

MINUTES
SENATE JUDICIARY & RULES COMMITTEE

DATE: Friday, March 18, 2022

TIME: 1:30 P.M.

PLACE: Room WW54

MEMBERS PRESENT: Chairman Lakey, Vice Chairman Ricks, Senators Lodge, Lee, Anthon, Thayn, Zito, Burgoyne, and Wintrow

ABSENT/ EXCUSED: None

NOTE: The sign-in sheet, testimonies and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

CONVENED: **Chairman Lakey** called the meeting of the Senate Judiciary and Rules Committee (Committee) to order at 1:33 p.m.

ANNOUNCEMENTS: **Chairman Lakey** announced that the RS's would be considered first, followed by the voting for the Gubernatorial candidates, then **H 699** and last, **H 616**.

RS 29657 **Relating to Underground Facilities.** **Chairman Lakey** said Chairman Vick had sent a letter requesting that **RS 29657** be printed. **Chairman Lakey** then asked for unanimous consent that **RS 29657** be sent to print. There were no objections. The bill was returned to the Senate Resources and Environment Committee for a hearing.

RS 29671 **RS 29671 - Relating to Outfitters and Guides**
RS 29801 **RS 29801 - Relating to Crimes and Punishment**
RS 29864 **RS 29864 - Relating to Sex Crimes**
Chairman Lakey stated these RS's were presented late and essentially they are just being printed for informational purposes and it was not his intent to move them forward. It does get the bills out to the public for comment and could possibly be taken up next year.

MOTION: **Senator Thayn** moved to send **RS 29671**, **RS 29801**, and **RS 29864** to print. **Vice Chairman Ricks** seconded the motion. The motion carried by **voice vote**.

GUBERNATORIAL REAPPOINTMENT VOTE: **Senator Thayn** moved to send the Gubernatorial reappointment of Darrell Bolz to the State Public Defense Commission to the floor with recommendation that he be confirmed by the Senate. **Senator Burgoyne** seconded the motion. The motion carried by **voice vote**.

GUBERNATORIAL REAPPOINTMENT VOTE: **Vice Chairman Ricks** moved to send the Gubernatorial reappointment of Dan Dinning to the State Public Defense Commission to the floor with recommendation that he be confirmed by the Senate. **Senator Lee** seconded the motion. The motion carried by **voice vote**.

PASSED THE GAVEL: Chairman Lakey passed the gavel to Vice Chairman Ricks.

H 699 **Relating to Evidence.** **Chairman Lakey** presented **H 699** and said it is another opportunity to support our first responders. This bill deals with peer support counseling among our first responders. **Chairman Lakey** said the average American experiences 32 traumatic events in their lifetime, but the average first responder experiences 36 traumatic events in a single year. More first responders die from suicide than were killed in the line of duty.

Eighty-two percent of first responders who used peer support services found it to be favorable, yet only 18 percent had used peer support services. **Chairman Lakey** stated that when they were asked the reason why they were not utilizing that service more, the response was the lack of the ability to communicate confidentially with the peer support counselor. **H 699** would allow first responders the ability to speak to a peer support specialist in a private and confidential setting. The exceptions include: a threat of suicide, a threat to commit a criminal act if it is required by law to be disclosed, or an admission of criminal conduct.

TESTIMONY:

Rich Brown, a professional firefighter, peer team member, and a licensed professional counselor, testified in support of **H 699**. He said the ethical foundation of any peer team was trust, confidentiality and safety. This legislation backed up ethics of trust and confidentiality with legal protection for peer support specialists and helped to break down the stigma of getting help from peers or professional counselors.

DISCUSSION:

Chairman Lakey inquired as to how a person was designated as a peer counselor. **Mr. Brown** said peer team members are chosen and then trained by each department. It may be based on previous education, professional seminars, or an appropriate degree. **Senator Wintrow** asked if the counselors provided support for the peer specialists. **Mr. Brown** responded in the affirmative and said his experience with the Boise Fire Department was to gather with their team and often train with the core team.

CeCe Andrews, former mental health counselor, asked what the main difference was between a peer counselor and a regular counselor and were they paid. **Chairman Lakey** said his understanding was that they were simply peers and did not receive any extra compensation.

Vice Chairman Ricks asked if there was sharing between departments. **Mr. Brown** said that Boise Fire had trained with other jurisdictions throughout the area. Some firefighters had traveled the country to take other training and he personally trained in Montana.

MOTION:

Senator Burgoyne moved to send **H 699** to the floor with a **do pass** recommendation. **Senator Lee** seconded the motion. The motion carried by **voice vote**.

PASSED THE GAVEL:

Vice Chairman Ricks passed the gavel to Chairman Lakey.

H 616

Relating to Corporate Filings. Representative Caroline Troy presented the legislation, saying it was a simple bill dealing with charity. Without any compelling reason, private charities have been forced to report confidential financial information. **Representative Troy** said this bill protected private foundations and charitable trusts by clarifying that the only business reports they needed to file were those required under the state's nonprofit act and consumer protection laws.

Kate Haas, representing The Philanthropy Roundtable, said they had been working on this legislation and suggested removing some of the language in the bill and replacing it with an amendment. The amendment language specified that if there was a specific enforcement action against an organization or an investigation for fraud, then it had a catchall provision for the Attorney General.

MOTION:

Senator Anthon moved to send **H 616** to the floor with a **do pass** recommendation. **Senator Thayn** seconded the motion. The motion carried by **voice vote**.

ADJOURNED: There being no further business at this time, **Chairman Lakey** adjourned the meeting at 2:00 p.m.

Senator Lakey
Chair

Sharon Pennington
Secretary

Juanita Budell
Majority Staff Assistant