

MINUTES
HOUSE JUDICIARY, RULES & ADMINISTRATION COMMITTEE

DATE: Thursday, January 31, 2019

TIME: 1:30 P.M.

PLACE: Room EW42

MEMBERS: Chairman Dayley, Vice Chairman Chaney, Representatives Kerby, Amador, Zito, Zollinger, Ehardt, Scott, Goesling, Hartgen, Marshall, Ricks, Troy, Young, Gannon, McCrostie, Wintrow, Davis

**ABSENT/
EXCUSED:** Representatives Amador, Troy, Zollinger

GUESTS: Jared Larsen, Governor's Office

Chairman Dayley called the meeting to order at 1:30 p.m.

Chairman Dayley reviewed the purpose of RS print hearings.

MOTION: **Rep. Marshall** made a motion to approve the minutes of the January 21, 2019 meeting. **Motion carried by voice vote.**

RS 26556: **Rep. Smith** presented **RS 26556**, which adds new sections to Idaho Code Chapter 3, Title 5 and Chapter 70, Title 18. The purpose of the new sections provide legal immunity from civil liability and prosecution for first responders who provide certain aid to distressed dogs or cats in vehicles. The proposed bill defines who first responders are. Nineteen states and the District of Columbia have similar laws, but the definitions of who can render aid varies.

MOTION: **Rep. Chaney** made a motion to introduce **RS 26556**.

In response to questions and comments from the Committee, **Rep. Smith** said she would be open to including other types of animals and situations where aid could be provided but for now the proposed legislation only includes dogs and cats in vehicles. **Rep. Wintrow** stated she supported the motion to introduce the RS and if the bill is passed it could be expanded in the future after further research and consultation with stakeholders. She said she consulted with the Attorney General's office and was told there are not any laws on the books that would provide immunity to first responders if they rendered aid to dogs and cats in cars. **Rep. Scott** recommend not expanding the RS beyond its current scope because it could tread into territory of entry without warrant.

**VOTE ON
MOTION:** **Chairman Dayley** called for a vote on the motion. **Motion carried by voice vote.** **Reps. Marshall** and **Goesling** requested to be recorded as voting **NAY**.

RS 26670: **Rep. Kerby** presented **RS 26670**, which creates an optional diversion program that prosecuting attorneys may use in cases involving first time DUI offenders. He stated the goal is to make highways safer, get people out of the habit of driving under the influence, and reduce the amount of resources dedicated to this issue. He explained the first offense is a misdemeanor. The proposed bill allows a path to having that removed through several accountability measures that include installation of an ignition interlock device for 12 months; four days of labor detail or other approved community service; and 24 hours of education such as alcohol counseling. The case is dismissed if all requirements are completed successfully. **Rep. Kerby** clarified the RS provides a three strikes approach where the first offense is counted if it is followed by additional DUI offenses. The third offense will be charged as a felony as it is under the current law.

MOTION: Rep. Gannon made a motion to introduce **RS 26670. Motion carried by voice vote.**

ADJOURN: There being no further business to come before the committee, the meeting adjourned at 1:51 p.m.

Representative Dayley
Chair

Wendy Carver-Herbert
Secretary