

MINUTES
HOUSE JUDICIARY, RULES & ADMINISTRATION COMMITTEE

DATE: Thursday, March 07, 2019
TIME: 1:30 pm OR Upon Adjournment
PLACE: Room EW42
MEMBERS: Chairman Dayley, Vice Chairman Chaney, Representatives Kerby, Amador, Zito, Zollinger, Ehardt, Scott, Goesling, Hartgen, Marshall, Ricks, Troy (Maurin), Young, Gannon, McCrostie, Wintrow, Davis
**ABSENT/
EXCUSED:** None
GUESTS: Barbara Jorden, ITLA; Dena Duncan AAUW, Leila McNeill, Tanea Parmenter, ISP/BCI; Colin Nash, Senate Intern; Mary Mosley

Chairman Dayley called the meeting to order at 1:33p.m.

S 1004: **Lt. Col. Sheldon Kelley**, Deputy Director, Idaho State Police presented **S 1004**. Lt. Col. Kelley stated the bill would establish a Blue Alert system in Idaho in accordance with the National Blue Alert Network that was established at the Federal level. The system will be integrated into the Amber Alert system and will have minimal fiscal impact. It will alert citizens, law enforcement and media when a violent offender is on the loose and poses an imminent and credible threat to law enforcement and the public. The bill details the criteria for issuing a Blue Alert. In answer to a question from the Committee, Lt. Col. Kelley said 33 states use the system and seven more are working to implement. The system will also send alerts to mobile phones similarly to Amber Alerts.

MOTION: **Rep. Goesling** made a motion to send **S 1004** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Giddings** will sponsor the bill on the floor.

S 1044: **Barbara Jorden**, Idaho Trial Lawyers Association presented **S 1044**. Last year the Legislature passed a bill to increase the limit to \$35,000 for cases under the Small Lawsuit Resolution Act. The evaluation limit on claims under Section 7-1509 was inadvertently unchanged so this bill brings this section into alignment with the \$35,000 limit set forth in the Act. Ms. Jorden stated this will create a smoother process for bringing small lawsuits forward.

MOTION: **Rep. McCrostie** made a motion to send **S 1044** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. McCrostie** will sponsor the bill on the floor.

Eric Fredericksen, State Appellate Public Defender and **Sara Thomas**, Administrative Director of the Courts presented an update on the Idaho Criminal Justice Commission (ICJC). Mr. Fredericksen provided an overview of the ICJC purpose. The Commission was created to bring together all branches of government who have with a connection to the criminal justice system so significant issues can be more effectively addressed and resolved. The vision is to create a safer Idaho. Ms. Thomas provided an overview of the subcommittees which include Mental Health; Research Alliance; Human Trafficking; Grant Review Council and Community College. She also highlighted the ICJC dashboard and Mental Health Summit that will be held this summer. Mr. Fredericksen stated the Human Trafficking subcommittee is working to address gaps in enforcement and to provide greater support for victims. In answer to questions from the Committee,

Ms. Thomas stated Commission is very open to topics and groups would like to bring issues forward. Citizens and the Legislature are welcome to attend meetings.

S 1005aa:

Eric Fredericksen, State Appellate Public Defender presented **S 1005aa**. Mr. Fredericksen stated the legislative intent of the bill is to acknowledge the presence of human trafficking in Idaho. It also promotes the importance of the law enforcement community receiving training to increase awareness and response to human trafficking cases. The bill adds language identifying conduct that may be considered labor trafficking and more clearly defines sex trafficking. Mr. Fredericksen explained the bill makes human trafficking its own offense and no longer requires the crime be committed in conjunction with the commission of another crime.

MOTION:

Rep. Scott made a motion to **HOLD S 1005aa** in committee for time certain, March 11, 2019.

Speaking **in support** of the motion, **Reps. Scott and Zollinger** said **S 1005aa** is a good bill that they will vote to support, but holding the bill in Committee a few days would allow the Senate Judiciary and Rules Committee time to consider hearing additional House bills.

SUBSTITUTE MOTION:

Rep. Chaney made a substitute motion to send **S 1005aa** to the floor with a **DO PASS** recommendation.

Speaking to the substitute motion, **Rep. Chaney** said it's important to keep the focus on Idahoans who are protected by this bill. It is being brought forward through a collaborative process with bipartisan support.

AMENDED SUBSTITUTE MOTION:

Rep. Zollinger made a motion to **HOLD S 1005aa** in Committee for time certain March 13, 2019.

Reps. Zollinger, Zito and Scott spoke **in support** of the amended substitute motion because it supports the message that it's important for both bodies of the Legislature to do the will of the people.

ROLL CALL VOTE ON AMENDED SUBSTITUTE MOTION:

Roll call vote was requested. **Motion failed by a vote of 6 AYE, 11 NAY, 1 Absent/Excused. Voting in favor** of the motion: **Reps. Zito, Zollinger, Ehardt, Scott, Young, Gannon. Voting in opposition** to the motion: **Reps. Chaney, Kerby, Goesling, Hartgen, Marshall, Ricks, Troy, McCrostie, Wintrow, Davis, Dayley. Rep. Amador** was **Absent/Excused**.

ROLL CALL VOTE ON SUBSTITUTE MOTION:

Chairman Dayley called for a roll call vote. **Motion carried by a vote of 16 AYE, 2 Absent/Excused. Voting in favor** of the motion: **Reps. Chaney, Kerby, Zito, Zollinger, Ehardt, Goesling, Hartgen, Marshall, Ricks, Troy, Young, Gannon, McCrostie, Wintrow, Davis, Dayley. Reps. Amador and Scott** were **Absent/Excused. Rep. Wintrow** will sponsor the bill on the floor.

ADJOURN:

There being no further business to come before the Committee, the meeting adjourned at 2:31 p.m.

Representative Dayley
Chair

Wendy Carver-Herbert
Secretary