

MINUTES
HOUSE JUDICIARY, RULES & ADMINISTRATION COMMITTEE

DATE: Friday, February 19, 2021

TIME: 1:30 P.M.

PLACE: Room EW42

MEMBERS: Chairman Chaney, Vice Chairman Hartgen, Representatives Kerby, Amador, Ehardt, Scott, Marshall, Troy, Young, Nate, Cannon, Erickson, Skaug, Gannon, McCrostie, Ruchti, Nash

**ABSENT/
EXCUSED:** Representative(s) Ehardt, Marshall

GUESTS: Greg Hampikian, Kieran Donahue, Casey Baker, Bryan Bowermaster, Steve Smylie, David Lund, Alisha Surdam, Aaron Schmidt.

Chairman Chaney called the meeting to order at 1:33 p.m.

Chairman Chaney turned the gavel over to **Rep. Young**.

MOTION: **Rep. Cannon** made a motion for the Coronavirus Liability Sub Committee to approve the January 27 and February 3, 2021, meeting minutes. **Motion passed by voice vote.**

Rep. Young turned the gavel over to **Chairman Chaney**.

H 195: Continuation of the meeting of February 17, 2021. **Chairman Chaney** stated those individuals who were previously registered to testify and have not already testified will now be permitted to testify.

Tonnie Bruner testified in **opposition** to **H 195**, stating it is unconstitutional.

Aaron Schmidt testified in **opposition** to **H 195**. He objected to the words harass, annoy, and irritate because they are not specific enough.

Adrian Marin testified in **opposition** to **H 195**, saying the protesters are not bad people and it is not fair to take away their right to protest. He asked about other options to be heard.

Steven Keyser testified in **opposition** to **H 195**. This bill is unnecessary since any incidences have been handled by independent investigation with proper charges assessed and issued.

Rick Schultz, Carmen Glancy, Dominic Brandon did not respond when their names were called to testify.

Rosa Martinez, testified in **opposition** to **H 195**. She shared her story of leaving a communist country and her concern regarding seeing the same issues here.

Chairman Chaney turned the gavel over to **Vice Chairman Hartgen**.

MOTION: **Rep. Kerby** made a motion to send **H 195** to the floor with a **DO PASS** recommendation.

In closing remarks, **Rep. Green** said the intent of the bill is to protect the homes of individuals. It will be extremely difficult to keep good people in elected leadership roles and the law enforcement professions if protesters are allowed at their personal homes. This is similar to legislation passed in other states to prevent picketing at funerals and other types of private ceremonies.

Rep. Chaney, in closing remarks cited a 30-year old Arizona statute which has stood through constitutional scrutiny. Not preventing protesting, **H 195** describes inappropriate picketing locations. It does not deny people from being present today.

Answering questions, **Rep. Chaney** explained that businesses are public and registered with the State of Idaho. This legislation sets limits on the appropriate ways to let grievances be made known. He also explained why the disturbing-the-peace statute is unenforceable for picketing.

Discussion followed regarding enforcement, potential misuses, Idaho's unique right to defend private property laws, and the difficulty of reconciling an agreement with those laws when not supporting **H 195**.

**ROLE CALL
VOTE ON
MOTION:**

Rep. Scott requested a roll call vote on **H 195**. **Motion carried by a vote of 11 AYE, 4 NAY. Voting in favor** of the motion: **Reps. Chaney, Hartgen, Kerby, Amador, Troy, Cannon, Erickson, Gannon, McCrostie, Ruchti, Nash. Voting in opposition** to the motion: **Reps. Scott, Young, Nate, Skaug. Reps. Chaney and Green** will sponsor the bill on the floor.

ADJOURN:

There being no further business to come before the Committee, the meeting was adjourned at 3:06 p.m.

Representative Chaney
Chair

Andrea Blades
Secretary