

MINUTES

HOUSE JUDICIARY, RULES & ADMINISTRATION COMMITTEE

DATE: Monday, February 19, 2024

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, Mathias, Achilles

**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 1:31pm.

MOTION: **Rep. Wroten** made a motion to approve the February 15, 2024 meeting minutes. **Motion carried by voice vote.**

HCR 23: **Rep. Moyle** presented **HCR 23** regarding Joint Rule 11.

Committee inquired regarding possible Senate response and whether legislation would only impact JFAC.

MOTION: **Rep. Wroten** made a motion to send **HCR 23** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Mathias** requested to be recorded as voting **NAY**. **Rep. Moyle** will sponsor the bill on the floor.

Chairman Skaug turned the gavel over to **Vice Chairman Scott**.

H 517: **Rep. Skaug** and **Sen. Toews** presented **H 517** regarding freedom of religion and speech.

Committee inquired regarding limitation of federal rights, application of criminal acts and gross misconduct, scope of employment, clarification of liability of government entities, redundancy of statute, requirement of a finding of malice or intent, and definition of religion.

ORIGINAL MOTION: **Rep. Alfieri** made a motion to send **H 517** to the floor with a **DO PASS** recommendation.

Katherine Hartley, Pacific Justice Institute, testified **in support**.

Paul Rolig, Nissa Nagel, Sara LaWall, Boise Unitarian Universalist Fellowship, and **Julianne Donnelly Tzul**, ACLU of Idaho, testified **in opposition**.

Committee inquired regarding impact on religions that do not believe in certain medical procedures, balancing protection of employees and others, codification of state law to align with current federal protections, application of the authority of the attorney general, federal supremacy compared to state authority regarding freedom of religion and speech, benefits of legislation, the possibility of judges being sued, past examples to which legislation could have been applied, and speed and cost of litigation.

SUBSTITUTE MOTION: **Rep. Sauter** made a motion to **HOLD H 517** in committee at the call of the chair.

**ROLL CALL
VOTE ON
SUBSTITUTE
MOTION:**

Vice Chairman Scott requested a roll call vote in reversed order of seniority. **Substitute motion failed by a vote of 8 AYE and 10 NAY. Voting in favor of the motion: Reps. Achilles, Mathias, Gannon, Wroten, Sauter, Garner, Dixon (24), Allgood. Voting in opposition to the motion: Reps. Lambert, Handy, Gallagher, Alfieri, Erickson, Cannon, Young, Ehardt, Scott, Skaug.**

**ROLL CALL
VOTE ON
ORIGINAL
MOTION:**

Vice Chairman Scott requested a roll call vote in reversed order of seniority. **Original motion carried by a vote of 12 AYE and 6 NAY. Voting in favor of the motion: Reps. Wroten, Lambert, Handy, Gallagher, Allgood, Alfieri, Erickson, Cannon, Young, Ehardt, Scott, Skaug. Voting in opposition to the motion: Reps. Achilles, Mathias, Gannon, Sauter, Garner, Dixon (24). Rep. Skaug** will sponsor the bill on the floor.

Vice Chairman Scott turned over the gavel to **Chairman Skaug**.

H 482:

Rep. Handy presented **H 482** regarding juvenile corrections and expungement hearings.

Committee inquired if current statute requires an attorney.

MOTION:

Rep. Scott made a motion to send **H 482** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote. Rep. Handy** will sponsor the bill on the floor.

ADJOURN:

There being no further business to come before the committee, the meeting adjourned at 2:51pm.

Representative Skaug
Chair

Nancy Conrad
Secretary