew42/>

SUBJECT	DESCRIPTION	PRESENTER
H 746	Judicial compensation	Rep. Moyle Rep. Skaug
S 1367	Public defense, indigent persons	Rep. Erickson Sen. Lee

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COMMITTEE MEMBERS

Chairman Skaug
Vice Chairman Scott
Rep Ehardt
Rep Young
Rep Cannon
Rep Erickson

Rep Alfieri
Rep Allgood
Rep Dixon (24)
Rep Gallagher
Rep Garner
Rep Handy

Rep Lambert
Rep Sauter
Rep Wroten
Rep Gannon
Rep Mathias
Rep Achilles

COMMITTEE SECRETARY

Nancy Conrad
Room: EW56
Phone: 332-1127
Email: hjud@house.idaho.gov

MINUTES

HOUSE JUDICIARY, RULES & ADMINISTRATION COMMITTEE

DATE: Wednesday, March 27, 2024

TIME: 8:00 A.M.

PLACE: Room EW42

MEMBERS: Chairman Skaug, Vice Chairman Scott, Representatives Ehardt, Young, Cannon, Erickson, Alfieri, Allgood, Dixon(24), Gallagher, Garner, Handy, Lambert, Sauter, Wroten, Gannon, Mathias, 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 Skaug called the meeting to order at 8:00am.

MOTION: **Rep. Wroten** made a motion to approve the March 21, 2024 meeting minutes. **Motion carried by voice vote.**

Chairman Skaug turned the gavel over to **Vice Chairman Scott**.

H 746: **Chairman Skaug** and **Rep. Moyle** presented **H 746** regarding judicial compensation.

Committee inquired regarding clarification of judicial retirement and PERSI, inclusion of magistrate judges, justification of closing pay-gap between magistrate judges and district judges, feedback from judges, and diminished incentive for magistrate judges to become district judges.

MOTION: **Rep. Young** made a motion to send **H 746** to the floor with a **DO PASS** recommendation.

Don Burnett and **Jason Spillman**, Legal Counsel, Administrative Office of the Courts, testified **in opposition**.

Committee inquired regarding merit and selection of judges, clarification of process for filling vacancies, possible negative impacts, and clarification of contested elections and retention elections.

VOTE ON MOTION: **Motion carried by voice vote. Chairman Skaug** will sponsor the bill on the floor.

Vice Chairman Scott turned the gavel over to **Chairman Skaug**.

S 1367: **Rep. Erickson** presented **S 1367** regarding public defense and indigent persons.

Director Eric Fredericksen, State Public Defender, testified **in support**.

Committee inquired regarding separate accounts and cases, federal funds, access to funds, necessity of legislation, reason for lack of use of available federal funds by counties, estimated savings to the state, and ability to operate without the proposed funds.

MOTION: **Rep. Cannon** made a motion to send **S 1367** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote. Rep. Erickson** will sponsor the bill on the floor.

ADJOURN: There being no further business to come before the committee, the meeting adjourned at 8:53am.

Representative Skaug
Chair

Nancy Conrad
Secretary