

MINUTES  
**SENATE JUDICIARY & RULES COMMITTEE**

**DATE:** Wednesday, February 05, 2020

**TIME:** 1:30 P.M.

**PLACE:** Room WW54

**MEMBERS PRESENT:** Chairman Lakey, Vice Chairman Lee, Senators Anthon, Thayn, Cheatham, Burgoyne, and Nye

**ABSENT/ EXCUSED:** Senators Lodge and Grow

**NOTE:** The sign-in sheet, testimonies and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

**CONVENED:** **Chairman Lakey** called the meeting of the Senate Judiciary and Rules Committee (Committee) to order at 1:32 p.m.

**Chairman Lakey** indicated that there would be a change in the agenda to allow Senator Guthrie to attend another committee meeting and invited him to present first.

**RS 27529** **Senator Jim Guthrie**, District 28, stated that **RS 27529** defines what motorcycle profiling is and prohibits it. The most significant part of the RS alleviates some of the concerns law enforcement has with potential action being brought against any individual, the State of Idaho, any counties or cities of the state, or any law enforcement entity within the state.

**MOTION:** **Senator Anthon** moved to send **RS 27529** to print. **Vice Chairman Lee** seconded the motion. The motion carried by **voice vote**.

**VOTE ON GUBERNATORIAL REAPPOINTMENT:** **Senator Nye** moved to send the Gubernatorial reappointment of Katherine Simpson to the Idaho Judicial Council to the floor with recommendation that she be confirmed by the Senate. **Senator Anthon** seconded the motion.

**DISCUSSION:** **Vice Chairman Lee** declared a potential conflict of interest pursuant to Senate Rule 39(H) but intended to vote, indicating that her husband is a magistrate judge and is subject to review of the Judicial Council. **Senator Burgoyne** indicated that on one occasion he was in front of Judge Simpson as a judicial candidate.

**VOICE VOTE:** The motion to send the Gubernatorial reappointment of Katherine Simpson to the Idaho Judicial Council to the floor with recommendation that she be confirmed by the Senate carried by **voice vote**.

**VOTE ON GUBERNATORIAL APPOINTMENT:** **Senator Anthon** moved to send the Gubernatorial appointment of Terry Kirkham to the Commission on Pardons and Parole to the floor with a recommendation that he be confirmed by the Senate. **Senator Thayn** seconded the motion. The motion carried by **voice vote**.

**MINUTES APPROVAL:** **Senator Cheatham** moved to approve the Minutes of January 20, 2020. **Vice Chairman Lee** seconded the motion. The motion carried by **voice vote**.

**PASSED THE GAVEL:** Chairman Lakey turned the gavel over to Vice Chairman Lee for docket approval.

**DOCKET NO.  
57-0101-1901:**

**Rules Governing Sexual Offender Management Board.** Nancy Volle, Project Manager, Idaho Sexual Offender Management Board, explained the main proposed revisions would streamline processes and create efficiencies in the certification process by: 1.) adopting rules used by other professional licensing boards for contested cases, 2.) separating the quality assurance process from the certification renewal process, and 3.) providing a streamlined option to extend time to complete continuing education requirements.

**MOTION:**

**Senator Burgoyne** moved to approve **Docket No. 57-0101-1901**. **Senator Thayn** seconded the motion. The motion passed by **voice vote**.

**PASSED THE  
GAVEL:**

Vice Chairman Lee passed the gavel back to Chairman Lakey.

**ADJOURNED:**

There being no further business at this time, **Chairman Lakey** adjourned the meeting at 1:45 p.m.

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Senator Lakey  
Chair

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Sharon Pennington  
Secretary