

MINUTES

HOUSE JUDICIARY, RULES & ADMINISTRATION COMMITTEE

DATE: Wednesday, April 07, 2021

TIME: 1:30 P.M.

PLACE: Room EW42

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

**ABSENT/
EXCUSED:** None

GUESTS: None

Chairman Chaney called the meeting to order at 1:31 p.m.

H 191aaS: **Rep. Dixon** presented **H 191aaS**, legislation that permits a parent or guardian to use the assistance of a temporary care assistance program operated by a qualified nonprofit organization to identify an appropriate and safe, approved temporary caregiver to whom the parent or guardian can choose to delegate temporary care responsibility of a minor through a power of attorney. Changes to a previous version of the bill include a six month term limit protecting against abandonment and more stringent background checks. It was also made explicit that the children would be in the care of a guardian not the program, so as to prevent the child from being moved.

MOTION: **Rep. Kerby** made a motion to recommend concurrence with the Senate amendments to **H 191aaS**. **Motion carried by voice vote.** **Rep. Dixon** will sponsor the bill on the floor.

SJM 104: **Rep. Blanksma** presented **SJM 104** requesting the President of the United States and the U.S. Congress to respect the Tenth Amendment of the U.S. Constitution and avoid federalizing crime policy by withholding state criminal justice grants or other funding as a penalty for state policy choices made to ensure public safety and the administration of justice. The Idaho Legislature affirms its support for constitutional federalism that reserves broad powers to the states and respects the predominant responsibility of the states to ensure public safety and the administration of justice. Federal criminal justice grants to states should be used in partnership with the state but should not be used to coerce states to substitute federal policies for state and local policies affecting criminal and juvenile justice.

In response to a committee questions, **Rep. Blanksma** said that she is not aware of this happening now and that this is a preemptive measure. It was asked if this legislation would endorse private prisons. Rep. Blanksma said there is no language in this joint memorial that addresses private prisons though they might take advantage of the language. It is about reinforcing federalism.

MOTION: **Rep. Cannon** made a motion to send **SJM 104** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Blanksma** will sponsor the bill on the floor.

ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 1:39 p.m.

Representative Chaney
Chair

Beth Norton
Secretary