

MINUTES
HOUSE JUDICIARY, RULES & ADMINISTRATION COMMITTEE

DATE: Tuesday, March 07, 2023

TIME: 1:30 P.M.

PLACE: Room EW42

MEMBERS: Chairman Skaug, Vice Chairman Scott, Representatives Ehardt, Young, Cannon, Erickson, Alfieri, Allgood, Dixon(24), Gallagher, Garner, Handy, Lambert, Sauter, Wroten, Gannon, Nash, Mathias

**ABSENT/
EXCUSED:** None

GUESTS: The sign-in sheet will be retained in the committee secretary's office; following the end of session the sign-in sheet will be filed with the minutes in the Legislative Library.

Chairman Skaug called the meeting to order at 1:30pm.

MOTION: **Rep. Alfieri** made a motion to approve the February 27, 2023 and March 1, 2023 meeting minutes. **Motion carried by voice vote.**

H 236: **Rep. Weber** presented **H 236** regarding creating the office of State Public Defender. **Kelly Whiting, Elisa Massoth, Teresa Molitor** of Molitor & Associates for Kootenai County Public Defenders Office, **Mark Coppin, Terry Ratliff** of Ratliff Law Offices, Chtd., Elmore County Public Defender, and **Anne Taylor**, Kootenai County Public Defender, testified **in opposition**.

Committee inquired regarding protections for contractors, the maintaining of independence, specific corrections and clarifications, opt-out options, outcomes of other states' implementation, capital defense qualifications, retention of public defenders, staffing challenges, and funding concerns.

Jeremy Chou of the Idaho Association of Counties, **Anthony Geddes**, Chief Public Defender of Ada County, **Rod Beck** of the Ada County Commission, **Aaron Bazzoli**, Chief Public Defender of Canyon County, and **Seth Grigg** of the Idaho Association of Counties, testified **in support**.

Committee inquired regarding the impact on local taxpayers, the portion of funds the state would take-over, specific concessions made, budget guidelines, quality of representation, accountability and political independence.

Chairman Skaug put the committee at ease at 3:08pm.

Chairman Skaug returned the meeting to order at 3:18pm.

Committee inquired regarding local control, a dedicated funding source, General Orders, and fiscal note concerns.

ORIGINAL MOTION: **Rep. Wroten** made a motion to send **H 236** to the floor with a **DO PASS** recommendation.

SUBSTITUTE MOTION: **Rep. Alfieri** made a substitute motion to **HOLD H 236** in committee.

Rep. Cannon declared Rule 80.

AMENDED SUBSTITUTE MOTION: **Rep. Scott** made a motion to send **H 236** to General Orders.

**UNANIMOUS
CONSENT
REQUEST:**

Rep. Alfieri requested unanimous consent to withdraw the substitute motion to **HOLD H 236** in committee. **Rep. Scott** objected to the unanimous consent request to withdraw the substitute motion.

**ROLL CALL
VOTE ON
AMENDED
SUBSTITUTE
MOTION:**

Chairman Skaug requested a roll call vote. **Amended substitute motion failed by a vote of 7 AYE and 11 NAY. Voting in favor** of the motion: **Reps. Scott, Ehardt, Alfieri, Gallagher, Handy, Lambert, Gannon. Voting in opposition** to the motion: **Reps. Skaug, Young, Cannon, Erickson, Allgood, Dixon (24), Garner, Sauter, Wroten, Nash, Mathias.**

**ROLL CALL
VOTE ON
SUBSTITUTE
MOTION:**

Chairman Skaug requested a roll call vote. **Substitute motion failed by a vote of 7 AYE and 11 NAY. Voting in favor** of the motion: **Reps. Scott, Ehardt, Alfieri, Gallagher, Handy, Lambert, Gannon. Voting in opposition** to the motion: **Reps. Skaug, Young, Cannon, Erickson, Allgood, Dixon (24), Garner, Sauter, Wroten, Nash, Mathias.**

**ROLL CALL
VOTE ON
ORIGINAL
MOTION:**

Chairman Skaug requested a roll call vote. **Motion carried by a vote of 13 AYE and 5 NAY. Voting in favor** of the motion: **Reps. Skaug, Young, Cannon, Erickson, Allgood, Dixon (24), Garner, Handy, Sauter, Wroten, Gannon, Nash, Mathias. Voting in opposition** to the motion: **Reps. Scott, Ehardt, Alfieri, Gallagher, Lambert. Rep. Weber** will sponsor the bill on the floor.

**S 1027:
MOTION:**

Rep. Wroten presented **S 1027** regarding interpreters and witness subpoenas. **Rep. Cannon** made a motion to send **S 1027** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote. Rep. Wroten** will sponsor the bill on the floor.

ADJOURN:

There being no further business to come before the committee, the meeting adjourned at 4:17pm.

Representative Skaug
Chair

Nancy Conrad
Secretary