

MINUTES

HOUSE JUDICIARY, RULES & ADMINISTRATION COMMITTEE

DATE: Tuesday, August 25, 2020
TIME: 30 Minutes After the Conclusion of the State Affairs Meeting
PLACE: Lincoln Auditorium
MEMBERS: Chairman Chaney, Acting Vice Chairman Monks, Representatives Kerby, Amador, Zito, Zollinger, Ehardt, Scott, Goesling, Hartgen, Marshall, Ricks, Troy, Young, Gannon, McCrostie, Wintrow, Davis
**ABSENT/
EXCUSED:** None
GUESTS: None

Chairman Chaney called the meeting to order at 2:28 p.m.

Chairman Chaney introduced the amended agenda and stipulated one hour will be used for public testimony relating to the legislation on the agenda. He further clarified there are no bills on the agenda which increase the immunity liability for any level of state government, except colleges and universities. All of the bills have emergency clauses for immediate effectiveness. These do not institute an emergency.

Chairman Chaney requested the non-press persons vacate the press table. The guests began shouting and Chairman Chaney put the committee at ease at 2:30 p.m. The Idaho State Police (ISP) moved to the front to protect the committee from the advancing guests and the meeting was moved to EW42.

Chairman Chaney called the meeting to order at 4:06 p.m., indicating the ISP had secured the building.

**UNANIMOUS
CONSENT
REQUEST:** **Chairman Chaney** made a unanimous consent request to amend the agenda to change **RS 28064** to **RS 28064C1**. There being no objection, the request was granted.

RS 28064C1: **Rep. Julianne Young**, District 31, presented **RS 28064C1**, proposed legislation to address liability in relation to coronavirus. This proposed legislation stands independent of any declaration of emergency. It does not require businesses to become an enforcement mechanism for government, health districts, or anyone else. When dealing with something unseen, of which we have little control and are learning about, it is difficult to determine responsibility. This provides confidence so businesses, schools, and communities can return to regular activities without risk of exposure.

The term "coronavirus" covers COVID-19 mutations and the family of viruses. The included and excluded entities are specified. Willful or reckless misconduct references protects persons not intending to cause harm.

MOTION: **Rep. Ehardt** made a motion to introduce **RS 28064C1**.

Answering questions, **Rep. Young** said this is not an enforcement mechanism. It addresses liability concerns for something that is unseen and uncontrollable. When entering a court situation, this shifts the burden of proof to the accuser.

**VOTE ON
MOTION:** **Chairman Chaney** called for a vote on the motion to introduce **RS 28064C1**. **Motion carried by voice vote. Reps Wintrow and Davis** requested they be recorded as voting **NAY**.

ADJOURN: There being no further business to come before the committee, the meeting adjourned at 4:31 p.m.

Representative Chaney
Chair

Irene Moore
Secretary