

MINUTES

## HOUSE JUDICIARY, RULES & ADMINISTRATION COMMITTEE

**DATE:** Tuesday, March 05, 2024

**TIME:** 1:30 PM or UPON ADJOURNMENT

**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 (Church), 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 1:33pm.

**MOTION:** **Rep. Wroten** made a motion to approve the February 29, 2024 and March 1, 2024 meeting minutes. **Motion carried by voice vote.**

**Senior Magistrate Judge Bryan Murray** introduced the magistrate judges.

**Magistrate Judge Kira Dale**, Fourth Judicial District, presented benefits and process of domestic violence courts.

Committee inquired regarding the number of domestic violence courts in the state, statistics regarding recidivism and jail terms, application to juvenile violence, stress-coping mechanisms of judges and resource-providing organizations working with the courts.

**Magistrate Judge Andrew Ellis**, Fourth Judicial District, presented challenges with protective orders in child protection proceedings.

Committee inquired regarding the annual number of children in the adjudication process, removal process, time-line of process, oversight, and explanation of summons.

**Magistrate Judge Faren Eddins**, Seventh Judicial District, presented daily work of Idaho magistrate judges.

**H 651:** **Rep. Boyle** and **Sheriff Matt Clifford**, Ada County Sheriff's Association, presented **H 651** regarding costs of recapture and reimbursement.

Committee inquired regarding invoice process and oversight, resource limitations, invoice disputes, warrant tracking, and retrieval responsibility.

**MOTION:** **Rep. Gallagher** made a motion to send **H 651** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Boyle** will sponsor the bill on the floor.

**S 1232aa:** **Rep. Scott** and **Sen. Herndon** presented **S 1232aa** regarding child protection and parental rights.

Committee inquired regarding safety assessments, assessment settings, communication of bill requirements, clarification of language, and remedy.

**MOTION:** **Rep. Ehardt** made a motion to send **S 1232aa** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Scott** will sponsor the bill on the floor.

**S 1326:** **Rep. Dixon (24), Sen. Hartgen, and Robby Bleazard** presented **S 1326** regarding aggravated driving while reckless.

Committee inquired regarding comparison between road-rage and aggravated driving, origin of legislation, degrees of offense, and conflict regarding restitution.

**Chairman Skaug** put the committee at ease at 3:10pm.

**Chairman Skaug** reconvened the meeting at 3:20pm.

Committee inquired regarding clarification of "great bodily harm" and mandatory minimums.

**Mike Pohanka and Michael Wendler** testified **in support**.

**ORIGINAL MOTION:** **Rep. Allgood** made a motion to send **S 1326** to the floor with a **DO PASS** recommendation.

**SUBSTITUTE MOTION:** **Rep. Gannon** made a substitute motion to send **S 1326** to General Orders.

**ROLL CALL VOTE ON SUBSTITUTE MOTION:** **Rep. Scott** requested a a roll call vote. **Substitute motion failed by a tie vote of 9 AYE and 9 NAY. Voting in favor** of the motion: **Reps. Scott, Ehardt, Young, Cannon, Alfieri, Gallagher, Handy, Lambert, Gannon. Voting in opposition** to the motion: **Reps. Skaug, Erickson, Allgood, Dixon (24), Garner, Sauter, Wroten, Church, Achilles.**

**ROLL CALL VOTE ON ORIGINAL MOTION:** **Chairman Skaug** requested a roll call vote. **Original motion carried by a vote of 13 AYE and 5 NAY. Voting in support** of the motion: **Reps. Chairman, Ehardt, Young, Erickson, Allgood, Dixon (24), Garner, Handy, Sauter, Wroten, Gannon, Church, Achilles. Voting in opposition** to the motion: **Reps. Scott, Cannon, Alfieri, Gallagher, Lambert. Rep. Dixon (24)** will sponsor the bill on the floor.

**S 1329:** **Rep. Ehardt and Jordan Carpenter**, Alliance Defending Freedom, presented **S 1329** regarding parental rights and medical decisions.

Committee inquired regarding conflict with federal laws, interaction with federal health records, and application to faith-healings.

**Jennifer Arzola and Kristi Hardy** testified **in support**.

**Michelle King**, LC Valley Youth Resource Center, **Mistie Tolman**, Planned Parenthood Alliance Advocates, **Rory Cole**, and **Julianne Donnelly Tzul**, ACLU of Idaho, testified **in opposition**.

Committee inquired regarding negative impacts, referring physicians, contradiction to Idaho code, application to mental health, broadness of current statute, emergency exemptions, parental access to medical records, and negative impact of treatment provided without knowledge of family health history.

**ORIGINAL MOTION:** **Rep. Lambert** made a motion to send **S 1329** to the floor with a **DO PASS** recommendation.

**SUBSTITUTE MOTION:** **Rep. Erickson** made a substitute motion to **HOLD S 1329** in committee.

**AMENDED SUBSTITUTE MOTION:** **Rep. Sauter** made an amended substitute motion to send **S 1329** to General Orders.

**VOTE ON AMENDED SUBSTITUTE MOTION:** **Amended substitute motion failed by voice vote.**

**ROLL CALL  
VOTE ON  
SUBSTITUTE  
MOTION:**

**Rep. Wroten** requested a roll call vote. **Substitute motion failed by a vote of 7 AYE , 9 NAY and 2 absent/excused. Voting in favor** of the motion: **Reps. Erickson, Garner, Sauter, Wroten, Gannon, Church, Achilles. Voting in opposition** to the motion: **Reps. Skaug, Scott, Ehardt, Young, Cannon, Alfieri, Gallagher, Handy, Lambert. Reps. Allgood and Dixon (24)** were absent/excused.

**ROLL CALL  
VOTE ON  
ORIGINAL  
MOTION:**

**Chairman Skaug** requested a roll call vote. **Motion carried by a vote of 13 AYE, 3 NAY, and 2 absent/excused. Voting in favor** of the motion: **Reps. Skaug, Scott, Ehardt, Young, Cannon, Erickson, Alfieri, Gallagher, Garner, Handy, Lambert, Sauter, Wroten. Voting in opposition** to the motion: **Reps. Gannon, Church, Achilles. Reps. Allgood and Dixon (24)** were absent/excused. **Rep. Ehardt** will sponsor the bill on the floor.

**ADJOURN:**

There being no further business to come before the committee, the meeting adjourned at 4:51pm.

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Representative Skaug  
Chair

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Nancy Conrad  
Secretary