

MINUTES

HOUSE JUDICIARY, RULES, & ADMINISTRATION COMMITTEE

DATE: Tuesday, March 01, 2016

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:** Representative(s) Perry

GUESTS: Michael Henderson, ISC; Holly Koole Rebholtz, IPAA; Seth Guyer, ASUI; Emily Larsen, ASBSU.

Chairman Wills called the meeting to order at 1:33 PM.

H 521: **Nate Fisher**, Student Body Association, University of Idaho, presented **H 521**. This bill provides limited immunity from minor in possession and minor in consumption convictions when there is a need for emergency medical attention. This bill does not provide immunity for any other concurrent crime at the scene. This bill does not condone underage drinking but it does aid in situations that can be a reality for individuals under the age of 21. After passage of this legislation in other states, calls to EMS increased by 51% for alcohol related emergencies.

In response to a question from the committee, **Mr. Fisher** explained in the typical scenario where someone has called law enforcement and medical personnel, the party is over and everyone clears out. It is unlikely students would stay in the area and attempt to gain immunity from charges. Determining who has immunity may be up to law enforcement.

Seth Guyer, University of Idaho student, testified **in support of H 521**. He testified about his experience when a friend was in need of emergency medical assistance after drinking too much. Mr. Guyer chose to stay on the scene and called an ambulance. The ambulance, firefighters, and police arrived on scene. He chose to stay on the scene and cooperate with questions, he was later charged with a Minor in Consumption. He went through the process of attending classes and counseling and was able to have the charge expunged from his record. When he sought to join the military he was not able to do so and missed out on a job opportunity he was very excited about because of the counseling requirement for expungement. This bill would assist future students and increase the safety of students who need emergency medical assistance.

Emily Larsen, Student Representative, Associated Students of Boise State University, testified **in support of H 521**. This bill is about the health and welfare of young people in this situation. It is imperative friends make the call for emergency medical assistance. Over 200 comments and 1,100 signatures have been collected from individuals who support the legislation. The University Student Associations will inform students of this change in the law and encourage them to make the call.

In response to questions from a committee, **Ms. Larsen** explained 65% of underage students have tried alcohol at least once. Alcohol is prevalent at parties and often students are encouraged to sleep it off, but many need medical assistance and are not aware of it. Students are provided training to recognize the signs of alcohol poisoning, which is the most common medical emergency in these circumstances.

Rep. Troy testified in support of H 521. This bill seeks to remove the number one barrier, which is a young person's fear of getting themselves, or a friend, in trouble. Encouraging minors to call for help and stay on the scene will increase the safety of the kids.

MOTION: **Rep. Wintrow** made a motion to send **H 521** to the floor with a **DO PASS** recommendation.

In response to a question from the committee, **Mr. Fisher** explained information about immunity will be incorporated into orientation for students at the universities and will be paired with a strong message about drinking responsibly. Similar legislation was passed in California and in the year immediately following, the amount of binge drinking decreased by 2%. Research has proven passing this legislation does not result in a increase in drinking.

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

RS 24263: **Michael Henderson**, Idaho Supreme Court, presented **RS 24263**. This legislation was originally heard as **H 430** and **H 502** and contains improvements on the previous legislation due to changes needed. Concerns were raised about filing fees for petitions to seek a compromise of a claim. This piece of legislation includes a provision stating there will be no filing fee charged when a claim is filed. The legislation also clarifies if the claim is less than \$10,000 the Court could approve the claim based off the information in the report, rather than going through a hearing process. The legislation outlines what must be included in the report in order for the courts to approve without a hearing.

MOTION: **Rep. Gannon** made a motion to introduce **RS 24623** and recommend it be sent directly to the Second Reading Calendar.

In response to a question from the committee, **Mr. Henderson** explained if the child has a guardian or a conservator it is because there is an existing problem with the home and the parents, thus parents are not listed first in the order of priority. Parents may already file the claim according to the existing statute, this bill seeks to clarify what the process should be in a circumstance where the child is with a guardian or conservator.

VOTE ON MOTION: **Motion carried by voice vote. Rep. Kerby** requested to be recorded as voting **NAY. Rep. Luker** will sponsor the legislation on the floor.

MOTION: **Rep. Wintrow** made a motion to approve the minutes from the February 23, 2016, meeting. **Motion carried by voice vote.**

ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 2:27 PM.

Representative Wills
Chair

Katie Butcher
Secretary