

MINUTES

**HOUSE JUDICIARY, RULES, & ADMINISTRATION COMMITTEE**

**DATE:** Tuesday, March 03, 2015

**TIME:** 1:30 or Upon Adjournment

**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:** Reps. Gannon, Perry

**GUESTS:** Michael Henderson, ISC; Barry Wood, ISC; Holly Koole, IPAA.

**Vice Chairman Dayley** called the meeting to order at 2:49 PM.

**S 1026:** **Michael Henderson**, Idaho Supreme Court, presented **S 1026**. This bill was submitted to correct uncertain language in Idaho Code concerning driving under the influence of alcohol or drugs. There is conflicting language regarding whether or not a defendant may have a restricted driver's license after the first year of a license suspension. This bill would clarify the language by stating that the court shall suspend the defendant's driving privileges, of any kind, for one year. It would allow the suspension of privileges to be extended up to four years, allowing for restricted driving privileges if necessary for employment or family health needs. This is the same standard for granting restricted driving privileges that applies in the case of first-time DUIs. This will help to resolve any possible conflict regarding license suspensions for third-time DUI offenders.

**MOTION:** **Rep. Wills** made a motion to send **S 1026** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. McDonald** will sponsor the bill on the floor.

**S 1027:** **Michael Henderson**, Idaho Supreme Court, presented **S 1027**. The purpose of this bill is to correct provisions regarding the outside activities of senior judges. Current statutes regarding senior judges contain provisions stating that they cannot accept a position in another branch of state government, any political subdivision, or a position in the government of the United States or another state or nation. These provisions are far more sweeping than the provisions that apply to active, sitting judges. The restrictions on the activities of senior judges should be no more limiting than those that apply to the activities of active senior judges.

**MOTION:** **Rep. Cheatham** made a motion to send **S 1027** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Nate** will sponsor the bill on the floor.

**S 1029:** **Michael Henderson**, Idaho Supreme Court, presented **S 1029**. This bill is intended to correct an omission in Idaho Code relating to FTCs and FTC numbers. The current language implies that acquiring an FTC or FTC number from another without the consent of the card holder or issuer, even if done innocently and with no evil intent, is a felony. This bill corrects this omission by adding the intent to use to defraud, to the crime of acquiring an FTC or FTC number.

**MOTION:** **Rep. McCrostie** made a motion to send **S 1029** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Scott** will sponsor the bill on the floor.

**HCR 13:** **Rep. Wills** presented **HCR 13**. This Concurrent Resolution rejects rule **11.11.01.052.02** of the Idaho Peace Officers Standards and Training contained in **Docket No. 11-1101-1403** relating to applicants who are home schooled and removes the section requiring them to have a GED in order to apply to POST.

**MOTION:** **Rep. Sims** made a motion to send **HCR 13** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Wills** will sponsor the bill on the floor.

**ADJOURN:** There being no further business to come before the committee, the meeting was adjourned at 3:16 PM.

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Representative Dayley  
Chair

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Katie Butcher  
Secretary