

MINUTES

HOUSE JUDICIARY, RULES, & ADMINISTRATION COMMITTEE

DATE: Thursday, March 19, 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:** Chairman Wills

GUESTS: Evelyn Everton, Unspam Technologies; Robert Aldridge, TEPI; Senator Davis; Jared Larsen.

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

S 1069aa,aa: **Sen. Davis** presented **S 1069aa,aa**. This bill amends Idaho Code regarding the recovery of money issued, or renewed on or after July 1, 2015, to be enforceable up to ten years. The amendments on this bill pertain to the effective date. Simply put, once you get a money judgment, this bill determines the life of the money judgment.

MOTION: **Rep. McDonald** made a motion to send **S 1069aa, aa** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. McDonald** will sponsor the bill on the floor.

S 1053aa: **Robert Aldridge**, Trust and Estate Professionals of Idaho (TEPI) presented **S 1053aa**. A limited number of attorneys acting as Guardians ad Litem have taken the position that the second half of paragraph (2) of Section 15-5-316 and paragraph (2) of Section 15-5-435 is not limited to carrying out the duties of the Guardian ad Litem, but instead makes the Guardian ad Litem a sort of "super guardian" and "super conservator" who can take any action that the person could have taken, including making medical or living decisions, changing investments, and so forth. This assumption of super rights by the Guardian ad Litem has created major problems for properly handling the case, both before and after appointment of a guardian and/or conservator. Often the actions taken will be in direct opposition to the actions of the guardian or conservator. This bill clarifies and carries out the original intent of the code sections by providing that the rights and powers of the Guardian ad Litem are to fulfill their duties under the Code. This will keep the Guardian ad Litem in the proper role.

MOTION: **Rep. Malek** made a motion to send **S 1053aa** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. McCrostie** will sponsor the bill on the floor.

Evelyn Everton, Unspam Technologies presented information on Utah's Child Protection Registry. In this registry Utah families can register their child's contact point which is a E-mail address, mobile phone number, instant messenger id, social networking id and fax numbers. Registered contact points are protected from adult oriented marketing. There is no fiscal impact to Utah or taxpayers. The registry is enforced by families if their child continues to receive messages after thirty days. (See attachment 1.)

ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 2:25 PM.

Representative Dayley
Chair

Katie Butcher
Secretary