

MINUTES  
**SENATE JUDICIARY & RULES COMMITTEE**

**DATE:** Monday, February 15, 2021

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

**PLACE:** Room WW54

**MEMBERS PRESENT:** Chairman Lakey, Vice Chairman Ricks, Senators Lodge, Lee, Thayn, Zito, Burgoyne, and Wintrow

**ABSENT/ EXCUSED:** Senator Anthon

**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 1:35 p.m.

**MINUTES APPROVAL:** **Senator Burgoyne** moved to approve the Minutes of February 1, 2021. **Senator Thayn** seconded the motion. The motion carried by **voice vote**.

**RS 28277** **Relating to the Elimination of Phantom Insurance and Reduced Payments for Benefits Paid by Others.** **Senator Peter Riggs** explained that currently, insurance laws state if the liable person's insurance coverage is a certain amount and personal under-insured motorist coverage is of an equal or lesser amount, then there is no additional insurance support from the personal insurance company. This legislation would change the laws to reflect that in addition to what the liable party would pay, the personal under-insured motorist coverage, paid monthly, would cover the needs of the cost of damages to person and property.

**MOTION:** **Senator Wintrow** moved to send **RS 28277** to the floor to print. **Senator Lee** seconded the motion. The motion carried by **voice vote**.

**RS 28516** **Relating to Time Line for Unclaimed Property.** **Senator Doug Ricks** stated the purpose of **RS 28516** is to shorten the length of time law enforcement is required to retain unclaimed properties. This bill would shorten the time from 6 months to 90 days for most items. Bicycle retention would go from 6 months to 60 days.

**DISCUSSION:** **Senator Lee** questioned why the legislation should be made by the State of Idaho rather than local jurisdictions. **Senator Ricks** remarked that at the next hearing there would be representatives from the Idaho Sheriffs Association who could answer her question.

**MOTION:** **Senator Lee** moved to send **RS 28516** to the floor to print. **Senator Lodge** seconded the motion. The motion carried by **voice vote**.

**RS 28567** **Relating to Providing for Collective Bargaining Rights of Peace Officers.** **Mike Miraglia**, representing the Idaho Fraternal Order of Police, introduced his history in law enforcement. **Mr. Miraglia** said **RS 28567** provides a framework for discussions on issues that directly affect the livelihoods, safety, and the future of law enforcement. The bill asks leadership to recognize the voices of officers and bargain in good faith while finding local solutions with local control. **Mr. Miraglia** concluded by mentioning that the decisions being made now will effect policing in Idaho for years to come.

**DISCUSSION:** **Senators Thayn, Lee, and Wintrow** all had questions relating to **RS 28567**. **Chairman Lakey** indicated that this legislation would be referred to the Commerce and Resources Committee where their concerns could be addressed.

**MOTION:** **Senator Burgoyne** moved to send **RS 28567** to the floor to print. **Senator Lakey** seconded the motion. The motion carried by **voice vote**.

**S 1035** **Relating to the State Appellate Public Defender Act. Eric Fredrickson**, Idaho State Appellate Public Defender, stated there are no substantive changes in the State Appellate Public Defender Act in **S 1035**. It simply moves § 19-067 into a chapter of its own, making it easier for public defenders, the public, the prosecutors, and judges to be able to find the statute.

**MOTION:** **Senator Lee** moved to send **S 1035** to the floor with a **do pass** recommendation. **Senator Burgoyne** seconded the motion. The motion carried by **voice vote**.

**PASSED THE GAVEL:** Chairman Lakey passed the gavel to Vice Chairman Ricks.

**S 1076** **Relating to the Submission of the Joint Printing Committee (JPC) Recommendation on the Publication and Distribution of the Session Laws. Chairman Lakey** explained that he and Senator Burgoyne serve on the JPC with colleagues from the House. He stated that **S 1076** simplifies some of the language in existing Idaho Code, basically consolidating verbiage into publication and distribution instead of going into details on specifics. It allows the OPC Committee to meet in the first term of each session and establish printing numbers and guidelines but gives the JPC Committee an opportunity to meet additional times if needed.

**MOTION:** **Senator Lodge** moved to send **S 1076** to the floor with a **do pass** recommendation. **Senator Thayn** seconded the motion. The motion carried by **voice vote**.

**INTRODUCTIONS:** **Chairman Lakey** asked Sophia Lind, the Committee's page, to introduce her family.

**ADJOURNED:** There being no further business at this time, Chairman Lakey adjourned the meeting at 2:00 p.m.

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Senator Lakey  
Chair

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Sharon Pennington  
Secretary