

MINUTES

## HOUSE JUDICIARY, RULES, & ADMINISTRATION COMMITTEE

**DATE:** Friday, April 10, 2015

**TIME:** Morning Recess, Subject to the Call of the Chair

**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:** Andrea Sorensen, DHW; Cade Hulbert, DHW; Dave Taylor, DHW; Kandee Yearsley, DHW; Russ Barron, DHW; Jared Tatro, LSO.

**Chairman Wills** called the meeting to order at 2:38 PM.

**S 1067:** **Kandee Yearsley**, Department of Health and Welfare presented **S 1067**. This bill ensures there is uniform child support enforcement across the nation and internationally. Not passing this bill will directly affect Idaho children. Ultimately, this bill empowers Idaho courts, supports Idaho children, and holds parents accountable. Most importantly, this is about supporting children financially. Including the loss of 16 million dollars, every tool used by the State Department of Health and Welfare would no longer be available for their use. This includes the: federal parent locator service, national directory of new hires, federal tax refund offset, passport denial program, federal case registry, access and visitation grants, administrative offset programs that garnish federal payments for child support, interstate automated communication tools known as CSENet, and QUICK, which is an electronic communication tool for state caseworkers to communicate real-time on interstate cases. Each tool necessary to enforcement would no longer be available. The total number of children and parents affected would be nearly 400,000.

In response to questions from the committee, **Ms. Yearsley** explained all 50 states must adopt the 2008 amendments in order for the treaty to be ratified. If the treaty is not ratified, the treaty is not in effect for the United States.

In response to questions from the committee, **Scott Keim**, Deputy Attorney General, (participating via conference call) confirmed there are no countries operating under Sharia Law jurisprudence signed on to the treaty. Foreign jurisdiction would only apply to the individual who is subject to the court order if the individual were to move to another country. If the order was created in a different country, Idaho courts cannot review the case and submit its own order in place of the original order. Idaho courts can review the facts of the case if they are set forth in the order at the time of registration. The laws of the country issuing the order can be reviewed outside of the order at any time. Idaho courts may refuse to recognize or enforce an order, resulting in the order not attaching to the individual as long as they are a resident of Idaho.

**MOTION:** **Rep. Malek** made a motion to send **S 1067** to floor with a **DO PASS** recommendation.

**SUBSTITUTE MOTION:** **Rep. Trujillo** made a substitute motion to lay **S 1067** on the table. Roll call vote was requested. **Motion carried by a vote of 9 AYE, 8 NAY. Voting in favor** of the motion: **Reps. Dayley, Luker, McMillan, Sims, Trujillo, Cheatham, Kerby, Nate, Scott. Voting in opposition** to the motion: **Reps. Perry, Malek, McDonald, Gannon, McCrostie, Nye, Wintrow and Chairman Wills.**

**ADJOURN:** There being no further business to come before the committee, the meeting was adjourned at 3:50 PM.

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Representative Wills  
Chair

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Katie Butcher  
Secretary