

MINUTES
SENATE JUDICIARY & RULES COMMITTEE

- DATE:** Monday, March 11, 2013
- TIME:** 1:30 P.M.
- PLACE:** Room WW54
- MEMBERS PRESENT:** Chairman Lodge, Vice Chairman Vick, Senators Davis, Mortimer, Nuxoll, Hagedorn, Lakey, Bock and Werk
- ABSENT/ EXCUSED:**
- 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 Lodge** called the meeting to order at 1:37 p.m. and asked the secretary to call the roll.
- MINUTES:** **Senator Lakey** moved to approve the minutes of February 28, 2013 as written. **Senator Werk** seconded the motion. The motion carried by **voice vote**.
- Senator Mortimer** moved to approve the minutes of March 1, 2013 as written. **Senator Bock** seconded the motion. The motion carried by **voice vote**.
- Senator Nuxoll** moved to approve the minutes of March 4, 2013 as written. **Senator Bock** seconded the motion. The motion carried by **voice vote**.
- RS 22168C2** **Relating to Attorney's Fees - Lyn Darrington**, representing State Farm Insurance, explained that she was here three weeks ago with another RS, but since that time her client and other industry insurers have been working with Barbara Jordan and the Idaho Trial Lawyers Association to reach some middle ground on the language. She was now presenting that middle ground. This legislation makes one important change as it only affects claims dealing with uninsured and underinsured motorists and an insurance response to proof of loss. This proposal will allow for 60 days to gather facts of the case and to collect information, and pertains to uninsured or underinsured motorists only. The vested parties are in agreement of the language in this legislation.
- MOTION:** **Senator Bock** moved to print **RS 22168C2**. **Senator Davis** seconded the motion. The motion carried by **voice vote**.
- H 105** **Relating to the Sexual Offender Registration Act - Michael J. Kane**, Idaho Sheriffs Association, explained the purpose of this bill is to increase the \$40 registration charge for sex offenders to \$80, and requires the additional \$40 per year to be used for the electronic tracking of sex offenders throughout the state and for electronic information shared among law enforcement. It also provides notification to law enforcement and sex offenders of the mandatory registration requirements provided in Idaho Law. This information will allow immediate information to be electronically sent throughout the state and city police departments. The sex offender will be notified electronically when it is time to re-register and also if they have moved, they must notify the sheriff their new location within seven days. This enables the ability to track the offender from place to place throughout the state. **Mr. Kane** said if an offender can't pay the money, it will be waived, but they will register.

Senator Davis asked if a victim or family member of a victim be notified of the offender's whereabouts or is this mainly a tool for law enforcement. **Mr. Kane** said it was principally a tool for law enforcement, but there is also a piece by Offender Watch that provides the public some limited information about the location of sex offenders. **Senator Davis** asked what the process was for verifying that the person is a victim. **Mr. Kane** said that under the Victim Information and Notification Everyday (VINE) system, there was no process. Anyone with any interest can access the information. **Chairman Lodge** asked how much money would be collected from these fees each year. **Mr. Kane** said approximately \$150 thousand.

MOTION: **Senator Hagedorn** moved to send **H 105** to the floor with a **do pass** recommendation. **Senator Lakey** seconded the motion. The motion carried by **voice vote**.

ADJOURNED: There being no further business, **Chairman Lodge** adjourned the meeting at 1:50 p.m.

Senator Lodge
Chairman

Leigh Hinds
Secretary