

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