

MINUTES
HOUSE JUDICIARY, RULES, & ADMINISTRATION COMMITTEE

DATE: Thursday, February 19, 2015

TIME: 1:30 P.M.

PLACE: Room EW42

MEMBERS: Chairman Wills, Vice Chairman Dayley, Representatives Luker, McMillan, Perry, Sims, Malek, Trujillo, McDonald, Cheatham, Kerby, Nate, Scott, Gannon, McCrostie, Nye, Wintrow

**ABSENT/
EXCUSED:** None

GUESTS: Michael Kane, ISA; Holly Koole Rebholtz, IPAA; Kathy Griesmyer, ACLU; Holly Cook.

Chairman Wills called the meeting to order at 1:30 PM.

MOTION: **Rep. Dayley** made a motion to approve the minutes of the February 11, 2015, meeting. **Motion carried by voice vote.**

Chairman Wills thanked **Nicholas Wills** for his service as a page.

H 101: **Rep. Luker** presented **H 101** which repeals two statutes and is related to a group of bills to reclassify low level misdemeanors to infractions to reduce public defense work load and cost. Neither statute has been used recently. The first statute makes it an offense to refuse or neglect to assist the county law enforcement in making an arrest. The second statute addressed tampering with a vehicle, but is addressed by other laws.

MOTION: **Rep. Kerby** made a motion to send **H 101** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Luker** will sponsor the bill on the floor.

H 102: **Rep. Luker** presented **H 102** which reclassifies curfew violations from a low level misdemeanor to a infraction and sets a \$150 infraction fine for curfew violations.

MOTION: **Rep. McDonald** made a motion to send **H 102** to the floor with a **DO PASS** recommendation.

In response to a question from the committee, **Rep. Luker** noted that this bill would only apply to state law, and would not specifically change a city ordinance. Most cities consider a curfew violation to be a misdemeanor and the city fine would be more than the amount set in this bill.

**VOTE ON
MOTION:** **Motion carried by voice vote.** **Rep. Luker** will sponsor the bill on the floor.

H 121: **Rep. Luker** presented **H 121** which amends two statutes to have fixed fine amounts for infraction fines instead of the previously set variable fine amounts.

MOTION: **Rep. Nye** made a motion to send **H 121** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Luker** will sponsor the bill on the floor.

Kathy Griesmyer, ACLU expressed their support for **H 101** and **H 102**. (See attachment 1.)

H 139: **Michael Kane**, Idaho Sheriffs Association presented **H 139** which repeals an obsolete law regarding jurisdiction in cases of fighting duels.

- MOTION:** **Rep. Sims** made a motion to send **H 139** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Cheatham** will sponsor the bill on the floor.
- H 138:** **Michael Kane**, Idaho Sheriffs Association presented **H 138** which repeals an obsolete law requiring permission from a district judge before a sheriff moves a prisoner in cases of pestilence or contagious disease. It also repeals an obsolete law regarding expenses or removing a person from the county jail.
- MOTION:** **Rep. McCrostie** made a motion to send **H 138** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. McCrostie** will sponsor the bill on the floor.
- ADJOURN:** There being no further business to come before the committee, the meeting was adjourned at 1:58 PM.

Representative Wills
Chair

Katie Butcher
Secretary