

JOURNAL
of the
STATE SENATE



FIRST EXTRAORDINARY SESSION
of the
SIXTY-FIFTH LEGISLATURE
and
ORGANIZATIONAL SESSION
and
FIRST REGULAR SESSION
of the
SIXTY-SIXTH LEGISLATURE
of the
STATE OF IDAHO
2021

JOURNAL
of the
STATE SENATE



FIRST EXTRAORDINARY SESSION

of the
SIXTY-FIFTH LEGISLATURE

of the
STATE OF IDAHO
2020

SENATE JOURNAL

SIXTY-FIFTH IDAHO LEGISLATURE

FIRST EXTRAORDINARY SESSION

2020 LEGISLATIVE SESSION

August 24, 2020

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SIXTY-FIFTH LEGISLATURE - FIRST EXTRAORDINARY SESSION - 2020
OFFICERS AND ADMINISTRATION OF THE SENATE

Name	Address
MCGEACHIN, JANICE Lieutenant Governor/President of the Senate	Idaho Falls
HILL, BRENT President Pro Tempore	Rexburg
WINDER, CHUCK Majority Leader	Boise
VICK, STEVE Assistant Majority Leader	Dalton Gardens
ANTHON, KELLY ARTHUR Majority Caucus Chair	Burley
STENNETT, MICHELLE Minority Leader	Ketchum
BUCKNER-WEBB, CHERIE Assistant Minority Leader	Boise
JORDAN, MARYANNE Minority Caucus Chair	Boise
NOVAK, JENNIFER Secretary of the Senate	Boise
ROURK, JACOB Journal Clerk	Boise
JONES, MARY SUE Chief of Staff to President Pro Tem	Boise
LEWERS, CATHERINE Minority Chief of Staff	Boise
MCDONALD, SARAH JANE Sergeant-at-Arms	Boise
TANNER, JEFF Chaplain	Boise

SECTION II-EO

2020 MEMBERS OF THE SENATE AND ASSIGNMENTS
(Certificate of Election - First Extraordinary Session)

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AGENBROAD, JEFF Commerce and Human Resources - Vice Chair Finance	Nampa	13
ANTHON, KELLY ARTHUR Majority Caucus Chair Judiciary and Rules Local Government and Taxation State Affairs	Burley.....	27
BAIR, STEVE Finance - Chair Resources and Environment	Blackfoot	31
BAYER, REGINA M. Agricultural Affairs Health and Welfare	Meridian.....	21
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Agricultural Affairs		
Health and Welfare		
HEIDER, LEE	Twin Falls.....	24
Resources and Environment - Chair		
Health and Welfare		
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President Pro Tempore		
Local Government and Taxation		
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Finance - Vice Chair		
Resources and Environment		
JORDAN, MARYANNE	Boise.....	17
Minority Caucus Chair		
Agricultural Affairs		
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LAKEY, TODD M.	Nampa	12
Judiciary and Rules - Chair		
Commerce and Human Resources		
Local Government and Taxation		
LEE, ABBY	Fruitland.....	9
Judiciary and Rules - Vice Chair		
Finance		
Health and Welfare		
LENT, DAVE.....	Idaho Falls	33
Agricultural Affairs		
Education		

Name	Address	District
LODGE, PATTI ANNE..... State Affairs - Chair Judiciary and Rules Transportation	Huston.....	11
MARTIN, FRED S..... Health and Welfare - Chair Commerce and Human Resources	Boise.....	15
MORTIMER, DEAN M..... Education - Chair Agricultural Affairs Resources and Environment	Idaho Falls.....	30
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NYE, MARK..... Finance Judiciary and Rules Local Government and Taxation	Pocatello.....	29
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SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST EXTRAORDINARY SESSION
SIXTY-FIFTH LEGISLATURE

**FIRST LEGISLATIVE DAY
MONDAY, AUGUST 24, 2020**

Senate Chamber

At the hour of 10 a.m. on Friday, August 24, 2020, being the day and hour fixed by proclamation of the Governor of the State of Idaho for the convening of the First Extraordinary Session of the Sixty-fifth Idaho Legislature, the members of the Senate convened in the Senate Chamber of the Capitol in the city of Boise, with President Janice McGeachin presiding. Secretary of the Senate Jennifer Novak read the following Certification and Proclamation calling the Legislature to meet in Extraordinary Session:

STATE OF IDAHO
OFFICE OF THE SECRETARY OF STATE

CERTIFICATION

I, LAWRENCE DENNEY, Secretary of State of the State of Idaho and legal custodian of the Seal of said State and all Proclamations of the Governor of the State of Idaho concerning the convening of the Sixty-Fifth Idaho Legislature in an Extraordinary Session, received and filed in this office on the Nineteenth day of August, 2020, and that same appears of record in this office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State of Idaho. Done at Boise, Idaho, this Nineteenth day of August, 2020.

/s/ LAWRENCE DENNEY
Secretary of State

STATE OF IDAHO
THE OFFICE OF THE GOVERNOR
EXECUTIVE DEPARTMENT
BOISE

PROCLAMATION

WHEREAS, the SARS-CoV-2 virus that originated in China and causes the disease COVID-19 has caused untold misery and devastation throughout the world, including in the United States and in Idaho; and

WHEREAS, the health and safety of all Idahoans is the greatest priority of our state and its leaders; and

WHEREAS, citizen participation in our elections by voting is essential to our republic; and

WHEREAS, the White House has recently reported that several Idaho counties are in the "Red Zone" for COVID-19

due to a high rate of new cases per 100,000 and a test positivity rate above 10 percent, including some of Idaho's most populous counties; and

WHEREAS, the COVID-19 pandemic has significantly decreased the availability of possible polling locations and willingness of poll workers to serve on Election Day; and

WHEREAS, I am informed by the Secretary of State that on average approximately 4,000 poll workers help carry out the general election and that the median age of those poll workers is 70 years old; and

WHEREAS, I am informed by the Secretary of State that over half of those who customarily serve as poll workers do not plan to do so for the 2020 general election; and

WHEREAS, I am informed by the Secretary of State that an unprecedented number of Idahoans will vote absentee in this year's general election, which will require those ballots to be processed and counted by the county clerks' offices while simultaneously preparing for and operate polling places for in person voting on Election Day; and

WHEREAS, there is an urgent need to address and ensure the privacy, integrity and security of Idaho's election process; and

WHEREAS, the existence of COVID-19 in Idaho and in the United States has significantly harmed Idaho's economy, caused the loss of many Idaho jobs, and caused our schools, universities, and other institutions to temporarily close; and

WHEREAS, the United States and the State of Idaho have enacted numerous laws and programs to help workers, professional educators, businesses, health care workers, patients, and citizens respond to and recover from the negative impacts caused by COVID-19; and

WHEREAS, safely reopening Idaho's economy is crucial to Idaho's recovery from the COVID-19 pandemic and will enable Idaho's workers to get back to work and Idaho's students to get back to school; and

WHEREAS, the COVID-19 pandemic has created unprecedented uncertainty as to liability due to the existence and spread of COVID-19 in Idaho; and

WHEREAS, small and large businesses, schools, colleges and universities, and religious, philanthropic and other non-profit institutions confront the risk of litigation accusing them of negligently exposing employees, customers, students, and worshipers to coronavirus. Health care workers face the threat of lawsuits arising from their efforts to fight the virus; and

WHEREAS, establishing temporary and consistent standards to govern liability for certain tort claims related to COVID-19 will help Idaho's economy recover in a safe and prudent manner and will encourage planning, care, and appropriate risk management by small and large businesses, schools, colleges and universities, religious, philanthropic and other non-profit institutions, and health care providers; and

WHEREAS, the standards set by this special session must be carefully tailored to the crisis caused by the COVID-19 pandemic and extend no further than necessary to meet this unique crisis. Those who do not act in good faith to respond safely to the COVID-19 pandemic should not be immune from liability; and

WHEREAS, article IV, section 9 of the Constitution of the State of Idaho empowers the Governor, on extraordinary occasions, to convene the Legislature by proclamation; and

WHEREAS, the Idaho Legislature has requested a special session to address issues caused by the COVID-19 pandemic that require immediate action; and

WHEREAS, I have determined that the existence and spread of COVID-19 in Idaho is such an extraordinary occasion that necessitates convening a special session of the Idaho Legislature; and

WHEREAS, the Idaho Legislature formed working groups that have studied those issues caused by the COVID-19 pandemic and recommended specific bills to be considered at a special session of the Idaho Legislature; and

WHEREAS, article III, section 9 of the Constitution of the State of Idaho gives each house of the Legislature the authority to identify and implement the safety protocols, including capacity limits, it deems necessary to conduct its proceedings within its respective chambers, offices, and committee rooms.

NOW, THEREFORE, I, Brad Little, Governor of the State of Idaho, by virtue of the authority vested in me by the Constitution and laws of this state, do by this Proclamation convene the 65th Idaho Legislature in Extraordinary Session in the legislative chambers at the Capitol in Boise City, Ada County, Idaho, at the hour of 10:00 A.M on the 24th day of August, 2020 for the following enumerated purpose and no other:

To consider the passage of RS28046 regarding absentee voting during the pandemic, RS28045 regarding in person polling locations during the pandemic, and RS28049 regarding civil liability, copies of which are attached hereto.

The Extraordinary Session of the Legislature convened by this Proclamation shall have no power to legislate on any subjects other than those specified herein.

I HEREBY DIRECT AND REQUIRE that a copy of this Proclamation be delivered to the Lieutenant Governor, to each of the members of the 65th Idaho Legislature and to the Constitutional Officers of Idaho at the earliest practicable time.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho at the Capitol in Boise on the 19th day of August in the year of our Lord two thousand and twenty.

/s/ Brad Little
Governor

/s/ LAWRENCE DENNEY
Secretary of State

The Certification and Proclamation was ordered filed in the office of the Secretary of the Senate.

The following Certificate of Election was read by the Secretary of the Senate:

STATE OF IDAHO
OFFICE OF THE SECRETARY OF STATE

CERTIFICATE OF ELECTION

I, Lawrence Denney, Secretary of State of the State of Idaho and legal custodian of the records of elections held in the State of Idaho, do hereby certify that the following is a full, true, and complete list of those elected to serve as members of the Senate

of the First Extraordinary Session of the Sixty-fifth Legislature, as shown by official records on file in my office:

DISTRICT	NAME
1	Jim Woodward (R)
2	Steve Vick (R)
3	Don Cheatham (R)
4	Mary Souza (R)
5	David Nelson (D)
6	Daniel Johnson (R)
7	Carl G. Crabtree (R)
8	Steven P. Thayn (R)
9	Abby Lee (R)
10	Jim Rice (R)
11	Patti Anne Lodge (R)
12	Todd Lakey (R)
13	Jeff C. Agenbroad (R)
14	C. Scott Grow (R)
15	Fred S. Martin (R)
16	Grant Burgoyne (D)
17	Maryanne Jordan (D)
18	Janie Ward-Engelking (D)
19	Cherie Buckner-Webb (D)
20	Chuck Winder (R)
21	Regina M. Bayer (R)
22	Lori Den Hartog (R)
23	Bert Brackett (R)
24	Lee Heider (R)
25	Jim Patrick (R)
26	Michelle Stennett (D)
27	Kelly Arthur Anthon (R)
28	Jim Guthrie (R)
29	Mark Nye (D)
30	Dean M. Mortimer (R)
31	Steve Bair (R)
32	Mark R. Harris (R)
33	Dave Lent (R)
34	Brent Hill (R)
35	Van Burtenshaw (R)

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State of Idaho. Done at Boise, the Capitol of Idaho, this Nineteenth day of August, in the year of our Lord, two thousand and twenty, and of the Independence of the United States of America, the two hundred and forty-fifth.

/s/ LAWRENCE DENNEY
Secretary of State

The Certificate of Election was ordered filed in the office of the Secretary of the Senate.

Roll call showed all members present except Senators Buckner-Webb and Jordan, absent and formally excused by the Chair.

Prayer was offered by Chaplain Jeff Tanner, Church of Jesus Christ of Latter-day Saints, Meridian, Idaho.

The Pledge of Allegiance was led by Sarah Jane McDonald, Sergeant-at-Arms.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Tenth Order of Business.

Motions and Resolutions

On request by Senator Winder, seconded by Senator Stennett, by voice vote, the Rules of the Senate and Joint Rules of the Senate and House of Representatives of the Second Regular Session of the Sixty-fifth Idaho Legislature were adopted as the temporary rules for the First Extraordinary Session of the Sixty-fifth Idaho Legislature.

Moved by Senator Winder, seconded by Senator Stennett, that the following attaches be elected to fill the offices provided for by the *Constitution* of the State of Idaho and by statute:

Journal ClerkJacob Rourk
Sergeant-at-Arms Sarah Jane McDonald
Senate ChaplainJeff Tanner
Committee Secretaries:
Judiciary and Rules Committee SecretaryLinda Kambeitz
State Affairs Committee SecretaryGaye Bennett
Honorary Page:
Page.....Marlee Novak

The question being, Shall the motion prevail?

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayne, Vick, Ward-Engelking, Winder, Woodward. Total - 33.

NAYS—None.

Absent and excused —Buckner-Webb, Jordan. Total - 2.

Total - 35.

Whereupon the President declared the attaches duly elected to their respective positions. The President instructed the Sergeant-at-Arms, Sarah Jane McDonald, to escort the attaches to the Desk at which time the Oath of Office was administered to the elected attaches and they were escorted from the Chamber.

The Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1001

**BY STATE AFFAIRS COMMITTEE
AN ACT**

RELATING TO ELECTIONS; AMENDING SECTION 34-1003, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE ISSUANCE OF ABSENTEE BALLOTS; AMENDING SECTION 34-1007, IDAHO CODE, TO REVISE PROVISIONS REGARDING COUNTING ABSENTEE BALLOTS; AND DECLARING AN EMERGENCY.

S 1002

**BY STATE AFFAIRS COMMITTEE
AN ACT**

RELATING TO ELECTIONS; AMENDING CHAPTER 11, TITLE 34, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 34-1115, IDAHO CODE, TO PROVIDE FOR ALTERNATIVE PROCEDURES FOR ELECTION DAY VOTING AND TO PROVIDE FOR VOTE CENTERS; DECLARING AN EMERGENCY; AND PROVIDING A SUNSET DATE.

S 1001 and **S 1002** were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

On request by Senator Winder, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

Reports of Standing Committees

August 24, 2020

The JUDICIARY AND RULES Committee reports that **S 1001** and **S 1002** have been correctly printed.

LAKEY, Chairman

S 1001 and **S 1002** were referred to the State Affairs Committee.

August 24, 2020

The STATE AFFAIRS Committee reports out **S 1001** with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

LODGE, Chairman

There being no objection, **S 1001** was referred to the Fourteenth Order of Business, General Calendar.

August 24, 2020

The STATE AFFAIRS Committee reports out **S 1002** with the recommendation that it do pass.

LODGE, Chairman

S 1002 was filed for second reading.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

Motion to Suspend Rules

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate passage of **S 1002** be suspended; that the portions of Section 15, Article 3, of the Constitution of the State of Idaho requiring all bills to be read on three several days be dispensed with, this being a case of urgency, and that **S 1002** be read the second time by title and the third time at length, section by section, and be put upon its final passage. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Stennett, Thayne, Vick, Ward-Engelking, Winder, Woodward. Total - 32.

NAYS—None.

Absent and excused—Buckner-Webb, Jordan, Souza. Total - 3.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended.

S 1002 was read the second time by title and the third time at length, section by section, and placed before the Senate for

final consideration. Senator Lodge arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

On request by Senator Lodge, granted by unanimous consent, the following typographical correction was made to [S 1002](#), pursuant to Senate Rule 9(F):

On page 1, line 30, change "ballots" to "ballot."

On page 1, line 31, change "ballots" to "ballot."

On page 1, line 32, change "ballots" to "ballot."

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 31.

NAYS—Buckner-Webb, Burgoyne, Jordan, Stennett. Total - 4.

Paired and voting included in roll call:

AYE - Cheatham

NAY - Jordan

AYE - Lent

NAY - Buckner-Webb

Total - 35.

Whereupon the President declared [S 1002](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Fourteenth Order of Business.

General Calendar

The President declared the Senate resolved into the Committee of the Whole and called Senator Vick to the Chair to preside during the sitting of the Committee of the Whole.

Following the adjournment of the Committee of the Whole, the President called the Senate to order.

Report of the Committee of the Whole

Senator Vick, Chairman of the Committee of the Whole, reported out [S 1001](#), without recommendation, amended as follows:

SENATE AMENDMENT TO S 1001

AMENDMENT TO SECTION 2

On page 3 of the printed bill, delete lines 10 through 13, and insert: "prior to election day. If the absentee ballots are opened prior to election day, the ballots shall be securely maintained in a nonproprietary electronic access-controlled room under twenty-four (24) hour nonproprietary video surveillance that is livestreamed to the public and which video must be archived for at least ninety (90) days following the election. The ballots shall be boxed and secured in the same access-controlled room each day after being opened or scanned. A minimum of two (2) election officials must be present whenever absentee ballots are accessed. No results shall be tabulated for absentee ballots until the polls close on the day of the election held prior to December 31, 2020."

VICK, Chairman

On motion by Senator Vick, seconded by Senator Stennett, the report was adopted by voice vote.

[S 1001](#), as amended, was referred to the Judiciary and Rules Committee for engrossing and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

On request by Senator Winder, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

Reports of Standing Committees

August 24, 2020

The JUDICIARY AND RULES Committee reports that Senate amendments to [S 1001](#) have been correctly printed.

LAKEY, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

August 24, 2020

The JUDICIARY AND RULES Committee reports that [S 1001](#), as amended, has been correctly engrossed.

LAKEY, Chairman

[S 1001](#), as amended, was filed for first reading.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

[S 1001](#), as amended, by State Affairs Committee, was read the first time at length and filed for second reading.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

Motion to Suspend Rules

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate passage of [S 1001](#), as amended, be suspended; that the portions of Section 15, Article 3, of the Constitution of the State of Idaho requiring all bills to be read on three several days be dispensed with, this being a case of urgency, and that [S 1001](#), as amended, be read the second time by title and the third time at length, section by section, and be put upon its final passage. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 33.

NAYS—None.

Absent and excused—Buckner-Webb, Jordan. Total - 2.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended.

[S 1001](#), as amended, was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Harris arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 33.

NAYS—None.

Absent and excused—Buckner-Webb, Jordan. Total - 2.

Total - 35.

Whereupon the President declared [S 1001](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 5:29 p.m. until the hour of 10 a.m., Tuesday, August 25, 2020.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

**SECOND LEGISLATIVE DAY
TUESDAY, AUGUST 25, 2020**

Senate Chamber

President McGeachin called the Senate to order at 10 a.m.

Roll call showed all members present except Senators Buckner-Webb and Jordan, absent and formally excused by the Chair; and Senator Thayn, absent and excused.

Prayer was offered by Chaplain Jeff Tanner.

The Pledge of Allegiance was led by Senator Dave Lent.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of August 24, 2020, was read and approved as corrected.

LAKEY, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 4:04 p.m. until the hour of 10 a.m., Wednesday, August 26, 2020.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

**THIRD LEGISLATIVE DAY
WEDNESDAY, AUGUST 26, 2020**

Senate Chamber

President McGeachin called the Senate to order at 10 a.m.

Roll call showed all members present except Senators Buckner-Webb and Jordan, absent and formally excused by the Chair.

Prayer was offered by Chaplain Jeff Tanner.

The Pledge of Allegiance was led by Senator Jim Woodward.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of August 25, 2020, was read and approved as corrected.

LAKEY, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

August 25, 2020

Dear Madam President:

I transmit herewith [H 1](#) and [HCR 1](#), which have passed the House.

MAULIN, Chief Clerk

[H 1](#) was filed for first reading.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

[H 1](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

On request by Senator Winder, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

Reports of Standing Committees

August 26, 2020

The STATE AFFAIRS Committee reports out [H 1](#) with the recommendation that it do pass.

LODGE, Chairman

[H 1](#) was filed for second reading.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

Motion to Suspend Rules

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate passage of [H 1](#) be suspended; that the portions of Section 15, Article 3, of the Constitution of the State of Idaho requiring all bills to be read on three several days be dispensed with, this being a case of urgency, and that [H 1](#) be read the second time by title and the third time at length, section by section, and be put upon its final passage. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayne, Vick, Ward-Engelking, Winder, Woodward. Total - 33.

NAYS—None.

Absent and excused—Buckner-Webb, Jordan. Total - 2.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended.

[H 1](#) was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Lodge arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayne, Vick, Ward-Engelking, Winder, Woodward. Total - 33.

NAYS—Buckner-Webb, Jordan. Total - 2.

Paired and voting included in roll call:

AYE - Lakey

NAY - Buckner-Webb

AYE - Vick

NAY - Jordan

Total - 35.

Whereupon the President declared [H 1](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Winder, granted by unanimous consent, the Senate returned to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

On request by Senator Winder, granted by unanimous consent, the Senate returned to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

SR 101

BY STATE AFFAIRS COMMITTEE

A SENATE RESOLUTION

STATING FINDINGS OF THE SENATE AND MAKING CERTAIN RESOLUTIONS REGARDING THE STATE OF EMERGENCY IN IDAHO.

Be It Resolved by the Senate of the State of Idaho:

WHEREAS, Section 1, Article II of the Idaho Constitution states that the "powers of the government of this state are divided into three distinct departments, the legislative, executive and judicial; and no person or collection of persons charged with the exercise of powers properly belonging to one of these departments shall exercise any powers properly belonging to either of the others . . ."; and

WHEREAS, the Idaho Legislature as representatives of the people of Idaho have a constitutional right as a separate and equal branch of government to exercise the power of appropriation and the making of laws; and

WHEREAS, the COVID-19 coronavirus outbreak in Idaho has resulted in an emergency response that includes the expenditure of public funds, administrative rulemaking, and changes to Idaho laws by the Idaho executive branch; and

WHEREAS, the Governor issued a Proclamation dated August 19, 2020, calling an extraordinary session of the Legislature with the only subjects for consideration being: 1) absentee voting during the pandemic; 2) in-person polling locations during the pandemic; and 3) civil liability relating to COVID-19; and

WHEREAS, during the course of the emergency, contradictions and shortcomings in the Constitution, statutes, and rules regarding emergencies have become clear; and

WHEREAS, Section 9, Article IV of the Idaho Constitution limits the topics the Legislature may consider during an extraordinary session to only those subjects set forth in the proclamation; and

WHEREAS, Section 46-1008, Idaho Code, states that the "Legislature by concurrent resolution may terminate a state of disaster emergency at any time" that conflicts with the subject limitation applicable to extraordinary sessions; and

WHEREAS, when the Constitution and a statute conflict, the Constitution prevails; and

WHEREAS, circumstances during the course of the declared emergency demonstrate the need for the greater ability of the Legislature to respond in a timely fashion to the concerns of the citizens of Idaho as they relate to the appropriate exercise of legislative authority; and

WHEREAS, the Senate desires to take steps to maintain the constitutional balance of powers in times of emergencies; and

WHEREAS, the Senate has considered whether terminating the emergency declaration is within the constitutional authority of the Legislature during this extraordinary legislative session, along with the impacts to the daily lives of Idaho citizens; and

WHEREAS, the Senate has acknowledged that any action terminating the emergency declaration would not end the orders of the local health districts, state administrative agencies, local government, and other unelected officials. Examples of local decisions that would not terminate by ending the statewide emergency declaration include school closures, face covering

mandates, restrictions on group gatherings, business closures, and church attendance; and

WHEREAS, the Senate has concluded that any action by the Legislature beyond those subjects identified in the Governor's Proclamation, including efforts to terminate any emergency declaration, during this extraordinary session is unconstitutional; and

WHEREAS, the members of the Senate desire always to honor their oath of office and uphold the Idaho Constitution.

NOW, THEREFORE, BE IT RESOLVED by the members of the Senate, assembled in the First Extraordinary Session of the Sixty-fifth Idaho Legislature, that the Senate of the State of Idaho calls on the Governor to end the state of emergency, but in a manner that preserves financial support for Idaho's hospitals and nursing homes and keeps the regulatory reductions in place for Idaho citizens.

BE IT FURTHER RESOLVED by the Idaho Senate that in the next regular session of the Idaho Legislature, the following matters be considered for legislation:

1. A declaration that all Idahoans who work, provide for families, pay taxes, and otherwise contribute to the Idaho economy must be deemed essential in any declared emergency;
2. An amendment to the Idaho Constitution providing that, in limited circumstances, the Idaho Legislature may call itself back into session while remaining a part-time, citizen Legislature;
3. A limitation on the length of any emergency declaration of the Governor without the concurrence of the Legislature;
4. A limitation on the emergency powers and spending authority of the executive branch without the approval of the Legislature;
5. A prohibition on quarantining healthy individuals;
6. The ending of orders prohibiting Idahoans from attending places of worship;
7. Rescinding existing emergency declarations; and
8. A review of the authority of the public health districts and local government subdivisions.

BE IT FURTHER RESOLVED by the Idaho Senate that all Idahoans have the right to physically participate in elections by presenting themselves at local polling stations to cast their ballots.

BE IT FURTHER RESOLVED that the Idaho Senate reaffirms the right of all Idahoans to make health and safety decisions for themselves and their families.

BE IT FURTHER RESOLVED that the Secretary of the Senate be and is hereby authorized and instructed to send a copy of this resolution to the Governor of the State of Idaho.

[SR 101](#) was introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

August 26, 2020

The JUDICIARY AND RULES Committee reports that [SR 101](#) has been correctly printed.

LAKEY, Chairman

[SR 101](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Tenth Order of Business.

Motions and Resolutions

Moved by President Pro Tempore Hill, seconded by Senator Winder, that all rules of the Senate interfering with the immediate consideration of [SR 101](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Lakey, Lee, Lent, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayne, Vick, Ward-Engelking, Winder, Woodward. Total - 32.

NAYS—None.

Absent and excused—Buckner-Webb, Jordan, Lodge. Total - 3.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [SR 101](#) was before the Senate for final consideration.

The President announced that [SR 101](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by President Pro Tempore Hill, seconded by Senator Winder, [SR 101](#) was adopted by voice vote, title was approved, and the resolution ordered filed in the office of the Secretary of the Senate.

On request by Senator Winder, granted by unanimous consent, the Senate returned to the Ninth Order of Business.

Messages from the House

[HCR 1](#) was filed for first reading.

August 26, 2020

Dear Madam President:

I transmit herewith [H 6](#), which has passed the House.

MAULIN, Chief Clerk

[H 6](#) was filed for first reading.

August 26, 2020

Dear Madam President:

I return herewith [S 1001](#), as amended, which has passed the House.

MAULIN, Chief Clerk

[S 1001](#), as amended, was referred to the Judiciary and Rules Committee for enrolling.

August 26, 2020

Dear Madam President:

I transmit herewith Enrolled [H 1](#) for the signature of the President.

MAULIN, Chief Clerk

The President signed Enrolled [H 1](#) and ordered it returned to the House.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

President Pro Tempore Hill requested unanimous consent that [HCR 1](#) be laid on the table.

The question being, "Shall the motion prevail to lay [HCR 1](#) upon the table?" The President announced that, by voice vote, the motion did prevail.

[H 6](#), by Judiciary, Rules and Administration Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

On request by Senator Winder, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

Reports of Standing Committees

August 26, 2020

The JUDICIARY AND RULES Committee reports that [S 1001](#), as amended, has been correctly enrolled.

LAKEY, Chairman

The President signed Enrolled [S 1001](#), as amended, and ordered it transmitted to the House for the signature of the Speaker.

August 26, 2020

The JUDICIARY AND RULES Committee reports out [H 6](#) with the recommendation that it do pass.

LAKEY, Chairman

[H 6](#) was filed for second reading.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

Motion to Suspend Rules

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate passage of [H 6](#) be suspended; that the portions of Section 15, Article 3, of the Constitution of the State of Idaho requiring all bills to be read on three several days be dispensed with, this being a case of urgency, and that [H 6](#) be read the second time by title and the third time at length, section by section, and be put upon its final passage. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Lakey, Lee, Lent, Lodge, Martin,

Mortimer, Nelson, Nye, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 32.

NAYS–None.

Absent and excused–Buckner-Webb, Jordan, Patrick.
Total - 3.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended.

H 6 was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Lakey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Agenbroad, Anthon, Bair, Bayer, Brackett, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Rice, Souza, Thayn, Vick, Winder, Woodward.
Total - 27.

NAYS–Buckner-Webb, Burgoyne, Jordan, Nelson, Nye, Stennett, Ward-Engelking. Total - 7.

Absent and excused–Patrick. Total - 1.

Paired and voting included in roll call:

AYE - Brackett NAY - Buckner-Webb
AYE - Crabtree NAY - Jordan

Total - 35.

Whereupon the President declared **H 6** passed, title was approved, and the bill ordered returned to the House.

On request by Senator Winder, granted by unanimous consent, the Senate returned to the Ninth Order of Business.

Messages from the House

August 26, 2020

Dear Madam President:

I transmit herewith Enrolled **H 6** for the signature of the President.

MAULIN, Chief Clerk

The President signed Enrolled **H 6** and ordered it returned to the House.

August 26, 2020

Dear Madam President:

I return herewith Enrolled **S 1001**, as amended, which has been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled **S 1001**, as amended, was referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

On request by Senator Winder, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

Reports of Standing Committees

August 26, 2020

The JUDICIARY AND RULES Committee reports that Enrolled **S 1001**, as amended, was delivered to the Office of the Governor at 9:06 p.m., August 26, 2020.

LAKEY, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Winder, seconded by Senator Stennett, by voice vote the First Extraordinary Session of the Sixty-fifth Legislature of the Idaho Senate adjourned *Sine Die* at 9:15 p.m., Wednesday, August 26, 2020.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

[Note: The following is action recorded after Senate *Sine Die*:]

August 27, 2020

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to advise you that I have signed on August 27, 2020 and am transmitting to the Secretary of State the following Senate Bill, to wit:

S 1001, as amended

Sincerely,
/s/ Brad Little
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

CERTIFICATE

State of Idaho)
)
Senate Chamber, Boise, Idaho)

We, JANICE MCGEACHIN, President of the Senate, and JENNIFER NOVAK, Secretary of the Senate, do hereby certify and attest as follows:

That the daily Senate Journal of the proceedings of August 26th, 2020, the Third Legislative Day of the First Extraordinary Session of the Sixty-fifth Legislature, has been read and approved:

And, said Journal contains a true, complete, and accurate record of all Senate proceedings of said day, including final actions by the Senate and the Governor of the State of Idaho, as statutorily mandated.

IN WITNESS WHEREOF, we have hereunto set our hand this 1st day of September, 2020.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SECTION III-EO

NUMERICAL INDEX OF SENATE BILLS

The following index lists in numerical order all bills which were introduced in the Senate, together with the name of the author and a brief description of the subject matter. The numbers in the Introduction column cite the page where the complete title may be found and the date of introduction of the bill. The numbers in the Vote or Disposition columns cite the page where the Senate's Final Vote or Final Disposition can be found. Amendments to a bill are noted at the bottom of the subject matter and the number opposite is the page in the Journal where the Senate amendments are recorded. Session Law chapter numbers for bills which became law are also noted. House amendments to Senate bills can be found in the House Journal.

Senate Bill	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1001	State Affairs	LAW	ELECTIONS - Amends existing law to revise provisions regarding the issuance of absentee ballots and the counting of absentee ballots.	11	-	18
			Amended in the Senate	12	13	
			Session Law Chapter No. 1			
1002	State Affairs	H St Aff	ELECTIONS - Adds to existing law to authorize the establishment of vote centers.	11	11	11

HOUSE BILLS RECEIVED BY THE SENATE

House Bill	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1	State Affairs	LAW	ELECTIONS – Amends existing law to provide that every elector must be provided the opportunity to vote in person, notwithstanding a state of emergency.	15	15	17
			Session Law Chapter No. 3			
6	Judiciary, Rules and Administration	LAW	CORONAVIRUS LIMITED IMMUNITY ACT - Adds to existing law to provide limited immunity resulting from coronavirus.....	17	18	18
			Session Law Chapter No. 2			

SECTION IV-EO

SENATE RESOLUTIONS

Senate Resolution	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
101	State Affairs	ADOPTED	SENATE RESOLUTION - Stating findings of the Senate and making certain resolutions regarding the state of emergency in Idaho.....	16	17	17

SENATE INDEX

SECTION V-EO

ENROLLED 2021 SENATE BILLS

WITH EFFECTIVE DATE AND SESSION LAW CHAPTER NUMBER CITED

Senate Bill No.	Session Laws Chapter No.	Introduced by	Signed by Governor	Effective Date(s)
1001aa	1	State Affairs	08/27/2020	08/27/2020

SECTION VI-EO

NUMERICAL INDEX OF HOUSE BILLS RECEIVED BY THE SENATE

House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1	State Affairs	LAW	ELECTIONS – Amends existing law to provide that every elector must be provided the opportunity to vote in person, notwithstanding a state of emergency.	15	15	17
6	Judiciary, Rules and Administration	LAW	CORONAVIRUS LIMITED IMMUNITY ACT - Adds to existing law to provide limited immunity resulting from coronavirus.....	17	18	18

SENATE INDEX
SECTION VIII-EO

SENATE SPONSORS - SENATE LEGISLATION VOTED ON IN SENATE - 2020

BILL NO.	SPONSOR(S)
S 1001aa	Harris
S 1002	Lodge
SR NO.	SPONSOR(S)
SR 101	Hill

SECTION IX-EO

SENATE SPONSORS - **HOUSE LEGISLATION VOTED** ON IN SENATE - 2020

BILL NO.	SPONSOR(S)
H 1	Lodge
H 6	Lakey

JOURNAL
OF THE
STATE SENATE



ORGANIZATIONAL SESSION
and
FIRST REGULAR SESSION
of the
SIXTY-SIXTH LEGISLATURE
of the
STATE OF IDAHO
2021

SENATE JOURNAL

2021

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SENATE JOURNAL
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ORGANIZATIONAL SESSION
SIXTY-SIXTH LEGISLATURE

FIRST LEGISLATIVE DAY
THURSDAY, DECEMBER 3, 2020

Senate Chamber

At the hour of 9 a.m. on Thursday, December 3, 2020, the members-elect of the Senate of the Sixty-sixth Idaho Legislature convened in the Senate Chamber of the Capitol in the City of Boise for an organizational session, President Janice McGeachin presiding.

The following Certificate of Election was read by the Secretary of the Senate:

STATE OF IDAHO
OFFICE OF THE SECRETARY OF STATE

CERTIFICATE OF ELECTION

I, Lawrence Denney, Secretary of State of the State of Idaho and legal custodian of the records of elections held in the State of Idaho, do hereby certify that the following is a full, true, and complete list of those elected to serve as members of the Senate of the First Regular Session of the Sixty-sixth Legislature, as shown by official records on file in my office:

Table with 2 columns: DISTRICT and NAME. Lists 24 senators and their districts, including Jim Woodward (R), Steve Vick (R), Peter Riggs (R), Mary Souza (R), David Nelson (D), Dan Johnson (R), Carl G. Crabtree (R), Steven Thayn (R), Abby Lee (R), Jim Rice (R), Patti Anne Lodge (R), Todd Lakey (R), Jeff C. Agenbroad (R), C. Scott Grow (R), Fred S. Martin (R), Grant Burgoyne (D), Ali Rabe (D), Janie Ward-Engelking (D), Melissa Wintrow (D), Chuck Winder (R), Regina Bayer (R), Lori Den Hartog (R), Christy Zito (R), and Lee Heider (R).

Table with 2 columns: District number and Name (Party). Lists senators 25 through 35: Jim Patrick (R), Michelle Stennett (D), Kelly Arthur Anthon (R), Jim Guthrie (R), Mark Nye (D), Kevin Cook (R), Steve Bair (R), Mark Harris (R), Dave Lent (R), Doug Ricks (R), and Van Burtenshaw (R).

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State of Idaho. Done at Boise, the Capital of Idaho, this Thirtieth day of November, in the year of our Lord, two thousand and twenty, and of the Independence of the United States of America, the two hundred and forty-fifth.

/s/ LAWRENCE DENNEY
Secretary of State

The Certificate of Election was ordered filed in the office of the Secretary of the Senate.

Roll call showed all members present.

The Oath of Office was administered to the members of the Senate by President McGeachin.

Prayer was offered by former member and Pro Tempore, Senator Brent Hill.

The Pledge of Allegiance was led by Sergeant-at-Arms, Sarah Jane McDonald.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Tenth Order of Business.

Motions and Resolutions

On motion by Senator Anthon, seconded by Senator Stennett, by unanimous voice vote Senator Chuck Winder was elected President Pro Tempore of the Senate for the Sixty-sixth Idaho Legislature.

The President administered the Oath of Office to President Pro Tempore Winder.

On motion by Senator Anthon, seconded by Senator Stennett, by unanimous voice vote Jennifer Novak was elected Secretary of the Senate for the Sixty-sixth Idaho Legislature.

The President administered the Oath of Office to Secretary Novak.

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote the Rules of the Senate and Joint Rules of the Senate and House of Representatives as adopted by Second Regular Session of the Sixty-fifth Idaho Legislature were adopted as the Rules of the Senate and Joint Rules of the Senate and House of Representatives for the First Regular Session of the Sixty-sixth Legislature of the State of Idaho.

At this time, the Senators selected their seats pursuant to Senate Rule 3(B). On request by Senator Anthon, granted by unanimous consent, the seats, as presently occupied, were permanently assigned to the Senators for the Sixty-sixth Idaho Legislature.

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote the Senate recessed at 9:43 a.m. until the hour of 2:30 p.m. of this day.

**RECESS
AFTERNOON SESSION**

The Senate reconvened at 2:30 p.m., pursuant to recess, President McGeachin presiding.

Roll call showed all members present except Senators Bair, Crabtree, and Vick, absent and excused.

Prior to recess the Senate was at the Tenth Order of Business, Motions and Resolutions.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the Senate adjourned at 3:01 p.m. until the hour of 9:30 a.m., Friday, December 4, 2020.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

SECOND LEGISLATIVE DAY
FRIDAY, DECEMBER 4, 2020

Senate Chamber

President McGeachin called the Senate to order at 9:30 a.m.

Roll call showed all members present except Senator Nelson, absent and formally excused by the Chair.

Prayer was offered by Senator Lee.

The Pledge of Allegiance was led by Jennifer Novak, Secretary of the Senate.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of December 3, 2020, was read and approved as corrected.

Lakey, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Tenth Order of Business.

Motions and Resolutions

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote the following committee assignments were approved for the Sixty-sixth Idaho Legislature:

AGRICULTURAL AFFAIRS (9)

Burtenshaw, Chairman
Bayer, Vice Chairman

Patrick
Den Hartog
Johnson
Zito
Ricks

Nelson
Rabe

COMMERCE AND HUMAN RESOURCES (9)

Patrick, Chairman
Souza, Vice Chairman

Martin
Lakey
Guthrie
Agenbroad
Riggs

Ward-Engelking
Burgoyne

EDUCATION (9)
Thayn, Chairman
Crabtree, Vice Chairman

Den Hartog
Woodward
Lent
Johnson
Cook

Ward-Engelking
Nelson

FINANCE (10)
Bair, Chairman
Agenbroad, Vice Chairman

Crabtree
Grow
Woodward
Lent
Riggs
Cook

Ward-Engelking
Nye

HEALTH AND WELFARE (9)
Martin, Chairman
Riggs, Vice Chairman

Heider
Lee
Harris
Agenbroad
Zito

Wintrow
Rabe

JUDICIARY AND RULES (9)
Lakey, Chairman
Ricks, Vice Chairman

Lodge
Lee
Anthon
Thayn
Zito

Burgoyne
Wintrow

LOCAL GOVERNMENT AND TAXATION (9)
Rice, Chairman
Grow, Vice Chairman

Vick
Lakey
Souza
Bayer
Ricks

Nye
Rabe

RESOURCES AND ENVIRONMENT (9)
Vick, Chairman
Johnson, Vice Chairman

Bair
Heider
Patrick
Guthrie
Burtenshaw

Stennett
Nye

STATE AFFAIRS (9)
Lodge, Chair
Guthrie, Vice Chairman

Winder
Anthon
Harris
Lee
Heider

Stennett
Burgoyne

TRANSPORTATION (9)
Den Hartog, Chair
Woodward, Vice Chairman

Winder
Lodge
Rice
Vick
Crabtree

Nelson
Wintrow

On request by Senator Anthon, granted by unanimous consent, President McGeachin appointed a committee consisting of Senator Lodge, Chair, and Senators Woodward and Stennett to notify the Governor that the Senate is now organized and ready to conduct business.

The committee was excused.

On request by Senator Anthon, granted by unanimous consent, President McGeachin appointed a committee consisting of Senator Thayne, Chairman, and Senators Ricks and Burgoyne to notify the House of Representatives that the Senate is now organized and ready to conduct business.

The committee was excused.

The committee appointed to wait upon the House of Representatives returned and reported that they had conveyed the message to the House and the House expressed their best wishes for a productive session.

The committee was discharged.

The committee appointed to wait upon the Governor returned and reported that the Governor sent his best wishes to the Senate members.

The committee was discharged.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote the Organizational Session of the Idaho Senate of the Sixty-sixth Legislature adjourned *Sine Die* at 11:36 a.m., Friday, December 4, 2020.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

FIRST LEGISLATIVE DAY
MONDAY, JANUARY 11, 2021

Senate Chamber

At the hour of 12 noon on Monday, January 11, 2021, the time established for the convening of the First Regular Session of the Sixty-sixth Idaho Legislature, the members of the Senate convened in the Senate Chamber of the Capitol in the City of Boise, President Janice McGeachin presiding.

Roll call showed all members present except Senator Grow, absent and formally excused by the Chair.

Prayer was offered by Chaplain Doug Armstrong, Eagle Nazarene Church, Eagle.

On request by Senator Anthon, granted by unanimous consent, Sergeant-at-Arms, Sarah Jane McDonald escorted the Idaho State Police Honor Guard into the Senate chambers.

The Pledge of Allegiance was led by Sergeant-at-Arms, Sarah Jane McDonald

President Pro Tempore Winder provided a brief history of the Idaho State flag flown over the domes of the House and Senate Chambers during each session of the Legislature. He explained that the flags represent the spirit of our citizens and serve as a symbol of Idaho's sovereignty, and he expressed its importance in light of current events. They further serve notice to the State that the Legislature, the elected representatives of all the citizens of Idaho, is in session. The flags are raised when the Legislature convenes and will be retired when the Legislature adjourns *sine die*.

President McGeachin presented the Idaho State flag to the Honor Guard to be raised above the Senate Chamber to fly during the First Regular Session of the Sixty-sixth Idaho Legislature and the Idaho State Police Honor Guard exited the Chamber.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Tenth Order of Business.

Motions and Resolutions

On request by Senator Anthon, granted by unanimous consent, President McGeachin appointed a committee consisting of Senator Agenbroad, Chairman, and Senators Cook and Rabe to notify the Governor that the Senate is now organized and ready to conduct business.

The committee was excused.

On request by Senator Anthon, granted by unanimous consent, President McGeachin appointed a committee consisting

of Senator Souza, Chairman, and Senators Zito and Nye to notify the House of Representatives that the Senate is now organized and ready to conduct business.

The committee was excused.

The committee appointed to wait upon the Governor returned and reported that the Governor sent his best wishes to the Senate members.

The committee was discharged.

The committee appointed to wait upon the House of Representatives returned and reported that they had conveyed the message to the House and the House expressed their best wishes for a productive session.

The committee was discharged.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12:44 p.m. until the hour of 11:15 a.m., Tuesday, January 12, 2021.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

SECOND LEGISLATIVE DAY
TUESDAY, JANUARY 12, 2021

Senate Chamber

President McGeachin called the Senate to order at 11:15 a.m.

Roll call showed all members present.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Jaxon Griffin, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journals of the proceedings of December 4, 2020 and January 11, 2021, were read and approved as corrected.

LAKEY, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

January 11, 2021

Carrie Maulin, Chief Clerk of the House
Jennifer Novak, Secretary of the Senate
Idaho State Capitol

Boise, ID 83702

Re: 2021 State of the State and Budget Address

Per Article IV, Sec. 8, of the Idaho Constitution, which directs the Governor to deliver at the commencement of each session, by message, the condition of the state and recommendations he deems expedient, as well as estimates of the amount of money required to be raised by taxation for all purposes of the state to the legislature, I am enclosing a copy of my State of the State and Budget Address.

Sincerely,
/s/ Brad Little
Governor

My fellow Idahoans, in the 245-year history of this great country of ours, Americans have been through triumphs and trials.

The dark events at the U.S. Capitol last week disturbed us. The violent acts of some overshadowed the peaceful acts of many. Former President George W. Bush aptly described the events as

fitting of a "banana republic, not our democratic republic." The riots tarnished the shining values America stands for.

This is not who we are.

Hostility and violence are not an expression of your rights; they are a violation of everyone else's.

While we should be celebrating the openness of our government, a fence is being erected around the U.S. Capitol. I mourn the loss of life and the loss of access and what it means for future generations of Americans.

But, I believe we the people have the power to form a more perfect union.

How?

By condemning the upheaval, not defending or denying it.

By refusing to be intimidated by those who seek to destroy our country.

By redoubling our commitment to peaceful assembly and civil discourse - not just in the halls of the Capitol but in all areas of our lives.

In Idaho, we'll celebrate the centennial of our statehouse this year, a building known as "the Capitol of Light." What an appropriate time to let the light of democracy shine - today and for one hundred more years and beyond.

The openness of our political process in Idaho is demonstrated in the openness of this building. Let's keep it that way.

In preparing this speech, I looked back on my State of the State address last year.

I began by saying, "What a year!" We had just wrapped up a year of historic regulatory reforms, investments in education, and other shared achievements.

I think it's appropriate to repeat that remark again this year.

One year ago, a global pandemic was not on our radar. We've come a long way in our fight against the enemy virus, and with the arrival of a safe vaccine just a few weeks ago, the end of the battle is in sight. We're in the home stretch, and together we will finish strong.

I want to thank my wife and our First Lady, Teresa, for her unrelenting support for Idahoans during a very challenging year. Teresa, you are a source of peace and strength for me and for the people of Idaho. I am proud of you and our entire family.

I also want to thank the Idaho Legislature for your work during the special session. Unlike many states, Idaho proactively addressed the safety and security of the general election and protected businesses, schools, and churches responsibly operating during the pandemic.

Sadly, we have lost over 1,500 of our fellow Idahoans to a new, dangerous, and deadly disease. Thousands of Idahoans of all ages and health conditions have been hospitalized. Many friends and neighbors lost time at work and face long-term health problems. To the mothers and fathers, children, siblings, grandparents, and veterans impacted, our hearts are with you. Please join me in a moment of silence to remember our fellow Idahoans who lost their lives to COVID-19.

Throughout the pandemic, the women and men in scrubs have been nothing short of heroic. Idaho's nurses, doctors, and

health care workers put their own safety on the line, pulling extra shifts to care for the influx of COVID-19 patients in our hospitals.

Idaho's hospitals continue to do an excellent job of sharing resources and shifting operations to prevent a crisis. They have also shared the reality of COVID-19. They are telling the stories of COVID-19 patients - the stories of people whose organs are shutting down from an aggressive disease; the stories of young, healthy people who ended up on life support; the stories of veterans who fought enemies overseas only to suffer from a new invisible enemy here in their community. They are telling the stories of exhausted doctors and nurses caring for patients who cannot be with their families.

The COVID-19 reality is heartbreaking.

To Idaho's hospitals and health care workers, thank you.

The pandemic turned our work lives, social lives, and home lives upside-down. It pushed our health care, education, and unemployment systems to new lengths. It divided Americans in our individual views on the severity of the disease and how we should respond to it.

But the pandemic also reminds us that in troubled times, we have choices.

We can choose compassion over conflict.

Listening over lecturing.

Humanity over hostility.

These choices start with each one of us, individually, in our hearts. It is a concept that aligns perfectly with the fiercely independent and self-reliant spirit of the people of Idaho.

I choose to remember the historic year by the innumerable acts of kindness displayed by many Idahoans over the acts of aggression by a few.

From the beginning, my goal as Governor has been to make Idaho the place where we all can have the opportunity to thrive, where our children and grandchildren choose to stay, and for the ones who have left to choose to return.

That pursuit steered our pandemic response. Not one state or country in the world opted for the "no action" alternative. That approach would have ended in catastrophic loss of life and destructive consequences for our health care system and economy.

My North Star during this trying time has been to protect life and critical health care capacity while supporting faith, families, businesses, and students.

No other state prioritized support for businesses and the workforce as much as Idaho.

We assembled a team of business leaders from companies big and small to guide decisions on our economic rebound plan. We put more than \$300 million toward grants and equipment for small businesses. We helped get workers back on the job. We lowered unemployment insurance taxes for nearly all Idaho businesses. We ensured public safety personnel had all the resources needed to protect our loved ones, while giving \$126 million back to property taxpayers. And Idaho will benefit for years to come from the \$50 million investment in broadband infrastructure to support remote working and learning and more economic opportunity in rural Idaho.

We all play a role in choosing to protect lives, our economy, and our kids' ability to continue learning in their classrooms. It is a responsibility shared by all of us.

But our state does play a role in times of an emergency.

We increased and expedited COVID-19 testing and took other steps to reduce exposure to a new disease. We raised capacity at the state lab to more quickly turn around results from an increased number of tests administered in schools and long-term care facilities. We enabled pharmacists to administer testing and vaccinations.

Our staged economic rebound plan had one goal - to protect lives and prevent a crisis in our hospitals while the economy could move forward. Businesses and places of worship in Idaho have been open longer than almost every other state during the pandemic. The statewide public health orders, guidelines, and recommended protocols we made available are for each one of us to choose to follow so Idaho can stay open.

In order to protect lives, we needed to elevate health care capacity so we could all continue to access care. To minimize the time COVID-19 patients spend in the hospital, we allocated new and effective treatments. To better protect residents of long-term care facilities, we designated COVID-only facilities and put millions toward testing of facility workers.

In the spring, Idahoans collectively slowed the spread of the disease while we worked to prepare our health care system. It worked. Hospitals, clinics, and first responders received more resources and staff to handle an influx of patients.

We cut red tape to expand access to more medical professionals. It worked. We licensed 1,100 more nursing professionals since last spring.

And we lifted regulations to expand telehealth access. It worked. The use of telehealth rose by 4,000 percent, and Idahoans in all parts of the state could continue to access care from the safety of their homes. The pandemic opened the door to great advances in telehealth access. Let's work together to make those red-tape cuts permanent!

I also activated the Idaho National Guard to increase health care capacity. The guardsmen are deployed across the state to help with testing, decontamination, and planning, and they're assisting with critical vaccine distribution. Our men and women in the Guard are always prepared to serve, especially in a time of emergency. We are deeply grateful for their service.

Members of the seven public health boards made courageous decisions in the face of heated opposition. They have my support. Mayors, county and city officials, and school board members also made very tough decisions. These local leaders labored late into the evening. They navigated new technologies to inform the public. They wrestled with decisions they knew would draw criticism. Thank you.

Unlike many other states, almost all Idaho school districts are delivering full or partial in-person instruction. For months, teachers and others have accommodated changes in the delivery of education under uncertain time frames. I join many in expressing my deep appreciation to those who are serving our students during these extraordinary circumstances.

To support our school officials, Idaho created a framework to guide local decision-making on safe school operations while emphasizing the importance for students to learn in the classroom with their teachers and classmates. We also made historic

investments in education - bumping up funding by \$300 million or 16 percent overall - to support students, teachers, families, and safety.

Parents continue to do much of the heavy lifting for their children's education during this once-in-a-lifetime pandemic. I know it isn't easy. I know at times it has felt impossible to balance work demands while facilitating online learning for your children at home. Many of you lost paychecks or left your jobs to be there for your children during this unprecedented time. Our \$50 million "Strong Families, Strong Students" initiative supported many of these families by helping them access the technology and educational services required for successful at-home learning.

Like a tornado, 2020 was damaging and deadly.

But with the arrival of a safe vaccine just a few weeks ago, the dark clouds of the pandemic are starting to part.

There is an uplifting sense that we may be in the final lap of this race against COVID-19. The finish line is close, but the worst part of the pandemic may not be behind us. We cannot relent in our personal actions to protect everything and everyone we hold dear, especially in the critical weeks and months ahead.

Adaptation, determination, and resilience define Idahoans.

As we reflect on a momentous year, we are more than ready to look ahead.

The state of the state is strong.

To keep our children and grandchildren in Idaho, we must continue to lead the nation in economic prosperity.

I am not surprised that Idaho ranks first among states for economic momentum. Idaho ranks first for financial solvency and personal income growth.

Together, the Legislature and I laid the groundwork before the pandemic to rebound quickly during tough times, proving once again that conservative principles of governing bring opportunity for citizens during the highs and the lows.

A robust economy cannot exist with burdensome regulations on citizens and business. Part of the reason Idaho's economy is catapulting ahead of other states is because of the regulatory rollbacks we achieved together before and during the pandemic.

Together, the Legislature and our administration achieved historic regulatory cuts in my first year as Governor, making Idaho the least regulated state in the nation. For two straight years we've cut red tape. The people of Idaho can be assured that, together, their Governor and legislators will maintain a lean and efficient system of regulations in Idaho moving forward.

Simply put, fiscal conservatism and the collaboration between executive and legislative branches have positioned Idaho to emerge from the pandemic stronger than ever.

Together, before COVID-19, the Legislature and I were already preparing for an inevitable slowdown of Idaho's economy. We limited government spending, used conservative revenue forecasting, and maintained healthy rainy-day balances.

We took a lot of heat from some who could not wrap their heads around this basic conservative principle:

The time to prepare for the bad times is in the good times.

Turns out we were right.

While other states face potential budget cuts of 20 to 40 percent and more, Idaho is in the enviable position of having a record budget surplus.

The sound decisions of Idaho leaders in the past have gotten us to where we are today.

Let's keep our state on this strong economic trajectory, together. Now is the time to make meaningful investments.

I am happy to announce my new plan to put more money back in the pockets of hardworking Idahoans and make strategic investments to propel our state even further ahead in prosperity.

My plan is called "Building Idaho's Future."

I am proposing more than \$450 million in tax relief. This would be among the single largest tax cuts in Idaho history!

To get there, I'm proposing \$295 million in one-time tax relief and \$160 million in permanent tax cuts to boost Idahoans' prosperity while keeping our tax rates competitive and our business climate vibrant.

Curbing government spending and returning taxpayer dollars should be the perpetual mission of public servants. I look forward to working with my partners in the Legislature to get tax relief across the finish line for our citizens.

My plan also shores up millions more in cash payments for small business, on top of the \$300 million we directed to small businesses last year. Small business is the backbone of our entire way of life.

We're able to achieve tax relief and continued support for small business in part because, together, we cut government spending early on.

My plan reinvests these savings into infrastructure projects with long-lasting value. With these investments, we will help preserve one of our citizens' most precious commodities: their time.

We won't be able to keep our children and grandchildren in Idaho if we cannot alleviate traffic congestion, especially as our state continues to attract newcomers fleeing dysfunctional states. No one wants to be stuck in traffic when they can spend time with their family.

My plan invests \$126 million in state and local highway infrastructure projects and makes targeted investments in safe routes to schools, rail infrastructure, and community airports.

I am also proposing \$80 million in new ongoing transportation funding. A dependable transportation system is fundamental to commerce. In Idaho, we grow and process most of our commodities, and getting those products down the road in a timely fashion is critical. In all parts of the state, major transportation projects continue to get pushed out further and further.

One of the basic roles of government is to ensure a safe, connected system of roads and highways.

We cannot ignore a growing problem that steals Idahoans' time and threatens their safety and our economic prosperity.

We cannot delay any longer in executing a sustainable plan for transportation funding into the future.

We cannot postpone securing a long-term funding source.

We must address the transportation needs for this generation and the next.

We must act now.

The Legislature and I will work together on a sustainable transportation funding plan - one that blends both General Fund and reliable user fees to keep our economy driving forward!

Safe communities form a thriving Idaho. My plan also invests in the men and women of law enforcement.

It's never been a more difficult time to put on the uniform. These brave souls demonstrate great restraint in order to deescalate intense situations. Their path to law enforcement stems from a true desire to serve and protect us. They are committed to implementing the best training and building strong relationships with the communities they serve.

My plan invests in the items necessary to support frontline personnel at the Idaho State Police - and training for our local frontline police officers.

While other places seek to defund the police, I am proud to say that Idaho defends the police. Idaho "backs the blue."

Another way we make Idaho safe is through a low crime rate. Our safety is maintained when those returning home from a period of incarceration can become productive citizens. Thanks to investments we made in our correctional system last year, Idaho is safer because fewer Idaho inmates are violating parole. My plan keeps us on a path to save taxpayer resources by making strategic investments in overdue infrastructure needs in our criminal justice system so we can break the expensive revolving door of repeat offenders.

My "Building Idaho's Future" plan also invests in needed projects for agriculture and water infrastructure to aid in the economic vitality of rural Idaho.

In Idaho, agriculture remains a way of life. Last year, Idaho's farmers, ranchers, and allied businesses met a crisis with increased productivity, as they have done for generations. Farmers gave Idahoans faith that empty grocery store shelves were just a matter of timing and not an issue of true scarcity. Idaho agriculture continued to feed the state, the nation, and the world.

Agriculture - and our economic future - hinge on safe and dependable water sources. Water is truly the source of life. My plan makes \$60 million in strategic investments in long-term water projects and safe water systems for our communities.

Let me return to my top priority - Idaho's children.

We need to continue to invest in an education system that gives the next generation of Idahoans a solid foundation for lifelong learning and meaningful employment, here at home in Idaho.

The pandemic highlighted schools as the heart of our communities and the bedrock of a strong economy.

But with all the disruptions in education delivery over the past ten months, many of Idaho's students are experiencing a learning loss. For some students who were already on track, the learning loss could range a few months. But our needier students may have lost more than a year's worth of learning.

We must close the achievement gap.

To help, my "Building Idaho's Future" plan recommends investments in literacy - my highest priority in education.

We must ensure this school year is an anomaly - not a permanent system-wide flaw for Idaho's students in the next decade or more. We must make sure all young students are on track to read by the end of the third grade.

Our students are also Idaho's future workforce. My plan supports Idaho's higher education system as well as career technical education programs across Idaho that connect students with employers who need them and equip students with the skills they need while they earn a degree. Our kids need to know all career paths available to them.

For our kids to have a future in Idaho, they also need equal access to education. We must continue to make investments in internet connectivity.

Last year, a family in Kootenai County was struggling with distance learning. The family didn't have access to broadband so the two children had to use their mom's cell phone and data plan to complete their schoolwork. In Arimo, students struggled during the pandemic with equal access because they didn't have the internet speeds necessary for video conferencing. Now, thanks to our investments, these students have better learning opportunities. There are many more stories like these.

Simply put, broadband access is central to commerce, economic growth, and education. We've made major progress - from Aberdeen to Winchester - and my plan continues that momentum.

Beyond my "Building Idaho's Future" plan, I'm proposing a "no frills" budget for Fiscal Year 2022. My budget leaves a prudent surplus, bolsters rainy-day funds, and reflects my continued priority on education, including our valuable teachers.

My budget meets our historic commitment to teachers by fully implementing our \$250 million investment in the career ladder.

To help in the ongoing pandemic response, my budget also bolsters Idaho's public health infrastructure. I'm recommending funds to increase nursing capacity and also to address the shortage of physicians across Idaho. I also propose putting more than \$250 million toward our homestretch efforts to finish the fight against COVID-19.

Idahoans spent more time outdoors in the past year than perhaps ever before. The outdoors offers Idaho families a sense of release and fun. To further improve our quality of life and make Idaho the place where future generations can recreate outdoors, I'm also recommending we ramp up investments to promote healthy lands and reduce wildfire risk.

Activists are trying to rebrand wildfires as "climate fires" - a divisive, defeatist term that does not accurately capture the West's fire problem and dismisses the opportunity to do something about it.

Through collaborative initiatives such as the Good Neighbor Authority and Shared Stewardship, Idaho is focused on a solution - active land management.

Long gone are the days of no-action tactics that don't work to protect the land or livelihoods.

Idaho is actively mapping out the future of our forests, and your grandkids and mine will directly benefit from our actions today.

In Idaho, we believe government must be responsive to the people it serves. To ease citizen participation in their state government, I'm recommending the creation of a new one-stop shop for Idahoans to access public meeting information for any state entity. State Controller Brandon Woolf - my partner in government transparency - will administer the new online resource for civic engagement. We will continue to stand up for good government.

The ongoing growth in the state budget - just 3.8 percent - is among the most conservative in years. Our commitment to conservative budgeting - and quick action during the pandemic - are the reasons Idaho is excelling while other states' economies and state budgets are pummeled. Let's continue to live within our means and make investments where they count.

I'll repeat it: What a year we had.

My fellow Idahoans, the pandemic made us appreciate parts of life we took for granted, and I don't just mean the availability of toilet paper.

We learned not to take for granted time with family, our faith, and our freedom.

Despite all the differences of opinion, I know this: We are united in our love for Idaho and this great country of ours.

I am reminded of the timeless words of one of my heroes, President Ronald Reagan. He said, "The crisis we're facing today... does require... our best effort and our willingness to believe in ourselves and to believe in our capacity to perform great deeds; to believe that together, with God's help, we can and will resolve the problems which now confront us. And after all, why shouldn't we believe that?"

I believe history will remember Idahoans' tremendous outpouring of support for each other during the pandemic.

I want to thank the people of Idaho for their perseverance and the care they have shown others over the past ten months.

In times of hardship, opportunity for growth emerges.

As Idahoans, we must choose to come out of the pandemic stronger, more resilient, and more united than ever before.

God bless Idaho, and God bless the United States of America.

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote the State of the State and Budget Address was ordered spread upon the pages of the Senate Journal.

January 7, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that Tara Malek of Coeur d'Alene, Idaho, was appointed as a member of the Idaho Health Insurance Exchange Board to serve a term commencing August 5, 2020, and expiring April 10, 2024.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

Sincerely,
/s/ Brad Little
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the Commerce and Human Resources Committee.

January 7, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that Brett Thomas of Twin Falls, Idaho, was appointed as a member of the Idaho Health Insurance Exchange Board to serve a term commencing May 27, 2020, and expiring April 4, 2021.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

Sincerely,
/s/ Brad Little
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the Commerce and Human Resources Committee.

January 7, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that Karan Tucker of Boise, Idaho, was appointed as a member of the Idaho Health Insurance Exchange Board to serve a term commencing May 27, 2020, and expiring April 4, 2021.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

Sincerely,
/s/ Brad Little
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the Commerce and Human Resources Committee.

January 7, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that Wanda Quinn of Coeur d'Alene, Idaho, was reappointed as a member of the Public Charter School Commission to serve a term commencing May 12, 2020, and expiring May 12, 2024.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

Sincerely,
/s/ Brad Little
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the Education Committee.

January 7, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that Scott Smith of Star, Idaho, was appointed as a member of the Commission on Pardons and Parole to serve a term commencing July 2, 2020, and expiring January 1, 2023.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

Sincerely,
/s/ Brad Little
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the Judiciary and Rules Committee.

January 7, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that Sean Walsh of Coeur d'Alene, Idaho, was appointed as a member of the State Public Defense Commission to serve a term commencing July 1, 2020, and expiring July 1, 2023.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

Sincerely,
/s/ Brad Little
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the Judiciary and Rules Committee.

January 7, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that Gregory Cameron of Rupert, Idaho, was reappointed as a member of the Idaho Fish and

Game Commission to serve a term commencing June 30, 2020, and expiring June 30, 2024.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

Sincerely,
/s/ Brad Little
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the Resources and Environment Committee.

January 7, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that Ronald Davies of Clayton, Idaho, was appointed as a member of the Idaho Fish and Game Commission to serve a term commencing October 23, 2020, and expiring June 30, 2024.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

Sincerely,
/s/ Brad Little
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the Resources and Environment Committee.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Tenth Order of Business.

Motions and Resolutions

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the following changes were made in the Standing Committee Assignments:

Senator Rabe's assignment to the Health and Welfare Committee was withdrawn and she was assigned to the Resources and Environment Committee.

Senator Stennett was assigned to the Health and Welfare Committee.

Senator Nye's assignment to the Resources and Environment Committee was withdrawn.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:33 a.m. until the hour of 11:15 a.m., Wednesday, January 13, 2021.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

**THIRD LEGISLATIVE DAY
WEDNESDAY, JANUARY 13, 2021**

Senate Chamber

President McGeachin called the Senate to order at 11:15 a.m.

Roll call showed all members present except Senators Burtenshaw and Rice, absent and formally excused by the Chair.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Jaylee Harris, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 12, 2021, was read and approved as corrected.

LAKEY, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

The Senate advanced to the Fourth Order of Business.

Reading of Communications

January 13, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President,

Pursuant to Section 67-6622, Idaho Code, I submit from the records of this office the enclosed list of the names of the lobbyists, registered under the law.

If we may be of assistance to you in regards to this listing, please do not hesitate to contact this office.

Sincerely,
/s/ Lawrence Denney
Secretary of State

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Senate advanced to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

SCR 101 BY STATE AFFAIRS COMMITTEE

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE, PROVIDING THAT THE STATE OF DISASTER EMERGENCY DECLARED BY THE GOVERNOR RELATING TO NOVEL CORONAVIRUS OR COVID-19 IS TERMINATED, PROVIDING THAT RECEIPT OF FEDERAL FUNDS, BENEFITS, OR RESOURCES ARISING OUT OF THE STATE OF DISASTER EMERGENCY SHALL NOT BE AFFECTED, AND PROVIDING THAT THE GOVERNOR MAY MAKE OR MAINTAIN DECLARATIONS ONLY TO A CERTAIN EXTENT.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Governor of the State of Idaho has the authority to declare a disaster emergency in Idaho pursuant to Section 46-1008, Idaho Code; and

WHEREAS, on March 13, 2020, the Governor declared a state of disaster emergency in response to a statewide outbreak of novel coronavirus or COVID-19; and

WHEREAS, the state of disaster emergency, following continuation of the state of disaster emergency by the Governor, remains in effect in this state; and

WHEREAS, Section 46-1008(2), Idaho Code, declares in part that "The legislature by concurrent resolution may terminate a state of disaster emergency at any time."

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-sixth Idaho Legislature, the Senate and the House of Representatives concurring therein, that pursuant to Section 46-1008, Idaho Code, the state of disaster emergency relating to the outbreak of novel coronavirus or COVID-19 is declared to be terminated as of the date of passage of this concurrent resolution.

BE IT FURTHER RESOLVED that nothing in this concurrent resolution shall prevent the State of Idaho from receiving any federal funds, benefits, or resources arising out of the state of disaster emergency relating to the outbreak of novel coronavirus or COVID-19. The Governor may make or maintain declarations only to the extent required to continue to receive Federal Emergency Management Agency funding arising out of novel coronavirus or COVID-19 but may not use any such declaration to impose restrictions on the citizens of the State of Idaho.

SCR 101 was introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

January 7, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that Jeff Cilek of Boise, Idaho, was reappointed as a member of the Public Employee Retirement System of Idaho Board to serve a term commencing July 1, 2020, and expiring July 1, 2025.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

Sincerely,
/s/ Brad Little
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the Commerce and Human Resources Committee.

January 7, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that Jess Byrne of Meridian, Idaho, was appointed as the Director of the Department of Environmental Quality to serve a term commencing September 1, 2020, and continuing at the pleasure of the Governor.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

Sincerely,
/s/ Brad Little
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the Health and Welfare Committee.

January 7, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that Dennis Duhren of Montpelier, Idaho, was reappointed as a member of the Bingo-Raffle Advisory Board to serve a term commencing January 7, 2020, and expiring January 7, 2023.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

Sincerely,
/s/ Brad Little
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the State Affairs Committee.

January 7, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that Reed Hansen of Meridian, Idaho, was appointed as a member of the Treasurer's Investment Advisory Board to serve a term commencing July 9, 2020, and expiring July 1, 2024.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

Sincerely,
/s/ Brad Little
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the State Affairs Committee.

January 7, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that Patricia Perkins of Boise, Idaho, was reappointed as a member of the Treasurer's Investment Advisory Board to serve a term commencing July 1, 2020, and expiring July 1, 2024.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

Sincerely,
/s/ Brad Little
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the State Affairs Committee.

January 11, 2021

Jennifer Novak
Secretary of the Senate
Idaho State Senate

Dear Madam Secretary:

As required by Section 57-1601, *Idaho Code*, I am transmitting the following report of the Governor's Emergency Fund for fiscal years 2020 and 2021.

Balance as of July 1, 2019 **\$83,744.48**

Transfer from the general fund fiscal year 2020 2,000,000

Balance as of June 30, 2020 **\$2,083,744.48**

No activity year-to-date in fiscal year 2021

Balance as of December 31, 2020 **\$2,083,744.48**

Sincerely,
/s/ Brad Little
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Tenth Order of Business.

Motions and Resolutions

Moved by Senator Anthon, seconded by Senator Stennett, that the following attaches be elected to fill the offices provided for by the *Constitution* of the State of Idaho and by statute:

- Assistant to the Majority Leader Peggy Moyer
- Assistant to the Asst. Maj. Leader Priscilla Heaton
- Assistant to the Majority Caucus Chairman Gaye Bennett
- Sec. to the Secretary of the Senate Alexander Thomas
- Journal Clerk Jacob Rourk
- Assistant Clerk Kurt Orzeck
- Sergeant-at-Arms Sarah Jane McDonald
- Assistant Sergeant-at-Arms Jerry Csutoras
- Doorkeeper Larry Jones
- Chaplain Doug Armstrong
- Committee Secretaries:
- Agricultural Affairs Rellie Wisdom
- Commerce and Human Resources Linda Kambeitz
- Education Florence Lince
- Finance Denise McNeil
- Health and Welfare Jeanne Jackson-Heim
- Judiciary and Rules Sharon Pennington
- Local Government and Taxation Machele Hamilton
- Resources and Environment Erin Miller
- State Affairs Twyla Melton
- Transportation Emily Carlisle

- Majority Staff Assistants:
- Majority Staff Assistant.....Juanita Budell
 - Majority Staff Assistant Carol Cornwall
 - Majority Staff Assistant Tucker Craig
 - Majority Staff Assistant Jacob Miller
 - Majority Staff Assistant Shelley Turley

- Minority Staff Assistants:
- Minority Chief of Staff Catherine Lewers

- Minority Staff Assistant Madeleine Cutright
- Minority Staff Assistant Briggs Jackson
- Minority Staff Assistant Heidi Pantera

- Pages:
- Jaxon Griffin, Nampa
 - Jaylee Harris, Declo
 - Olivia Jones, Rupert
 - Curtis Keddington, Boise
 - Sophia Lind, Meridian
 - Hana Pfeiffer, Rupert
 - Hannah Stephenson, Preston

The question being, Shall the motion prevail?

Roll call resulted as follows:

AYES–Agenbroad, Anthon, Bair, Bayer, Burgoyne, Cook, Crabtree, Den Hartog, Grow, Guthrie, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 32.

NAYS–None.

Absent and excused–Burtenshaw, Harris, Rice. Total - 3.

Total - 35.

Whereupon the President declared the attaches duly elected to their respective positions. The President instructed the Sergeant-at-Arms, Sarah Jane McDonald, to escort the attaches to the Desk at which time the Oath of Office was administered to the elected attaches and they were escorted from the Chamber.

The Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1001
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO THE STATE DISASTER PREPAREDNESS ACT; AMENDING SECTION 46-1002, IDAHO CODE, TO REVISE DEFINITIONS.

S 1002
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO THE STATE DISASTER PREPAREDNESS ACT; AMENDING SECTION 46-1003, IDAHO CODE, TO PROVIDE FOR THE PAYMENT OF OBLIGATIONS AND EXPENSES INCURRED BY THE STATE OF IDAHO THROUGH THE IDAHO OFFICE OF EMERGENCY MANAGEMENT ARISING OUT OF A DECLARED STATE OF DISASTER EMERGENCY AND TO MAKE TECHNICAL CORRECTIONS.

S 1003
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO MARTIAL LAW; AMENDING SECTION 46-601, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE AUTHORITY OF THE GOVERNOR DURING A STATE OF EXTREME PERIL, TO PROVIDE THAT THE GOVERNOR MAY NOT ALTER, ADJUST, OR SUSPEND ANY PROVISION OF THE IDAHO

CODE IN CERTAIN INSTANCES, AND TO PROVIDE SEVERABILITY; AND DECLARING AN EMERGENCY.

[S 1001](#), [S 1002](#), and [S 1003](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:44 a.m. until the hour of 11:15 a.m., Thursday, January 14, 2021.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

FOURTH LEGISLATIVE DAY
THURSDAY, JANUARY 14, 2021

Senate Chamber

President McGeachin called the Senate to order at 11:15 a.m.

Roll call showed all members present except Senator Vick, absent and excused.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Olivia Jones, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 13, 2021, was read and approved as corrected.

LAKEY, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

January 14, 2021

The JUDICIARY AND RULES Committee reports that [SCR 101](#), [S 1001](#), [S 1002](#), and [S 1003](#) have been correctly printed.

LAKEY, Chairman

On request by Senator Anthon, granted by unanimous consent, [SCR 101](#) was referred to the State Affairs Committee.

[S 1001](#), [S 1002](#), and [S 1003](#) were referred to the State Affairs Committee.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

Senator Vick was recorded present at this order of business.

January 12, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that Steve Landon of Chubbuck, Idaho, was reappointed as a member of the State Insurance Fund Board to serve a term commencing April 30, 2020, and expiring April 30, 2024.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

Sincerely,
/s/ Brad Little
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the Commerce and Human Resources Committee.

January 12, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that Brian Scigliano of Boise, Idaho, was reappointed as a member of the Public Charter School Commission to serve a term commencing May 12, 2020, and expiring May 12, 2024.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

Sincerely,
/s/ Brad Little
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the Education Committee.

January 12, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that Sue Walker of Boise, Idaho, was reappointed as a member of the Commission for the Blind and Visually Impaired to serve a term commencing July 1, 2019, and expiring July 1, 2022.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

Sincerely,
/s/ Brad Little
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the Health and Welfare Committee.

January 12, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that Michael Ross of Meridian, Idaho, was appointed as a member of the Commission of Pardons and Parole to serve a term commencing January 11, 2021, and expiring January 1, 2024.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

Sincerely,
/s/ Brad Little
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the Judiciary and Rules Committee.

January 12, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that Patrick McDonald of Boise, Idaho, was appointed as a member of the Commission of Pardons and Parole to serve a term commencing January 1, 2021, and expiring January 1, 2024.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

Sincerely,
/s/ Brad Little
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the Judiciary and Rules Committee.

January 12, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that David Kinghorn of Lewisville, Idaho, was reappointed as a member of the Board of Tax Appeals to serve a term commencing June 30, 2019, and expiring June 30, 2022.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

Sincerely,
/s/ Brad Little
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the Local Government and Taxation Committee.

January 12, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that Kenneth Nuhn of Moscow, Idaho, was reappointed as a member of the Board of Tax Appeals to serve a term commencing June 30, 2020, and expiring June 30, 2023.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

Sincerely,
/s/ Brad Little
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the Local Government and Taxation Committee.

January 12, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that Don Ebert of Weippe, Idaho, was appointed as a member of the Idaho Fish and Game Commission to serve a term commencing June 30, 2020, and expiring June 30, 2023.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

Sincerely,
/s/ Brad Little
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the Resources and Environment Committee.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:35 a.m. until the hour of 11:15 a.m., Friday, January 15, 2021.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL
OF THE
IDAHO LEGISLATURE

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

FIRST REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

FIFTH LEGISLATIVE DAY
FRIDAY, JANUARY 15, 2021

Senate Chamber

President McGeachin called the Senate to order at 11:15 a.m.

Roll call showed all members present except Senator Burtenshaw, absent and formally excused by the Chair.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Curtis Keddington, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 14, 2021, was read and approved as corrected.

LAKEY, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

January 14, 2021

The COMMERCE AND HUMAN RESOURCES Committee reports it has had under consideration the Gubernatorial appointments listed below and the Committee recommends that said appointments be confirmed by the Senate:

Karan Tucker to the Idaho Health Insurance Exchange Board, term to expire April 4, 2021.

Tara Malek to the Idaho Health Insurance Exchange Board, term to expire April 10, 2024.

PATRICK, Chairman

The Gubernatorial appointments were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:28 a.m. until the hour of 11:15 a.m., Monday, January 18, 2021.

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

EIGHTH LEGISLATIVE DAY
MONDAY, JANUARY 18, 2021

Senate Chamber

President McGeachin called the Senate to order at 11:15 a.m.

Roll call showed all members present except Senator Nelson, absent and formally excused by the Chair.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Sophia Lind, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 15, 2021, was read and approved as corrected.

LAKEY, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

SJR 101

BY STATE AFFAIRS COMMITTEE

A JOINT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE; PROPOSING AN AMENDMENT TO ARTICLE III, OF THE CONSTITUTION OF THE STATE OF IDAHO BY THE ADDITION OF A NEW SECTION 30, ARTICLE III, OF THE CONSTITUTION OF THE STATE OF IDAHO RELATING TO THE PRODUCTION, MANUFACTURE, TRANSPORTATION, SALE, DELIVERY, DISPENSING, DISTRIBUTION, POSSESSION, OR USE OF PSYCHOACTIVE DRUGS IN THE STATE OF IDAHO; STATING THE QUESTION TO BE SUBMITTED TO THE ELECTORATE; DIRECTING THE LEGISLATIVE COUNCIL TO PREPARE THE STATEMENTS REQUIRED BY LAW; AND DIRECTING THE SECRETARY OF STATE TO PUBLISH THE AMENDMENT AND ARGUMENTS AS REQUIRED BY LAW.

[SJR 101](#) was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

January 14, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that Russell Barron of Emmett, Idaho, was appointed as the Division Administrator of the Idaho Division of Occupational and Professional Licenses to serve a term commencing September 1, 2020, and continuing at the pleasure of the Governor.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

Sincerely,
/s/ Brad Little
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the Commerce and Human Resources Committee.

January 14, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that Sherrilynn Bair of Firth, Idaho, was reappointed as a member of the Public Charter School Commission to serve a term commencing May 12, 2020, and expiring May 12, 2024.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

Sincerely,
/s/ Brad Little
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the Education Committee.

January 14, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that Wendy Jaquet of Ketchum, Idaho, was reappointed as a member of the State Board of Health and Welfare to serve a term commencing January 1, 2021, and expiring January 1, 2025.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

Sincerely,
/s/ Brad Little
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the Health and Welfare Committee.

January 14, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that Shelly Parker of Boise, Idaho, was appointed as a member of the Commission of Pardons and Parole to serve a term commencing October 2, 2020, and expiring January 1, 2023.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

Sincerely,
/s/ Brad Little
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the Judiciary and Rules Committee.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

**Introduction, First Reading, and Reference of Bills,
House Petitions, Resolutions, and Memorials**

**S 1004
BY STATE AFFAIRS COMMITTEE
AN ACT**

RELATING TO THE TWENTY-SEVENTH PAYROLL FUND; AMENDING CHAPTER 8, TITLE 57, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 57-825, IDAHO CODE, TO ESTABLISH THE TWENTY-SEVENTH PAYROLL FUND, TO PROVIDE FOR AVAILABLE MONEYS, AND TO PROVIDE FOR INTEREST EARNINGS.

S 1004 was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:36 a.m. until the hour of 11:15 a.m., Tuesday, January 19, 2021.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

NINTH LEGISLATIVE DAY
TUESDAY, JANUARY 19, 2021

Senate Chamber

President McGeachin called the Senate to order at 11:15 a.m.

Roll call showed all members present.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Hana Pfeiffer, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 18, 2021, was read and approved as corrected.

LAKEY, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

January 19, 2021

The JUDICIARY AND RULES Committee reports that [SJR 101](#) and [S 1004](#) have been correctly printed.

LAKEY, Chairman

[SJR 101](#) and [S 1004](#) were referred to the State Affairs Committee.

January 19, 2021

The STATE AFFAIRS Committee reports out [SCR 101](#) with the recommendation that it do pass.

LODGE, Chair

[SCR 101](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President announced that the Commerce and Human Resources Committee report relative to the Gubernatorial appointment of Karan Tucker was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Wintrow, seconded by Senator Souza, the Gubernatorial appointment of Karan Tucker as a member of the Idaho Health Insurance Exchange Board was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for her signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the Commerce and Human Resources Committee report relative to the Gubernatorial appointment of Tara Malek was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Souza, seconded by Senator Wintrow, the Gubernatorial appointment of Tara Malek as a member of the Idaho Health Insurance Exchange Board was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for her signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1005

BY RESOURCES AND ENVIRONMENT COMMITTEE AN ACT

RELATING TO WATER DISTRICTS; AMENDING SECTION 42-612, IDAHO CODE, TO AUTHORIZE CERTAIN WATER DISTRICTS TO CHARGE FEES TO WATER DELIVERY ORGANIZATIONS AND WATER USERS INSTEAD OF ASSESSMENTS UNDER SPECIFIED CIRCUMSTANCES.

S 1006

BY EDUCATION COMMITTEE AN ACT

RELATING TO THE IDAHO LITERACY ACHIEVEMENT AND ACCOUNTABILITY ACT; AMENDING SECTION 33-1207A, IDAHO CODE, TO REMOVE LANGUAGE REGARDING TEACHER PREPARATION PROGRAMS AT CERTAIN INSTITUTIONS; REPEALING SECTION 33-1614, IDAHO CODE, RELATING TO READING INSTRUCTION AND INTERVENTION; REPEALING SECTION 33-1615, IDAHO CODE, RELATING TO READING ASSESSMENT; REPEALING SECTION 33-1616, IDAHO CODE, RELATING TO LITERACY INTERVENTION; AMENDING TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 18, TITLE 33, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO DEFINE TERMS, TO PROVIDE LEGISLATIVE FINDINGS, TO PROVIDE FOR AN IDAHO COMPREHENSIVE LITERACY PLAN, TO PROVIDE FOR STUDENT READING INSTRUCTION AND INTERVENTION, TO PROVIDE FOR READING AND LITERACY ASSESSMENT, TO PROVIDE FOR A LITERACY INTERVENTION PROGRAM, TO PROVIDE FOR EDUCATOR PREPARATION, TO PROVIDE FOR ACCOUNTABILITY AND CONTINUOUS IMPROVEMENT, AND TO PROVIDE RULEMAKING AUTHORITY; AND AMENDING SECTION 33-1002, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES.

S 1007
BY EDUCATION COMMITTEE
AN ACT

RELATING TO PUBLIC SCHOOL EMPLOYEES; AMENDING SECTION 33-1001, IDAHO CODE, TO REVISE A DEFINITION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-1201A, IDAHO CODE, TO REVISE PROVISIONS REGARDING PROFESSIONAL ENDORSEMENTS AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY.

S 1008
BY FINANCE COMMITTEE
AN ACT

RELATING TO THE APPROPRIATION TO THE OFFICE OF THE STATE BOARD OF EDUCATION FOR FISCAL YEAR 2021; APPROPRIATING ADDITIONAL MONEYS TO THE OFFICE OF THE STATE BOARD OF EDUCATION FOR FISCAL YEAR 2021; AND DECLARING AN EMERGENCY.

[S 1005](#), [S 1006](#), [S 1007](#), and [S 1008](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:34 a.m. until the hour of 11:15 a.m., Wednesday, January 20, 2021.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

TENTH LEGISLATIVE DAY
WEDNESDAY, JANUARY 20, 2021

Senate Chamber

President McGeachin called the Senate to order at 11:15 a.m.

Roll call showed all members present except Senator Anthon, absent and formally excused by the Chair.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Hannah Stephenson, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 19, 2021, was read and approved as corrected.

LAKEY, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Lee, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

January 20, 2021

The JUDICIARY AND RULES Committee reports that [S 1005](#), [S 1006](#), [S 1007](#), and [S 1008](#) have been correctly printed.

LAKEY, Chairman

[S 1005](#) was referred to the Resources and Environment Committee.

[S 1006](#) and [S 1007](#) were referred to the Education Committee.

[S 1008](#) was referred to the Finance Committee.

January 19, 2021

The COMMERCE AND HUMAN RESOURCES Committee reports it has had under consideration the gubernatorial appointments listed below and the Committee recommends that said appointments be confirmed by the Senate:

Jeff Cilek to the Public Employee Retirement System of Idaho Board, term to expire July 1, 2025.

Steve Landon to the State Insurance Fund Board, term to expire April 30, 2024.

PATRICK, Chairman

The Gubernatorial appointments were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

On request by Senator Lee, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1009 BY COMMERCE AND HUMAN RESOURCES COMMITTEE

AN ACT

RELATING TO THE STATE FIRE MARSHAL; AMENDING SECTION 59-1302, IDAHO CODE, TO REVISE A DEFINITION AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 72-451, IDAHO CODE, TO REVISE A CODE REFERENCE.

S 1010 BY COMMERCE AND HUMAN RESOURCES COMMITTEE

AN ACT

RELATING TO WORKER'S COMPENSATION; AMENDING SECTION 72-102, IDAHO CODE, TO REMOVE A DEFINITION AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 72-436, IDAHO CODE, TO REVISE PROVISIONS REGARDING BURIAL EXPENSES; AMENDING SECTION 20-245, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 72-438, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AND AMENDING SECTION 72-451, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES.

S 1011 BY COMMERCE AND HUMAN RESOURCES COMMITTEE

AN ACT

RELATING TO THE COORDINATE SYSTEM OF LAND DESCRIPTION; AMENDING SECTION 54-1210, IDAHO CODE, TO REMOVE A REPORTING REQUIREMENT AND TO MAKE A TECHNICAL CORRECTION; REPEALING SECTION 55-1701, IDAHO CODE, RELATING TO ESTABLISHING A COORDINATE SYSTEM; AMENDING CHAPTER 17, TITLE 55, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 55-1701, IDAHO CODE, TO DEFINE TERMS; REPEALING SECTION 55-1702, IDAHO CODE, RELATING TO ZONE REFERENCES; AMENDING CHAPTER 17, TITLE 55, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 55-1702, IDAHO CODE, TO PROVIDE FOR THE IDAHO PLANE COORDINATE SYSTEM; REPEALING SECTION 55-1703, IDAHO CODE, RELATING TO PLANE COORDINATES; AMENDING CHAPTER 17, TITLE 55, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 55-1703, IDAHO CODE, TO PROVIDE FOR THE USE OF PLANE COORDINATES; AMENDING SECTION 55-1704, IDAHO CODE, TO PROVIDE FOR ZONE NAMING AND CERTAIN INFORMATION TO BE INCLUDED WITHIN DOCUMENTS CONTAINING COORDINATES; REPEALING SECTION 55-1705, IDAHO CODE, RELATING

TO ZONE DEFINITIONS; AMENDING CHAPTER 17, TITLE 55, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 55-1705, IDAHO CODE, TO PROVIDE FOR STATED OR IMPLIED ACCURACY OF COORDINATES; AMENDING CHAPTER 17, TITLE 55, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 55-1706, IDAHO CODE, TO PROVIDE FOR GEODETIC COORDINATES; AMENDING CHAPTER 17, TITLE 55, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 55-1707, IDAHO CODE, TO PROVIDE FOR NONAUTHORITATIVE PLANE OR GEOGRAPHIC COORDINATES; REPEALING SECTION 55-1708, IDAHO CODE, RELATING TO SUPPLEMENTAL COORDINATE DESCRIPTIONS; AMENDING CHAPTER 17, TITLE 55, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 55-1708, IDAHO CODE, TO PROVIDE FOR SUPPLEMENTAL COORDINATE DESCRIPTIONS; AMENDING SECTION 55-1709, IDAHO CODE, TO PROVIDE FOR REAL PROPERTY LESSEES, RIGHTS IN REAL PROPERTY, AND CERTAIN COORDINATES; AND AMENDING CHAPTER 17, TITLE 55, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 55-1710, IDAHO CODE, TO PROVIDE FOR CERTAIN MODIFIED COORDINATES.

S 1012
BY COMMERCE AND HUMAN RESOURCES
COMMITTEE

AN ACT

RELATING TO DENTISTS; AMENDING SECTION 54-912, IDAHO CODE, TO REMOVE A REPORTING REQUIREMENT; REPEALING SECTION 54-914, IDAHO CODE, RELATING TO DENTISTS AND DENTAL HYGIENISTS PREVIOUSLY QUALIFIED; REPEALING SECTION 54-917, IDAHO CODE, RELATING TO ALLOWANCE OR REJECTION OF APPLICANT; AMENDING SECTION 54-924, IDAHO CODE, TO PROHIBIT CERTAIN LIMITATIONS ON COMPLAINT FILING AND TO MAKE A TECHNICAL CORRECTION; AND REPEALING SECTION 54-932, IDAHO CODE, RELATING TO LOST OR DESTROYED CERTIFICATES OR LICENSES.

S 1013
BY COMMERCE AND HUMAN RESOURCES
COMMITTEE

AN ACT

RELATING TO COMMERCIAL TRANSACTIONS; AMENDING SECTION 28-46-108, IDAHO CODE, TO REVISE PROVISIONS REGARDING ADMINISTRATIVE ENFORCEMENT ORDERS AND TO MAKE TECHNICAL CORRECTIONS; REPEALING SECTION 28-46-113, IDAHO CODE, RELATING TO CIVIL ACTIONS BY AN ADMINISTRATOR; AMENDING CHAPTER 46, TITLE 28, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 28-46-113, IDAHO CODE, TO PROVIDE THAT AN ADMINISTRATOR MAY PURSUE CERTAIN CIVIL REMEDIES; AMENDING SECTION 28-46-302, IDAHO CODE, TO REVISE PROVISIONS REGARDING A LICENSE TO MAKE REGULATED CONSUMER LOANS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 28-46-303, IDAHO CODE, TO REVISE PROVISIONS REGARDING REVOCATION OR SUSPENSION OF A LICENSE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 28-46-304, IDAHO CODE, TO REVISE A PROVISION REGARDING THE FILING DATE OF AN ANNUAL REPORT; AMENDING

SECTION 28-46-403, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE QUALIFICATIONS FOR A PAYDAY LOAN LICENSE AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 28-46-404, IDAHO CODE, TO REVISE PROVISIONS REGARDING AN APPLICATION FOR A PAYDAY LOAN LICENSE.

S 1014
BY COMMERCE AND HUMAN RESOURCES
COMMITTEE

AN ACT

RELATING TO COLLECTION AGENCIES; AMENDING SECTION 26-2222, IDAHO CODE, TO DEFINE A TERM AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 26-2223A, IDAHO CODE, TO REMOVE A PROVISION REGARDING DESIGNATION OF A RESPONSIBLE PERSON; AMENDING SECTION 26-2224, IDAHO CODE, TO REVISE A PROVISION REGARDING A LICENSE APPLICATION, TO REMOVE A CERTAIN REQUIREMENT FOR A LICENSE APPLICATION, TO REVISE THE APPLICATION FEE, TO PROVIDE THAT CERTAIN APPLICATIONS SHALL BE DEEMED WITHDRAWN AND VOID, AND TO PROVIDE FOR A WRITTEN DEFICIENCY NOTICE; AMENDING SECTION 26-2227, IDAHO CODE, TO REMOVE A PROVISION REGARDING DENIAL, SUSPENSION, OR REVOCATION OF A LICENSE AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 26-2229A, IDAHO CODE, TO PROVIDE THAT CERTAIN PRACTICES SHALL BE PROHIBITED AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 26-2230, IDAHO CODE, TO PROVIDE FOR A FEE FOR REGISTRATION OF A BRANCH LOCATION; AMENDING SECTION 26-2231, IDAHO CODE, TO PROVIDE FOR RENEWAL OF REGISTRATION, TO REVISE PROVISIONS REGARDING RENEWAL, TO PROVIDE FOR EXPIRATION OF A LICENSE OR REGISTRATION IN CERTAIN INSTANCES, AND TO PROVIDE FOR REINSTATEMENT OF A LICENSE OR REGISTRATION IN CERTAIN INSTANCES; AMENDING SECTION 26-2240, IDAHO CODE, TO REMOVE PROVISIONS REGARDING AN AGENT LIST AND AN AGENT FEE AND TO MAKE A TECHNICAL CORRECTION; AND AMENDING SECTION 26-2246, IDAHO CODE, TO PROVIDE FOR A REGISTERED BRANCH LOCATION AND TO MAKE TECHNICAL CORRECTIONS.

S 1015
BY HEALTH AND WELFARE COMMITTEE

AN ACT

RELATING TO DOMESTIC WATER; REPEALING SECTION 37-2102, IDAHO CODE, RELATING TO DOMESTIC WATER TO BE PROTECTED.

S 1016
BY HEALTH AND WELFARE COMMITTEE

AN ACT

RELATING TO THE RESPIRATORY CARE PRACTICE ACT; REPEALING CHAPTER 43, TITLE 54, IDAHO CODE, RELATING TO THE RESPIRATORY CARE PRACTICE ACT; AND AMENDING TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 43, TITLE 54, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO PROVIDE LEGISLATIVE INTENT, TO DEFINE TERMS, TO ESTABLISH A LICENSURE BOARD, TO PROVIDE FOR POWERS AND DUTIES OF THE LICENSURE BOARD, TO

ESTABLISH A PERMIT REQUIREMENT, TO PROVIDE FOR POLYSOMNOGRAPHY-RELATED RESPIRATORY CARE, TO ESTABLISH REQUIREMENTS FOR LICENSURE, TO PROVIDE FOR ISSUANCE OF LICENSES AND PERMITS, TO PROVIDE FOR LICENSE OR PERMIT EXPIRATION AND RENEWAL, TO PROVIDE FOR LICENSE OR PERMIT SUSPENSION, REVOCATION, OR REFUSAL TO RENEW, TO ESTABLISH EXEMPTIONS, TO PROVIDE CERTAIN PENALTIES FOR MISREPRESENTATION, TO PROVIDE FOR PENALTIES, AND TO PROVIDE SEVERABILITY.

S 1017

BY HEALTH AND WELFARE COMMITTEE

AN ACT

RELATING TO UNIFORM CONTROLLED SUBSTANCES; AMENDING SECTION 37-2701, IDAHO CODE, TO REVISE A DEFINITION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 37-2705, IDAHO CODE, TO PROVIDE FOR CERTAIN SYNTHETIC DRUGS; AMENDING SECTION 37-2707, IDAHO CODE, TO PROVIDE FOR A CERTAIN CONTROLLED SUBSTANCE; AMENDING SECTION 37-2711, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY; AND AMENDING SECTION 37-2713, IDAHO CODE, TO REVISE PROVISIONS REGARDING SCHEDULE V.

S 1018

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO THE STATE HISTORICAL SOCIETY; REPEALING SECTION 14-534, IDAHO CODE, RELATING TO STATE HISTORICAL SOCIETY USE OF PROPERTY; AMENDING SECTION 27-502, IDAHO CODE, TO REMOVE PROVISIONS REGARDING EXPENSES FOR REINTERMENT OF REMAINS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 58-337, IDAHO CODE, TO REMOVE PROVISIONS REGARDING PROCEEDS FROM THE RENTAL OF THE OLD PENITENTIARY SITE; AMENDING SECTION 67-4127, IDAHO CODE, TO REVISE PROVISIONS REGARDING POWERS AND DUTIES OF THE DIRECTOR OF THE STATE HISTORICAL SOCIETY; AND AMENDING SECTION 67-4127A, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE STATE HISTORIC PRESERVATION OFFICER.

[S 1009](#), [S 1010](#), [S 1011](#), [S 1012](#), [S 1013](#), [S 1014](#), [S 1015](#), [S 1016](#), [S 1017](#), and [S 1018](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

On request by Senator Lee, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Lee, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:40 a.m. until the hour of 11:15 a.m., Thursday, January 21, 2021.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

ELEVENTH LEGISLATIVE DAY
THURSDAY, JANUARY 21, 2021

Senate Chamber

President McGeachin called the Senate to order at 11:15 a.m.

Roll call showed all members present.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Jaxon Griffin, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 20, 2021, was read and approved as corrected.

LAKEY, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

January 21, 2021

The JUDICIARY AND RULES Committee reports that [S 1009](#), [S 1010](#), [S 1011](#), [S 1012](#), [S 1013](#), [S 1014](#), [S 1015](#), [S 1016](#), [S 1017](#), and [S 1018](#) have been correctly printed.

LAKEY, Chairman

[S 1009](#), [S 1010](#), [S 1011](#), [S 1012](#), [S 1013](#), and [S 1014](#) were referred to the Commerce and Human Resources Committee.

[S 1015](#), [S 1016](#), and [S 1017](#) were referred to the Health and Welfare Committee.

[S 1018](#) was referred to the State Affairs Committee.

January 20, 2021

The JUDICIARY AND RULES Committee reports it has had under consideration the Gubernatorial appointment listed below and the Committee recommends that said appointment be confirmed by the Senate:

Sean Walsh to the State Public Defense Commission, term to expire July 1, 2023.

LAKEY, Chairman

The Gubernatorial appointment was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

January 20, 2021

The HEALTH AND WELFARE Committee reports it has had under consideration the Gubernatorial appointment listed below and the Committee recommends that said appointment be confirmed by the Senate:

Jess Byrne as the Director of the Department of Environmental Quality, term to continue at the pleasure of the Governor.

MARTIN, Chairman

The Gubernatorial appointment was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

January 19, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that Timothy Rarick of Rexburg, Idaho, was reappointed as a member of the State Board of Health and Welfare to serve a term commencing January 21, 2021, and expiring January 1, 2025.

This reappointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

Sincerely,
/s/ Brad Little
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial reappointment was referred to the Health and Welfare Committee.

January 19, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that Kristine Raper of Boise, Idaho, was reappointed as a member of the Public Utilities Commission to serve a term commencing January 13, 2021, and expiring January 13, 2027.

This reappointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

Sincerely,
/s/ Brad Little
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial reappointment was referred to the State Affairs Committee.

January 20, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that Tammy Overacker of Salmon, Idaho, was appointed as a member of the Idaho Outfitters and Guides Licensing Board to serve a term commencing August 31, 2020, and expiring April 20, 2023.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

Sincerely,
/s/ Brad Little
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the Resources and Environment Committee.

January 20, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I am hereby transmitting to the Idaho State Senate a list of all gubernatorial appointments that have not been previously communicated pursuant to title 67, section 803 of the Idaho Code.

Additional appointments made during this session will be submitted forthwith with the appropriate corresponding information for your consideration.

Please do not hesitate to contact me if you have any questions.

Sincerely,
/s/ Brad Little
Governor

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Tenth Order of Business.

Motions and Resolutions

On request by Senator Anthon, granted by unanimous consent, **SCR 101** retained its place on the calendar for Monday, January 25, 2021.

The President announced that the Commerce and Human Resources Committee report relative to the Gubernatorial appointment of Jeff Cilek was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Wintrow, seconded by Senator Souza, the Gubernatorial appointment of Jeff Cilek as a member of the Public Employee Retirement System of Idaho Board was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for her signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the Commerce and Human Resources Committee report relative to the Gubernatorial appointment of Steve Landon was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Guthrie, seconded by Senator Nye, the Gubernatorial appointment of Steve Landon as a member of the State Insurance Fund Board was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for her signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1019

BY RESOURCES AND ENVIRONMENT COMMITTEE

AN ACT

RELATING TO FISH AND GAME; AMENDING SECTION 36-104, IDAHO CODE, TO PROVIDE FOR MEETING NOTICES AND THE SOLICITATION OF PUBLIC INPUT.

S 1020

BY RESOURCES AND ENVIRONMENT COMMITTEE

AN ACT

RELATING TO LIABILITY OF LANDOWNERS; AMENDING SECTION 36-1604, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE LIMITATION OF LIABILITY OF LANDOWNERS TOWARD PERSONS ENTERING LAND FOR RECREATIONAL PURPOSES.

S 1021

BY LOCAL GOVERNMENT AND TAXATION

COMMITTEE

AN ACT

RELATING TO TAXING DISTRICT BUDGETS; AMENDING SECTION 63-802, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE LIMITATION ON TAXING DISTRICT BUDGET REQUESTS.

S 1022

BY FINANCE COMMITTEE

AN ACT

RELATING TO APPROPRIATIONS; APPROPRIATING AND TRANSFERRING MONEYS FROM THE GENERAL FUND TO THE LEGISLATIVE LEGAL DEFENSE FUND; AND DECLARING AN EMERGENCY.

S 1023

BY FINANCE COMMITTEE

AN ACT

RELATING TO APPROPRIATIONS; APPROPRIATING AND TRANSFERRING MONEYS FROM THE GENERAL FUND TO THE PEST CONTROL DEFICIENCY FUND; AND DECLARING AN EMERGENCY.

[S 1019](#), [S 1020](#), [S 1021](#), [S 1022](#), and [S 1023](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:45 a.m. until the hour of 11 a.m., Friday, January 22, 2021.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

TWELFTH LEGISLATIVE DAY
FRIDAY, JANUARY 22, 2021

Senate Chamber

President Pro Tempore Winder called the Senate to order at 11 a.m.

Roll call showed all members present.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Jaylee Harris, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 21, 2021, was read and approved as corrected.

LAKEY, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

January 22, 2021

The JUDICIARY AND RULES Committee reports that [S 1019](#), [S 1020](#), [S 1021](#), [S 1022](#), and [S 1023](#) have been correctly printed.

LAKEY, Chairman

[S 1019](#) and [S 1020](#) were referred to the Resources and Environment Committee.

[S 1021](#) was referred to the Local Government and Taxation Committee.

[S 1022](#) and [S 1023](#) were referred to the Finance Committee.

January 21, 2021

The COMMERCE AND HUMAN RESOURCES Committee reports it has had under consideration the Gubernatorial appointment listed below and the Committee recommends that said appointment be confirmed by the Senate:

Russell Barron as the Division Administrator of the Idaho Division of Occupational and Professional Licenses, term to continue at the pleasure of the Governor.

PATRICK, Chairman

The Gubernatorial appointment was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

January 21, 2021

The FINANCE Committee reports out [S 1008](#) with the recommendation that it do pass.

BAIR, Chairman

[S 1008](#) was filed for second reading.

January 21, 2021

The EDUCATION Committee reports out [S 1006](#) and [S 1007](#) with the recommendation that they do pass.

THAYN, Chairman

[S 1006](#) and [S 1007](#) were filed for second reading.

January 22, 2021

The STATE AFFAIRS Committee reports out [S 1004](#) with the recommendation that it do pass.

LODGE, Chair

[S 1004](#) was filed for second reading.

January 22, 2021

The STATE AFFAIRS Committee reports it has had under consideration the Gubernatorial appointments listed below and the Committee recommends that said appointments be confirmed by the Senate:

Dennis Duehren to the Bingo-Raffle Advisory Board, term to expire January 7, 2023.

Patricia Perkins to the Treasurer's Investment Advisory Board, term to expire July 1, 2024.

Reed Hansen to the Treasurer's Investment Advisory Board, term to expire July 1, 2024.

LODGE, Chair

The Gubernatorial appointments were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

January 22, 2021

Dear Mr. President:

I transmit herewith [HJR 1](#), which has passed the House.

MAULIN, Chief Clerk

[HJR 1](#) was filed for first reading.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

**Introduction, First Reading, and Reference of Bills,
House Petitions, Resolutions, and Memorials**

S 1024

**BY COMMERCE AND HUMAN RESOURCES
COMMITTEE**

AN ACT

RELATING TO THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES; AMENDING SECTION 36-2107, IDAHO CODE, TO REVISE PROVISIONS REGARDING POWERS AND DUTIES OF THE BOARD, TO REMOVE PROVISIONS REGARDING AN EXECUTIVE DIRECTOR, AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 54-205, IDAHO CODE, TO REMOVE PROVISIONS REGARDING AN EXECUTIVE DIRECTOR; AMENDING SECTION 54-912, IDAHO CODE, TO PROVIDE FOR THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 54-1207, IDAHO CODE, TO REMOVE REFERENCE TO AN EXECUTIVE DIRECTOR AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 54-1404, IDAHO CODE, TO REMOVE PROVISIONS REGARDING EMPLOYEES OF THE BOARD AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-1713, IDAHO CODE, TO REMOVE PROVISIONS REGARDING AN EXECUTIVE DIRECTOR, TO PROVIDE THAT THE ADMINISTRATOR OF THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES SHALL HAVE CERTAIN DUTIES, AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-1714, IDAHO CODE, TO REMOVE PROVISIONS REGARDING AN EXECUTIVE DIRECTOR AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-1806, IDAHO CODE, TO REMOVE PROVISIONS REGARDING HIRING OR APPOINTING OF EMPLOYEES; AMENDING SECTION 54-2006, IDAHO CODE, TO REMOVE A PROVISION REGARDING AN EXECUTIVE DIRECTOR AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 54-2105, IDAHO CODE, TO REMOVE A REFERENCE TO AN EXECUTIVE DIRECTOR AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 36-408, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE.

S 1025

**BY COMMERCE AND HUMAN RESOURCES
COMMITTEE**

AN ACT

RELATING TO THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES; AMENDING SECTION 67-2601, IDAHO CODE, TO PROVIDE FOR THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES AND TO REMOVE PROVISIONS REGARDING CERTAIN BOARDS; REPEALING SECTION 67-2601A, IDAHO CODE, RELATING TO THE DIVISION OF BUILDING SAFETY; REPEALING SECTION 67-2602, IDAHO CODE, RELATING TO THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES; AMENDING CHAPTER 26, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-2602, IDAHO CODE, TO PROVIDE FOR THE ADMINISTRATOR OF THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES; REPEALING SECTION 67-2602A, IDAHO CODE, RELATING TO LICENSE FEES; REPEALING SECTION 67-2603, IDAHO CODE, RELATING TO THE DIVISION ADMINISTRATOR;

AMENDING CHAPTER 26, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-2603, IDAHO CODE, TO PROVIDE FOR DIVISION EMPLOYEES; REPEALING SECTION 67-2604, IDAHO CODE, RELATING TO AUTHORITY GRANTED BY WRITTEN AGREEMENT; AMENDING CHAPTER 26, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-2604, IDAHO CODE, TO PROVIDE DUTIES OF THE DIVISION ADMINISTRATOR; REPEALING SECTION 67-2605, IDAHO CODE, RELATING TO THE OCCUPATIONAL LICENSES ACCOUNT; AMENDING CHAPTER 26, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-2605, IDAHO CODE, TO PROVIDE FOR CERTAIN SAFETY INSPECTIONS AND SAFETY ORDERS; REPEALING SECTION 67-2606, IDAHO CODE, RELATING TO THE OCCUPATIONAL LICENSES ACCOUNT; AMENDING CHAPTER 26, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-2606, IDAHO CODE, TO PROVIDE A MILITARY EXEMPTION FOR CERTAIN LICENSE FEES; AMENDING CHAPTER 26, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-2607, IDAHO CODE, TO PROVIDE FOR EXPENSES OF THE DIVISION ADMINISTRATOR; REPEALING SECTION 67-2608, IDAHO CODE, RELATING TO DIVISION ADMINISTRATOR COOPERATION WITH OTHER AGENCIES; AMENDING CHAPTER 26, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-2608, IDAHO CODE, TO PROVIDE FOR THE OCCUPATIONAL LICENSES FUND; REPEALING SECTION 67-2609, IDAHO CODE, RELATING TO REGISTRATION OF OCCUPATIONS; AMENDING CHAPTER 26, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-2609, IDAHO CODE, TO PROVIDE FOR DIVISION ADMINISTRATOR COOPERATION WITH OTHER AGENCIES; REPEALING SECTION 67-2613, IDAHO CODE, RELATING TO LIMITED APPLICATION OF CHAPTER; AMENDING CHAPTER 26, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-2613, IDAHO CODE, TO PROVIDE CLARIFICATION OF DEFINITIONS; AMENDING SECTION 67-2614, IDAHO CODE, TO REVISE PROVISIONS REGARDING RENEWAL AND REINSTATEMENT OF LICENSES; REPEALING SECTION 67-2615, IDAHO CODE, RELATING TO REEXAMINATION AND PAYMENT OF CERTIFICATE FEES; REPEALING SECTION 67-2616, IDAHO CODE, RELATING TO CLARIFICATION OF DEFINITIONS; AMENDING SECTION 67-1406, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 6-1010, IDAHO CODE, TO REMOVE PROVISIONS REGARDING A CERTAIN FUND AND TO PROVIDE FOR THE OCCUPATIONAL LICENSES FUND; AMENDING SECTION 36-2116, IDAHO CODE, TO PROVIDE FOR THE OCCUPATIONAL LICENSES FUND, TO REMOVE PROVISIONS REGARDING A CERTAIN ACCOUNT, AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 36-2117, IDAHO CODE, TO PROVIDE FOR THE OCCUPATIONAL LICENSES FUND, TO REMOVE PROVISIONS REGARDING A CERTAIN ACCOUNT, AND TO MAKE A TECHNICAL CORRECTION; REPEALING SECTION 39-4124, IDAHO CODE, RELATING TO THE IDAHO BUILDING CODE FUND; AMENDING CHAPTER 41, TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 39-4124, IDAHO CODE, TO PROVIDE FOR THE OCCUPATIONAL LICENSES FUND; AMENDING SECTION 39-4303, IDAHO CODE, TO PROVIDE FOR THE OCCUPATIONAL LICENSES FUND AND TO REMOVE PROVISIONS REGARDING A CERTAIN ACCOUNT;

REPEALING SECTION 54-217, IDAHO CODE, RELATING TO THE STATE BOARD OF ACCOUNTANCY ACCOUNT; AMENDING CHAPTER 2, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-217, IDAHO CODE, TO PROVIDE FOR THE OCCUPATIONAL LICENSES FUND; AMENDING SECTION 54-308, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 54-313, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY; REPEALING SECTION 54-910, IDAHO CODE, RELATING TO THE STATE BOARD OF DENTISTRY FUND; AMENDING CHAPTER 9, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-910, IDAHO CODE, TO PROVIDE FOR THE OCCUPATIONAL LICENSES FUND; REPEALING SECTION 54-1015, IDAHO CODE, RELATING TO THE ELECTRICAL BOARD FUND; AMENDING CHAPTER 10, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-1015, IDAHO CODE, TO PROVIDE FOR THE OCCUPATIONAL LICENSES FUND; REPEALING SECTION 54-1209, IDAHO CODE, RELATING TO RECEIPTS AND DISBURSEMENTS; AMENDING CHAPTER 12, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-1209, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING RECEIPTS AND DISBURSEMENTS; REPEALING SECTION 54-1405, IDAHO CODE, RELATING TO THE STATE BOARD OF NURSING ACCOUNT; AMENDING CHAPTER 14, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-1405, IDAHO CODE, TO PROVIDE FOR THE OCCUPATIONAL LICENSES FUND; AMENDING SECTION 54-1508, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE, TO PROVIDE CORRECT TERMINOLOGY, AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-1720, IDAHO CODE, TO PROVIDE FOR THE OCCUPATIONAL LICENSES FUND, TO REMOVE A PROVISION REGARDING A CERTAIN ACCOUNT, AND TO MAKE TECHNICAL CORRECTIONS; REPEALING SECTION 54-1809, IDAHO CODE, RELATING TO THE STATE BOARD OF MEDICINE FUND; AMENDING CHAPTER 18, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-1809, IDAHO CODE, TO PROVIDE FOR THE OCCUPATIONAL LICENSES FUND; REPEALING SECTION 54-1921, IDAHO CODE, RELATING TO THE PUBLIC WORKS CONTRACTORS LICENSE FUND; AMENDING CHAPTER 19, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-1921, IDAHO CODE, TO PROVIDE FOR THE OCCUPATIONAL LICENSES FUND; REPEALING SECTION 54-2021, IDAHO CODE, RELATING TO DISPOSITION OF FUNDS; AMENDING CHAPTER 20, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-2021, IDAHO CODE, TO PROVIDE FOR THE OCCUPATIONAL LICENSES FUND; AMENDING SECTION 54-2059, IDAHO CODE, TO PROVIDE FOR THE OCCUPATIONAL LICENSES FUND AND TO REMOVE PROVISIONS REGARDING A CERTAIN FUND; AMENDING SECTION 54-2065, IDAHO CODE, TO PROVIDE FOR THE OCCUPATIONAL LICENSES FUND, TO REMOVE PROVISIONS REGARDING A CERTAIN FUND, AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-2070, IDAHO CODE, TO REMOVE PROVISIONS REGARDING A CERTAIN FUND, TO PROVIDE FOR THE OCCUPATIONAL LICENSES FUND, AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 54-2105, IDAHO CODE, TO REMOVE PROVISIONS REGARDING A CERTAIN ACCOUNT, TO PROVIDE FOR THE OCCUPATIONAL LICENSES FUND, AND TO MAKE TECHNICAL

CORRECTIONS; REPEALING SECTION 54-2121, IDAHO CODE, RELATING TO THE STATE BOARD OF VETERINARY MEDICINE ACCOUNT; AMENDING CHAPTER 21, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-2121, IDAHO CODE, TO PROVIDE FOR THE OCCUPATIONAL LICENSES FUND; AMENDING SECTION 54-2407, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS; REPEALING SECTION 54-2630, IDAHO CODE, RELATING TO THE PLUMBING BOARD FUND; AMENDING CHAPTER 26, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-2630, IDAHO CODE, TO PROVIDE FOR THE OCCUPATIONAL LICENSES FUND; AMENDING SECTION 54-2911, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 54-3205, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-3317, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 54-3412, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 54-3505, IDAHO CODE, TO PROVIDE FOR THE OCCUPATIONAL LICENSES FUND AND TO REMOVE PROVISIONS REGARDING A CERTAIN FUND; AMENDING SECTION 54-3719, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 54-3915, IDAHO CODE, TO PROVIDE FOR THE OCCUPATIONAL LICENSES FUND AND TO REMOVE PROVISIONS REGARDING A CERTAIN ACCOUNT; AMENDING SECTION 54-4113, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-4122, IDAHO CODE, TO REMOVE A CODE REFERENCE, TO PROVIDE FOR THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES, AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-4216, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 54-4315, IDAHO CODE, TO PROVIDE FOR THE OCCUPATIONAL LICENSES FUND AND TO REMOVE PROVISIONS REGARDING A CERTAIN ACCOUNT; AMENDING SECTION 54-4510, IDAHO CODE, TO PROVIDE FOR THE OCCUPATIONAL LICENSES FUND AND TO REMOVE PROVISIONS REGARDING CERTAIN FEES; REPEALING SECTION 54-5024, IDAHO CODE, RELATING TO THE IDAHO HEATING, VENTILATION AND AIR CONDITIONING BOARD FUND; AMENDING CHAPTER 50, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-5024, IDAHO CODE, TO PROVIDE FOR THE OCCUPATIONAL LICENSES FUND; AMENDING SECTION 54-5105, IDAHO CODE, TO PROVIDE FOR THE OCCUPATIONAL LICENSES FUND AND TO REMOVE PROVISIONS REGARDING A CERTAIN FUND; AMENDING SECTION 54-5308, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-5313, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-5613, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 54-5822, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 55-2203, IDAHO CODE, TO PROVIDE FOR THE OCCUPATIONAL LICENSES FUND, TO REMOVE PROVISIONS REGARDING A

CERTAIN FUND, TO PROVIDE FOR THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES, AND TO MAKE TECHNICAL CORRECTIONS; REPEALING SECTION 55-2204, IDAHO CODE, RELATING TO THE DAMAGE PREVENTION BOARD FUND; AMENDING SECTION 55-2211, IDAHO CODE, TO REMOVE PROVISIONS REGARDING A CERTAIN FUND, TO PROVIDE FOR THE OCCUPATIONAL LICENSES FUND, AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 72-519, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AND DECLARING AN EMERGENCY.

S 1026
BY COMMERCE AND HUMAN RESOURCES
COMMITTEE
AN ACT

RELATING TO THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES; AMENDING SECTION 36-2105, IDAHO CODE, TO PROVIDE FOR THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES; AMENDING SECTION 39-4106, IDAHO CODE, TO PROVIDE FOR THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 39-4302, IDAHO CODE, TO PROVIDE FOR THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES; AMENDING SECTION 54-307, IDAHO CODE, TO PROVIDE FOR THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES; AMENDING SECTION 54-401, IDAHO CODE, TO PROVIDE FOR THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES; AMENDING SECTION 54-604, IDAHO CODE, TO PROVIDE FOR THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES; AMENDING SECTION 54-706, IDAHO CODE, TO PROVIDE FOR THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES; AMENDING SECTION 54-907, IDAHO CODE, TO PROVIDE FOR THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES; AMENDING SECTION 54-1006, IDAHO CODE, TO PROVIDE FOR THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES; AMENDING SECTION 54-1105, IDAHO CODE, TO PROVIDE FOR THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES; AMENDING SECTION 54-1203, IDAHO CODE, TO PROVIDE FOR THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES; AMENDING SECTION 54-1403, IDAHO CODE, TO PROVIDE FOR THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES; AMENDING SECTION 54-1503, IDAHO CODE, TO PROVIDE FOR THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES; AMENDING SECTION 54-1603, IDAHO CODE, TO PROVIDE FOR THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-1706, IDAHO CODE, TO PROVIDE FOR THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES; AMENDING SECTION 54-1805, IDAHO CODE, TO PROVIDE FOR THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES; AMENDING SECTION 54-1905, IDAHO CODE, TO PROVIDE FOR THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-2005, IDAHO CODE, TO PROVIDE FOR THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL

LICENSES; AMENDING SECTION 54-2105, IDAHO CODE, TO PROVIDE FOR THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES; AMENDING SECTION 54-2205, IDAHO CODE, TO PROVIDE FOR THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES; AMENDING SECTION 54-2304, IDAHO CODE, TO PROVIDE FOR THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES; AMENDING SECTION 54-2404, IDAHO CODE, TO PROVIDE FOR THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES; AMENDING SECTION 54-2605, IDAHO CODE, TO PROVIDE FOR THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES; AMENDING SECTION 54-2803, IDAHO CODE, TO PROVIDE FOR THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES; AMENDING SECTION 54-2908, IDAHO CODE, TO PROVIDE FOR THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 54-3003, IDAHO CODE, TO PROVIDE FOR THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES; AMENDING SECTION 54-3105, IDAHO CODE, TO PROVIDE FOR THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 54-3203, IDAHO CODE, TO PROVIDE FOR THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES; AMENDING SECTION 54-3307, IDAHO CODE, TO PROVIDE FOR THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES; AMENDING SECTION 54-3403, IDAHO CODE, TO PROVIDE FOR THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES; AMENDING SECTION 54-3714, IDAHO CODE, TO PROVIDE FOR THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES; AMENDING SECTION 54-4006, IDAHO CODE, TO PROVIDE FOR THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES; AMENDING SECTION 54-4106, IDAHO CODE, TO PROVIDE FOR THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES; AMENDING SECTION 54-4204, IDAHO CODE, TO PROVIDE FOR THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES; AMENDING SECTION 54-4704, IDAHO CODE, TO PROVIDE FOR THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES; AMENDING SECTION 54-5004, IDAHO CODE, TO PROVIDE FOR THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES; AMENDING SECTION 54-5206, IDAHO CODE, TO PROVIDE FOR THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES; AMENDING SECTION 54-5309, IDAHO CODE, TO PROVIDE FOR THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES; AMENDING SECTION 54-5403, IDAHO CODE, TO PROVIDE FOR THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES; AMENDING SECTION 54-5503, IDAHO CODE, TO PROVIDE FOR THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES; AMENDING SECTION 54-5606, IDAHO CODE, TO PROVIDE FOR THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES; AMENDING SECTION 54-5806, IDAHO CODE, TO PROVIDE FOR THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES; AND AMENDING SECTION 55-2203, IDAHO CODE, TO PROVIDE FOR THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES.

S 1027
BY JUDICIARY AND RULES COMMITTEE
AN ACT

RELATING TO THE IDAHO WRONGFUL CONVICTION ACT; AMENDING TITLE 6, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 35, TITLE 6, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO PROVIDE FOR A CLAIM OF COMPENSATION FOR A WRONGFUL CONVICTION, TO PROVIDE CERTAIN PROCEDURES AND CRITERIA FOR A CLAIM, TO PROVIDE CERTAIN IMMUNITY, TO PROVIDE FOR CERTAIN COMPENSATION AND DAMAGES, TO PROVIDE CERTAIN RESTRICTIONS ON DAMAGES, TO PROVIDE FOR COMPUTATION OF DAMAGES, TO PROVIDE FOR HOW DAMAGES ARE PAID, TO PROVIDE THAT CERTAIN DAMAGES SHALL BE TAX-EXEMPT, TO PROVIDE FOR A CERTIFICATE OF INNOCENCE, AND TO PROVIDE FOR THE CREATION OF THE INNOCENCE FUND; AND DECLARING AN EMERGENCY.

S 1028
BY BURGOYNE
AN ACT

RELATING TO LABOR; AMENDING SECTION 44-1502, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE MINIMUM WAGE.

S 1029
BY WARD-ENGELKING
AN ACT

RELATING TO SALES TAX; AMENDING SECTION 57-811, IDAHO CODE, TO REMOVE A CODE REFERENCE; AMENDING SECTION 63-3620F, IDAHO CODE, TO REVISE THE DISTRIBUTION FORMULA FOR SALES AND USE TAXES COLLECTED BY MARKETPLACE FACILITATORS AND OUT-OF-STATE RETAILERS; AMENDING SECTION 63-3638, IDAHO CODE, TO REMOVE CERTAIN EXCEPTIONS TO THE SALES AND USE TAX REVENUE DISTRIBUTION FORMULA, TO REMOVE A CODE REFERENCE, AND TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 40-720, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AND AMENDING SECTION 40-721, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE.

S 1030
BY WINTROW
AN ACT

RELATING TO CIVIL RIGHTS; AMENDING SECTION 67-5901, IDAHO CODE, TO PROVIDE THAT FREEDOM FROM DISCRIMINATION BECAUSE OF SEXUAL ORIENTATION OR GENDER IDENTITY IS A CIVIL RIGHT; AMENDING SECTION 67-5902, IDAHO CODE, TO DEFINE TERMS AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 67-5909, IDAHO CODE, TO PROHIBIT DISCRIMINATION AGAINST A PERSON BECAUSE OF SEXUAL ORIENTATION OR GENDER IDENTITY AND TO MAKE TECHNICAL CORRECTIONS.

S 1031
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO THE STATE DISASTER EMERGENCY ACCOUNT; AMENDING SECTION 46-1005A, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE

DISASTER EMERGENCY ACCOUNT AND TO PROVIDE SEVERABILITY; AND DECLARING AN EMERGENCY.

S 1032
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO THE LEGISLATURE; AMENDING SECTION 67-404, IDAHO CODE, TO PROVIDE THAT EACH REGULAR LEGISLATIVE SESSION SHALL ADJOURN SINE DIE BY A CERTAIN DATE, TO PROVIDE EXCEPTIONS, AND TO MAKE TECHNICAL CORRECTIONS.

S 1033
BY FINANCE COMMITTEE
AN ACT

RELATING TO THE LEGISLATIVE ACCOUNT; AMENDING SECTION 67-451, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE TRANSFER OF FUNDS INTO THE LEGISLATIVE ACCOUNT; AND DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

[S 1024](#), [S 1025](#), [S 1026](#), [S 1027](#), [S 1028](#), [S 1029](#), [S 1030](#), [S 1031](#), [S 1032](#), and [S 1033](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[HJR 1](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:21 a.m. until the hour of 11:15 a.m., Monday, January 25, 2021.

CHUCK WINDER, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

FIFTEENTH LEGISLATIVE DAY
MONDAY, JANUARY 25, 2021

Senate Chamber

President McGeachin called the Senate to order at 11:15 a.m.

Roll call showed all members present except Senator Lodge, absent and excused.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Olivia Jones, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 22, 2021, was read and approved as corrected.

LAKEY, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

January 25, 2021

The JUDICIARY AND RULES Committee reports that [S 1024](#), [S 1025](#), [S 1026](#), [S 1027](#), [S 1028](#), [S 1029](#), [S 1030](#), [S 1031](#), [S 1032](#), and [S 1033](#) have been correctly printed.

LAKEY, Chairman

[S 1024](#), [S 1025](#), and [S 1026](#) were referred to the Commerce and Human Resources Committee.

[S 1027](#) was referred to the Judiciary and Rules Committee.

[S 1028](#) was referred to the State Affairs Committee.

[S 1029](#) was referred to the Local Government and Taxation Committee.

[S 1030](#), [S 1031](#), and [S 1032](#) were referred to the State Affairs Committee.

[S 1033](#) was referred to the Finance Committee.

January 22, 2021

The FINANCE Committee reports out [S 1022](#) and [S 1023](#) with the recommendation that they do pass.

BAIR, Chairman

[S 1022](#) and [S 1023](#) were filed for second reading.

Senator Lodge was recorded present at this order of business.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Tenth Order of Business.

Motions and Resolutions

On request by Senator Anthon, granted by unanimous consent, [SCR 101](#) retained its place on the calendar for Wednesday, January 27, 2021.

The President announced that the Judiciary and Rules Committee report relative to the Gubernatorial appointment of Sean Walsh was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Thayn, seconded by Senator Ward-Engelking, the Gubernatorial appointment of Sean Walsh as a member of the State Public Defense Commission was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for her signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the Health and Welfare Committee report relative to the Gubernatorial appointment of Jess Byrne was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Wintrow, seconded by Senator Martin, the Gubernatorial appointment of Jess Byrne as the Director of the Department of Environmental Quality was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for her signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the Commerce and Human Resources Committee report relative to the Gubernatorial appointment of Russell Barron was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Thayn, seconded by Senator Stennett, the Gubernatorial appointment of Russell Barron as the Division Administrator of the Idaho Division of Occupational and Professional Licenses was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for her signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the State Affairs Committee report relative to the Gubernatorial reappointment of Dennis Duehren was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Ricks, seconded by Senator Nye, the Gubernatorial reappointment of Dennis Duehren as a member of the Bingo-Raffle Advisory Board was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for her signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the State Affairs Committee report relative to the Gubernatorial reappointment of Patricia Perkins was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Burgoyne, seconded by Senator Lee, the Gubernatorial reappointment of Patricia Perkins as a member of the Treasurer's Investment Advisory Board was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for her signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the State Affairs Committee report relative to the Gubernatorial appointment of Reed Hansen was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Grow, seconded by Senator Stennett, the Gubernatorial appointment of Reed Hansen as a member of the Treasurer's Investment Advisory Board was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for her signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The Senate advanced to the Eleventh Order of Business.

**Introduction, First Reading, and Reference of Bills,
House Petitions, Resolutions, and Memorials**

S 1034

**BY FINANCE COMMITTEE
AN ACT**

RELATING TO THE APPROPRIATION TO THE COMMISSION OF PARDONS AND PAROLE FOR FISCAL YEAR 2021; CREATING THE FEDERAL COVID-19 RELIEF FUND; APPROPRIATING ADDITIONAL MONEYS TO THE COMMISSION OF PARDONS AND PAROLE FOR FISCAL YEAR 2021; AND DECLARING AN EMERGENCY.

[S 1034](#) was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[S 1008](#), by Finance Committee, was read the second time at length and filed for third reading.

[S 1006](#) and [S 1007](#), by Education Committee, were read the second time at length and filed for third reading.

[S 1004](#), by State Affairs Committee, was read the second time at length and filed for third reading.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:50 a.m. until the hour of 11 a.m., Tuesday, January 26, 2021.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

SIXTEENTH LEGISLATIVE DAY
TUESDAY, JANUARY 26, 2021

Senate Chamber

President McGeachin called the Senate to order at 11 a.m.

Roll call showed all members present.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Curtis Kedington, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 25, 2021, was read and approved as corrected.

LAKEY, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

January 26, 2021

The JUDICIARY AND RULES Committee reports that [S 1034](#) has been correctly printed.

LAKEY, Chairman

[S 1034](#) was referred to the Finance Committee.

January 25, 2021

The JUDICIARY AND RULES Committee reports it has had under consideration the Gubernatorial appointments listed below and the Committee recommends that said appointments be confirmed by the Senate:

Michael Ross to the Commission of Pardons and Parole, term to expire January 1, 2024.

Patrick McDonald to the Commission of Pardons and Parole, term to expire January 1, 2024.

LAKEY, Chairman

The Gubernatorial appointments were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

January 25, 2021

Dear Madam President:

I transmit herewith [HCR 2](#) and [H 11](#), which have passed the House.

MAULIN, Chief Clerk

[HCR 2](#) and [H 11](#) were filed for first reading.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1035

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO THE STATE APPELLATE PUBLIC DEFENDER ACT; REPEALING SECTIONS 19-867 THROUGH 19-872, IDAHO CODE, RELATING TO THE STATE APPELLATE PUBLIC DEFENDER ACT; AMENDING TITLE 19, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 59, TITLE 19, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO PROVIDE LEGISLATIVE INTENT, TO PROVIDE FOR THE CREATION OF THE OFFICE OF STATE APPELLATE PUBLIC DEFENDER, TO PROVIDE FOR THE APPOINTMENT, QUALIFICATIONS, TERM, AND COMPENSATION OF THE STATE APPELLATE PUBLIC DEFENDER, TO PROVIDE FOR POWERS AND DUTIES, TO AUTHORIZE APPOINTMENT OF ADDITIONAL COUNSEL IN CERTAIN INSTANCES, AND TO PROVIDE FOR AN ANNUAL REPORT; AND AMENDING SECTION 19-863A, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE.

S 1036

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO TEMPORARY GUARDIANS; AMENDING SECTION 66-404A, IDAHO CODE, TO REVISE A PROVISION REGARDING A HEARING ON THE APPROPRIATENESS OF AN APPOINTMENT AND TO MAKE A TECHNICAL CORRECTION.

S 1037

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO HOSPITALIZATION OF THE MENTALLY ILL; AMENDING SECTION 66-329, IDAHO CODE, TO REVISE A PROVISION REGARDING WHEN A COURT MAY CONTINUE A HEARING.

S 1038

BY HEALTH AND WELFARE COMMITTEE

AN ACT

RELATING TO PUBLIC ASSISTANCE; REPEALING SECTION 56-209m, IDAHO CODE, RELATING TO A WEIGHT CONTROL PILOT PROGRAM; REPEALING SECTION 56-236, IDAHO CODE, RELATING TO THE IDAHO HEALTH INSURANCE ACCESS CARD ACT; REPEALING SECTION 56-237, IDAHO CODE, RELATING

TO LEGISLATIVE PURPOSE; AMENDING SECTION 56-238, IDAHO CODE, TO REMOVE DEFINITIONS AND TO PROVIDE A CORRECT CODE REFERENCE; REPEALING SECTION 56-241, IDAHO CODE, RELATING TO THE SMALL BUSINESS HEALTH INSURANCE PILOT PROGRAM; REPEALING SECTION 56-242, IDAHO CODE, RELATING TO THE IDAHO HEALTH INSURANCE ACCESS CARD; AND AMENDING SECTION 56-254, IDAHO CODE, TO REMOVE CODE REFERENCES AND TO MAKE TECHNICAL CORRECTIONS.

S 1039
BY EDUCATION COMMITTEE
AN ACT

RELATING TO EDUCATION; AMENDING CHAPTER 5, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-526, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING A WORKFORCE READINESS DIPLOMA.

[S 1035](#), [S 1036](#), [S 1037](#), [S 1038](#), and [S 1039](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[HCR 2](#), by State Affairs Committee, was introduced, read at length, and referred to the State Affairs Committee.

[H 11](#), by Appropriations Committee, was introduced, read the first time at length, and referred to the Finance Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[S 1022](#) and [S 1023](#), by Finance Committee, were read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

[S 1008](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Crabtree arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared [S 1008](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1006](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Crabtree arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared [S 1006](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1007](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Cook arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared [S 1007](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1004](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Heider arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared [S 1004](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:36 a.m. until the hour of 10:45 a.m., Wednesday, January 27, 2021.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

SEVENTEENTH LEGISLATIVE DAY
WEDNESDAY, JANUARY 27, 2021

Senate Chamber

President McGeachin called the Senate to order at 10:45 a.m.

Roll call showed all members present except Senator Rice, absent and formally excused by the Chair; and Senators Lakey and Martin, absent and excused.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Sophia Lind, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 26, 2021, was read and approved as corrected.

LAKEY, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

January 27, 2021

The JUDICIARY AND RULES Committee reports that [S 1035](#), [S 1036](#), [S 1037](#), [S 1038](#), and [S 1039](#) have been correctly printed.

LAKEY, Chairman

[S 1035](#), [S 1036](#), and [S 1037](#) were referred to the Judiciary and Rules Committee.

[S 1038](#) was referred to the Health and Welfare Committee.

[S 1039](#) was referred to the Education Committee.

January 26, 2021

The FINANCE Committee reports out [H 11](#) and [S 1034](#) with the recommendation that they do pass.

BAIR, Chairman

[H 11](#) and [S 1034](#) were filed for second reading.

Senator Martin was recorded present at this order of business.

January 26, 2021

The COMMERCE AND HUMAN RESOURCES Committee reports out [S 1012](#) with the recommendation that it do pass.

PATRICK, Chairman

[S 1012](#) was filed for second reading.

January 26, 2021

The HEALTH AND WELFARE Committee reports out [S 1015](#) with the recommendation that it do pass.

MARTIN, Chairman

[S 1015](#) was filed for second reading.

January 26, 2021

The HEALTH AND WELFARE Committee reports it has had under consideration the Gubernatorial appointments listed below and the Committee recommends that said appointments be confirmed by the Senate:

Sue Walker to the Commission for the Blind and Visually Impaired, term to expire July 1, 2022.

Timothy Rarick to the State Board of Health and Welfare, term to expire January 1, 2025.

MARTIN, Chairman

The Gubernatorial appointments were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

January 26, 2021

Dear Madam President:

I transmit herewith [H 18](#), which has passed the House.

MAULIN, Chief Clerk

[H 18](#) was filed for first reading.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

On request by Senator Vick, granted by unanimous consent, [SCR 101](#) was referred to the State Affairs Committee.

The President announced that the Judiciary and Rules Committee report relative to the Gubernatorial appointment of Michael Ross was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Burgoyne, seconded by Senator Thayn, the Gubernatorial appointment of Michael Ross as a member of the Commission of Pardons and Parole was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for her signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

Senator Lakey was recorded present at this order of business.

The President announced that the Judiciary and Rules Committee report relative to the Gubernatorial appointment of Patrick McDonald was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Lodge, seconded by Senator Ward-Engelking, the Gubernatorial appointment of Patrick McDonald as a member of the Commission of Pardons and Parole was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for her signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

**Introduction, First Reading, and Reference of Bills,
House Petitions, Resolutions, and Memorials**

S 1040

BY TRANSPORTATION COMMITTEE

AN ACT

RELATING TO VETERANS PLATES; AMENDING SECTION 49-418, IDAHO CODE, TO PROVIDE FOR AMERICAN LEGION OR VETERANS OF FOREIGN WARS DESIGNATIONS AND TO MAKE TECHNICAL CORRECTIONS.

S 1041

BY COMMERCE AND HUMAN RESOURCES

COMMITTEE

AN ACT

RELATING TO CONSUMER PROTECTION; AMENDING SECTION 48-603, IDAHO CODE, TO REVISE PROVISIONS REGARDING EXCESSIVE INCREASED PRICES FOR CERTAIN ITEMS DURING AN EMERGENCY AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY.

S 1042

BY COMMERCE AND HUMAN RESOURCES

COMMITTEE

AN ACT

RELATING TO PUBLIC CONTRACTS; AMENDING SECTION 67-2320, IDAHO CODE, TO REVISE PROVISIONS REGARDING CERTAIN PROFESSIONAL SERVICE CONTRACTS.

[S 1040](#), [S 1041](#), and [S 1042](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 18](#), by Appropriations Committee, was introduced, read the first time at length, and referred to the Finance Committee.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:17 a.m. until the hour of 11 a.m., Thursday, January 28, 2021.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

EIGHTEENTH LEGISLATIVE DAY
THURSDAY, JANUARY 28, 2021

Senate Chamber

President McGeachin called the Senate to order at 11 a.m.

Roll call showed all members present except Senator Bair, absent and excused.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Hana Pfeiffer, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 27, 2021, was read and approved as corrected.

LAKEY, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

The Senate advanced to the Fourth Order of Business.

Reading of Communications

January 27, 2021

Jennifer Novak, Secretary of the Senate
Idaho State Capitol
Boise, Idaho 83702

Re: 2021 State of the Judiciary

Dear Madam Secretary Novak:

By this letter of transmittal, I am forwarding a copy of my 2021 State of the Judiciary Address.

Sincerely,
/s/ G. Richard Bevan
Chief Justice

Madam President, Mr. President Pro Tempore, Mr. Speaker and distinguished members of the Idaho Senate and the House of Representatives, my colleagues on the Supreme Court and Court of Appeals, and fellow Idahoans.

Thank you for the opportunity to speak with you today about the state of the Idaho judiciary. I come to you from the courtroom in the Idaho Supreme Court building. In that sense this is an historic moment. This is the first time this speech has been given from any venue other than in our remarkable capitol building, where we certainly hope to be back with you in 2022. Even so, it

is fitting that a conversation on the state of the judiciary emanate from this place this year.

This building was dedicated in 1970. In the intervening 50 years, this courtroom has been the venue of many historical events. From the traditional hearing of thousands of cases, to formal ceremonies as we welcome new attorneys to the practice of law in Idaho, to the place where new Justices of the Supreme Court take their oath to uphold the Idaho and United States Constitutions.

In adopting the Idaho constitution, the people of the state of Idaho have created three co-equal branches of government, but they tasked us with a common interest - securing the blessings of freedom and promoting the common welfare of the people. Your continued interest in hearing from the third branch of government each session, and your support for our efforts to fulfill the responsibilities placed upon the judiciary by the Constitution and the people of Idaho, is very much appreciated.

I would like to begin by taking a moment to reflect on the longstanding dedication to, and stewardship of, the Idaho judiciary by my predecessor Justice Roger Burdick. Those who have had the honor to meet him know he is an approachable, jovial person who can find the humor in nearly any situation. Those of us blessed with the opportunity to work with him also know the seriousness with which he has devoted his career to the betterment of our state and our judiciary.

In November 1981, Justice Burdick took the bench for the first time as a magistrate judge. Through the 39 years since, he has not only been a judge or justice in a courtroom, but also a leader among his peers. He was the first magistrate judge to serve on the Idaho Judicial Council and was President of the Idaho Magistrate Judges Association. In 1993, he was appointed as a District Judge in Twin Falls, and in 2001 undertook the additional and significant responsibility of presiding over the Snake River Basin Adjudication. Justice Burdick continued leading the judiciary, becoming President of the District Judge's Association and again serving as a member of the Idaho Judicial Council. In 2003, Judge Burdick became Justice Burdick when he was appointed as the fifty-first justice of the Idaho Supreme Court. During his tenure on the Court, his colleagues have twice elected him to the position of Chief Justice.

I wanted to take this opportunity to offer a public thank you to Justice Burdick, from myself, my colleagues on the Court, and all of our court and administrative staff. Justice, your tireless dedication, and continuous leadership have strengthened and improved the Idaho judiciary. The rule of law has been protected and enhanced by your service. As I reflect today on some of the successes of the Idaho judiciary, we recognize that your leadership over the last 39 years was essential to those achievements. We are all very grateful.

With all of that, I believe it becomes clear how much I have to live up to as the person elected by my fellow Justices to now become the 43rd Chief Justice of the State of Idaho.

As I begin my service as Chief Justice, I recognize that some of you know me well, while others of you do not know me at all. In the few minutes I have to speak with you today I hope that you leave knowing a little more about me personally and about my vision for Idaho's courts.

I was born and raised in Twin Falls. After obtaining a bachelor's degree in finance, I went to law school, not with any grand aspirations of becoming a judge, or even a trial lawyer. I went to get a graduate degree that I could use simply to augment

my undergraduate degree. But fate had other plans. I began to study criminal law, civil procedure, and other core legal classes and I had an epiphany of sorts, realizing that I loved the law, and that I wanted to make my way of life in the trial courts.

Upon graduation I returned to my home town, taking a job with the largest firm in Twin Falls. I spent most of my first four years as a lawyer in the basement researching and writing briefs. My desire to be a trial lawyer did not appear likely in that setting, so I left that firm and went to work in 1991 with a small firm that had a contract with the cities of Kimberly and Hansen to prosecute misdemeanors and do their civil work. The chance to get into the courtroom appealed to me and I was in the courtroom the first week.

I still remember my first jury trial that came a few weeks later. It was a misdemeanor case, alleging cruelty to animals, based on a little dog that was left tied-up with bailing twine around its neck for so long that its flesh grew around the twine. I lost the case, because as some jurors told me later, it was just a dog and the defendant's freedom was on the line. Even so, I learned some things in that so-called simple case. As the verdict was read, the defendant was crying, and a juror was crying. That day taught me what I had never really grasped about the law in all my education, researching and writing for 4 years in the basement - that is that the law really affects people. And the law is personal for individuals who have involvement with the justice system, whether as defendants, plaintiffs, jurors, or witnesses.

My history with the law after that, both as an elected prosecutor and as a private attorney, reinforced my view that the judicial system and individuals' interactions with the courts can be profound - and the law can truly make a difference in people's lives.

Fast forward to 2003. I once again felt the draw to the courtroom, but this time as a decider, an arbiter and hopefully an impartial judge for all kinds of cases. I served for more than 14 years as a district judge - vicariously experiencing a lot of highs and lows in people's lives from that side of the courtroom. Once again, I saw the law as the means to bring some order to the chaos that otherwise prevailed in some people's lives. I again managed to participate in trying to make a difference - especially as I presided in the mental health and veterans' courts. I saw people change; I saw moms get their kids back; I saw individuals on the brink of death realize the potential of their lives and make the necessary to changes to receive the promised blessings of life, liberty and the pursuit of happiness. All of this brought to light again my belief and my vision that the law as applied in the lives of our citizens can truly make a difference.

And so now, as Chief Justice, I continue to hold that vision of the importance of the judicial branch and the courts in the lives of many - and of our ability to make a real difference through our service. I serve with incredibly capable people, and it is our goal, to serve the cause of justice and to continue to make a difference with the work that we do every day.

Thus, it is my vision and hope that in coming years we will continue to see our citizens' ability to access the courts increase. I also am optimistic that the transparency of what we do can be enhanced through better access to data and evaluations of that data so we know how and where to improve.

I also hope to enhance the public's understanding of what the courts do. Several friends or acquaintances who are otherwise well informed have no idea who the judges in their community are - and they largely have no idea what we do. Where the blame for this might lie is debatable - but I have a vision of the court

system - that judges, lawyers and the Bar play a greater role in educating our citizens about the rule of law and about the third branch of government.

What's more, as you can well imagine, my appreciation for the role of treatment courts motivates me to see that those courts continue to grow and prosper. I recognize that this takes resources, both at the county and state levels, and the goodwill of volunteer judges to preside over these important courts. But I hope that we will not retreat from the progress Idaho has made, thus maintaining the place we hold in the United States as a benchmark for other states to follow in this important work.

The people of the State of Idaho, through our state constitution, have placed great expectations and responsibilities on the Idaho judiciary. Article V, section 2 provides that "[t]he courts shall constitute a unified and integrated judicial system for administration and supervision by the Supreme Court." Section 6 further holds, "The chief justice shall be the executive head of the judicial system." All this to what end? So that, as the people required in art. I, sec. 18, and I quote, "Courts of justice shall be open to every person, and a speedy remedy afforded for every injury of person, property or character, [that] right and justice shall be administered without sale, denial, delay, or prejudice." The Idaho courts provide services essential to a thriving Idaho. The wellbeing of our state comes, in part, from the dependable and predictable application of the law. Through the rule of law the courts enable the settlement of disputes, not with violence or by chance, but by addressing grievances with debate, advocacy, reason, and yes - even compromise.

Right now, we are living in an extraordinary time and fulfilling the constitutional responsibilities placed upon the judiciary can be difficult, but I am proud to tell you that with your support, the Idaho judiciary is rising to the challenge. The novel coronavirus has changed the way many of Idaho's people live and the way we work. Whether going to the grocery store or going to court, many have had a different experience in 2020. However, as providence would have it, your investment in the Idaho Supreme Court's recent efforts to upgrade and modernize Idaho's court system and other technology helped ensure that even when the physical doors of the courthouses could not remain open for all to freely enter, the courts themselves remained open to any person filing a claim and seeking a remedy.

I need to take a moment here to acknowledge and thank Idaho's steadfast court clerks. Their investment of time and talent in managing cases and running the technology ensured the courts continued to accept filings, process cases, and hold hearings throughout the challenges of 2020. Despite some reduction in court operations at different times, emergency filings could always be made and processed in every county. Idaho's court clerks worked together to ensure that even when one county's courthouse could not be staffed, and even if it required a neighboring county's clerk to drive to another courthouse and collect documents, each of Idaho's courts remained open to anyone wishing to make or defend a claim.

I am also thankful for the focused efforts of our judges and court staff to ensure that parties and their representatives could safely appear in cases. Using the technology system built throughout the state, and over just a few weeks in March, they helped our courts transition to holding court hearings remotely for most proceedings. They were flexible and creative in developing virtual courtrooms as well as processes to ensure people could appear, whether from their own phone, using borrowed technology, or even from a socially distanced kiosk at their local county fairgrounds.

These changes helped ensure those whose liberty was restrained continued to have a timely initial appearance in front of a judge, and that most issues could be resolved as promptly as possible. In addition, when a courtroom cannot accommodate sufficient in-person public viewing, courts are using live streaming on the internet and internal simulcasting. As I said, it has been a different experience in 2020, and brick and mortar no longer confines the courts, but the fundamental tradition of access continues.

Unfortunately, the Idaho courts have been unable to eliminate all negative impacts caused by the pandemic. There are some proceedings which can only occur in person. For those proceedings, courts have had to weigh competing interests and make very difficult decisions. There are now considerations of risk when bringing groups of people together, whether a smaller group for an evidentiary hearing or over a hundred people for jury selection. Courts now must consider the specifics of spaces available for proceedings, including the size, shape, and ventilation of each courtroom in courthouses throughout forty-four counties. They must consider the local incidence rate of COVID-19, and the specific risks of prolonged and close contact among participants. They must be mindful of the reality that many who attend court do not do so voluntarily. They are compelled to appear, sometimes as the only way to seek a remedy and sometimes subject to serious penalty if they do not. And the courts must consider the effect of any delay on the rights of the parties seeking a resolution to the cases. These decisions must be made while navigating an ever-changing understanding of the dangers and the impact on available healthcare and all while the landscape of community spread rises and ebbs. The result has been that critical court proceedings have been delayed, including perhaps most prominently jury trials.

The Idaho judiciary is working hard to assess the impact of delays caused by the pandemic and there are some sobering things I can share today. Statewide, the number of case filings, whether civil or criminal, has decreased by ten percent since April. In that same time, case closures have decreased by 21 percent. The number of pending criminal cases has increased by 22 percent since January a year ago, and there are currently over 40,000 cases awaiting disposition. Finally, the average number of jury trials held throughout the state per month before the pandemic was about 197, while the average number now scheduled per month is 350.

We are not only working to recognize the scope of what faces us, we are conscientiously developing strategies to address this backlog. Already we are utilizing senior and active judges to mediate cases in an effort to reduce the number of pending cases and trials. When possible, we have provided technology to judges and court staff, so that they can work remotely when they are prevented from working in the office or traveling to another courthouse. We have also purchased and distributed additional hardware to each county to ensure that jury trials can be held as soon as possible, even if that includes using locations much different than a traditional courthouse.

A request from the Idaho Supreme Court to you in the legislature this year is for new judges for the Third Judicial District. To be clear, this request is not made solely as a reaction to the backlog of cases caused by the pandemic. However the need is significantly heightened by it. The request is for one new District Judge and requisite court reporter, and two magistrate judges, all to be chambered in Canyon County. In state fiscal year 2019, although the average filing per district judge in the state was 331, in the Third District it was 373. Additionally, at

an average of 1,817, Canyon County had the highest average number of filings per magistrate judge in the state. Simply put, even before there was a backlog of cases, there was a shortage of judicial resources in the Third Judicial District. It is now even more essential that we provide adequate judicial resources to the district so that cases can be tried when necessary and resolved as quickly as possible.

Together with seeking additional judges, the Idaho Supreme Court intends to continue its efforts and investment in innovative ways of performing traditional court work. Technology has changed the way many people interact with the world. Just as people now apply for jobs and do their banking using personal computers and smart phones, people are increasingly interested in how to address their legal needs and responsibilities, not by taking time off work and coming to a building, but by using on-demand technology often from the phone in their hand. As we are required to reimagine how courts work to address our heavy workload, we also find opportunity.

Changes, efficiencies, ideas, and designs borne of necessity will be incorporated into our permanent operations. For example, in the initial response to reducing in-person court operations, one focus was how to ensure those who needed an emergency civil protection order could apply for one without having to come to the courthouse. Within two weeks of the first COVID19 case in Idaho, the Idaho Supreme Court deployed an on-line, guided questionnaire system that allows a person to complete and file a petition for a civil protection order remotely on the internet. This capability has made the courts more accessible to the people of Idaho and will continue.

It is our hope that as the judicial branch seeks solutions to address the impact of the pandemic, to remediate the delays, and to build upon the things we have learned, that our fellow branches of government will continue to support us. Your previous support of the implementation of Odyssey, our electronic case management system, was the cornerstone of our ability to ensure that the Idaho courts remained open to every person who wished to file or defend a claim this year. With the backlog we face, we may yet again need to seek your support in updating and improving our infrastructure or in recruiting necessary human resources. Should that time come, we will be grateful for your support.

Although the news this year may be dominated by the pandemic, it is not all the Idaho judiciary has focused on. There are other things that we are pleased to have accomplished in service to the people of Idaho this year.

First, the Idaho Supreme Court adopted the Idaho Treatment Court Best Practice Standards and a quality assurance plan that will be applied to all Idaho adult treatment courts beginning in the spring of 2021. These procedures set appropriate levels of treatment and accountability to provide the best chance at positive results for court participants. The quality assurance standards also provide a baseline for evaluation and analysis of these courts' results, using observation and feedback from both peers and Supreme Court staff - with the goal to foster and ensure these courts' alignment with best practices.

Second, the Administrative Office of Courts' Data and Evaluation team has been developing its reporting and analysis capabilities, throughout the year. Work includes a review of available data, evaluation of accuracy and consistency in input, focused educational opportunities to improve data collection, and an effort to augment the information available both internally and

externally. This undertaking is critical to the Supreme Court's efforts to utilize data-based decision making in the administration of Idaho's courts.

Third, the judiciary and administrative staff have also participated broadly in the efforts of the Idaho Behavioral Health Council. As you likely know, this is a unique collaboration of all three branches of government, working together to improve Idaho's mental health system. Its mission is to create a coordinated, statewide strategic plan to meet these objectives - to develop services for people when they need it and to improve behavioral health outcomes for the people of Idaho. The Commission is co-chaired by Sara Omundson, Administrative Director of Courts, and Director Dave Jeppesen of the Idaho Department of Health and Welfare. A district and magistrate judge serve as council members or advisory members, providing valuable service and court perspectives into subjects such as behavioral health issues in the criminal justice system and the state's civil commitment process. The Council continues to work and is scheduled to deliver its strategic plan in June of 2021.

Finally, there is an additional thing we in the Idaho judiciary look forward to in 2021. This year marks a very special milestone as the 50th anniversary of the creation of the magistrate division of our district courts. From 1864 to January 1971, our lower court system was composed of justices of the peace, probate judges, and municipal judges. Thanks to the efforts of the Idaho State Bar, the Supreme Court, the Legislature, the Governor, and the people of Idaho, it became clear in the 1960's that Idaho's judiciary needed to adjust to meet the changing times occasioned by the passing century.

First, a constitutional amendment was adopted in 1962, and seven years later, in 1969, the necessary legislation was completed to pave the way for implementation. On January 11, 1971, all functions of the justices of the peace, probate judges, and municipal judges were assigned to Idaho's first Magistrate Judges, sixty of them to be exact. Of those sixty, forty were laymen and only twenty were attorneys.

As your Chief Justice, I am proud to report that with the strong support of the Idaho Legislature and the Governor, a half a century later, we now have ninety-seven attorneys serving as magistrate judges throughout the state with at least one in every county. These judges are assigned a variety of cases from small claims, to family law, to serving as treatment court judges. They perform a vital function and our Magistrate Judges make a difference in the lives of the people of Idaho every single day. We are proud of them, and we thank them. We hope that throughout this next year you will find the time and take the opportunity to learn more about your local magistrate judges and the service they provide, and that you will celebrate them and this anniversary with the Idaho judiciary.

Thank you again for the opportunity to present this summary of the state of Idaho's judiciary. In closing, may we remember the words of that legendary coach, Vince Lombardi, "Perfection is not attainable, but if we chase perfection we can catch excellence." I look forward to working with you as we chase perfection and thereby reach excellence in our common interest: to secure the blessings of freedom and to promote the common welfare of the people of Idaho.

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote the State of the Judiciary was ordered spread upon the pages of the Senate Journal.

The Senate advanced to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

SCR 102

BY HEALTH AND WELFARE COMMITTEE

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND ENCOURAGING THE ACTIVATION OF CLOSED CAPTIONING ON TELEVISION MONITORS IN PUBLIC VENUES.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, in the interest of eliminating isolation and segregation and encouraging the gathering and participation of all individuals, it is sound public policy to promote full and equal communication access to all; and

WHEREAS, televisions are increasingly used in venues open to the general public, such as hospital waiting rooms, restaurants, small businesses, health clubs, social recreation facilities, airport lounges, and more; and

WHEREAS, hearing loss is a part of life for many individuals in Idaho; and

WHEREAS, a 2011 study by Johns Hopkins researchers estimated that approximately one in five Americans who are 12 years of age or older have some type of hearing loss in one or both ears that affects their ability to communicate and receive information; and

WHEREAS, hearing loss is one of the most common disabilities in Idaho; and

WHEREAS, closed captioning displays the audio portion of a television program as text on the television screen, providing access to news, entertainment, and information for individuals who are deaf or hard of hearing; and

WHEREAS, the Federal Communications Commission requires video programming shown on television and over the internet, after being shown on television, to be closed captioned; and

WHEREAS, all modern televisions are built to support closed captioning; and

WHEREAS, activating closed captioning on television monitors located in public venues promotes full communication access for people who are deaf or hard of hearing; improves comprehension for viewers who are learning English as a second language; provides access to news and information for everyone in a noisy environment; improves comprehension of on-screen dialogue that is spoken very quickly, mumbled, or spoken with accents or when there is a lot of background noise; and assures full information is shared with all during times of emergencies.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-sixth Idaho Legislature, the Senate and the House of Representatives concurring therein, that the Legislature urges the activation of closed captioning on television monitors located in public venues during hours when the venue is open to the general public and the monitors are in use.

[SCR 102](#) was introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

January 28, 2021

The JUDICIARY AND RULES Committee reports that [S 1040](#), [S 1041](#), and [S 1042](#) have been correctly printed.

LAKEY, Chairman

[S 1040](#) was referred to the Transportation Committee.

[S 1041](#) and [S 1042](#) were referred to the Commerce and Human Resources Committee.

January 27, 2021

The FINANCE Committee reports out [H 18](#) with the recommendation that it do pass.

BAIR, Chairman

[H 18](#) was filed for second reading.

January 27, 2021

The JUDICIARY AND RULES Committee reports out [S 1027](#) with the recommendation that it do pass.

LAKEY, Chairman

[S 1027](#) was filed for second reading.

January 27, 2021

The JUDICIARY AND RULES Committee reports it has had under consideration the Gubernatorial appointments listed below and the Committee recommends that said appointments be confirmed by the Senate:

Scott Smith to the Commission of Pardons and Parole, term to expire January 1, 2023.

Shelly Parker to the Commission of Pardons and Parole, term to expire January 1, 2023.

LAKEY, Chairman

The Gubernatorial appointments were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

January 27, 2021

The HEALTH AND WELFARE Committee reports out [S 1017](#) with the recommendation that it do pass.

MARTIN, Chairman

[S 1017](#) was filed for second reading.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

January 27, 2021

Dear Madam President:

I transmit herewith [H 15](#), which has passed the House.

MAULIN, Chief Clerk

[H 15](#) was filed for first reading.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President announced that the Health and Welfare Committee report relative to the Gubernatorial reappointment of Sue Walker was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Wintrow, seconded by Senator Crabtree, the Gubernatorial reappointment of Sue Walker as a member of the Commission for the Blind and Visually Impaired was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for her signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1043

BY EDUCATION COMMITTEE

AN ACT

RELATING TO EDUCATION; AMENDING SECTION 33-205, IDAHO CODE, TO PROVIDE THAT A HEARING ON A PUPIL'S EXPULSION OR DENIAL OF ENROLLMENT SHALL BE HELD IN EXECUTIVE SESSION, TO PROVIDE THAT A CERTAIN FINDING MUST BE MADE IN EXECUTIVE SESSION, TO PROVIDE THAT PROCEDURES ON TEMPORARY SUSPENSION OF A PUPIL MUST AFFORD THE PUPIL PRIVACY, AND TO MAKE TECHNICAL CORRECTIONS.

[S 1043](#) was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

Senator Bair was recorded present at this order of business.

[H 15](#), by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[H 11](#), by Appropriations Committee, was read the second time at length and filed for third reading.

[S 1034](#), by Finance Committee, was read the second time at length and filed for third reading.

[S 1012](#), by Commerce and Human Resources Committee, was read the second time at length and filed for third reading.

[S 1015](#), by Health and Welfare Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

[S 1022](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Agenbroad arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Patrick, Ricks, Riggs, Souza, Thayn, Vick, Winder, Woodward, Zito. Total - 27.

NAYS—Burgoyne, Nelson, Nye, Rabe, Stennett, Ward-Engelking, Wintrow. Total - 7.

Absent and excused—Rice. Total - 1.

Total - 35.

Whereupon the President declared [S 1022](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1023](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Crabtree arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS—None.

Absent and excused—Rice. Total - 1.

Total - 35.

Whereupon the President declared [S 1023](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:40 a.m. until the hour of 11 a.m., Friday, January 29, 2021.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

NINETEENTH LEGISLATIVE DAY
FRIDAY, JANUARY 29, 2021

Senate Chamber

President McGeachin called the Senate to order at 11 a.m.

Roll call showed all members present except Senators Burtenshaw and Harris, absent and formally excused by the Chair.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Hannah Stephenson, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 28, 2021, was read and approved as corrected.

LAKEY, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

SCR 103

BY STATE AFFAIRS COMMITTEE

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND DECLARING THAT THE DECEMBER 30, 2020, GENERAL ORDER OF ISOLATION ISSUED BY THE GOVERNOR AND THE DIRECTOR OF THE DEPARTMENT OF HEALTH AND WELFARE IS TERMINATED.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, on December 30, 2020, the Governor and the Director of the Idaho Department of Health and Welfare issued an order of isolation restricting business activities, prohibiting public and private gatherings, requiring nonfamilial physical distancing, and prohibiting nonparticipants from being present at school extracurricular activities by virtue of powers granted to the Director by the Legislature in Section 56-1003(7), Idaho Code; and

WHEREAS, voluntarily limiting the number of people at a gathering, practicing physical distancing, and wearing facial coverings may be guidance for individuals to follow when making responsible health decisions, and such practices may

encourage the preservation and enhancement of public safety; and

WHEREAS, the powers granted to the Director in Section 56-1003(7), Idaho Code, allow him to impose orders of isolation and quarantine only; and

WHEREAS, the Centers for Disease Control and Prevention (CDC) and the Department of Health and Human Services (HHS) both define quarantine as something that "separates and restricts the movement of people who were exposed to a contagious disease to see if they become sick" and isolation as something that "separates sick people with a contagious disease from people who are not sick"; and

WHEREAS, restricting business activities, prohibiting gatherings, and requiring physical distancing are not properly considered quarantine or isolation per the CDC or HHS definitions and are therefore outside of the Director's statutory authority; and

WHEREAS, the order of isolation issued by the Governor and the Director is an order of general applicability affecting citizens and businesses throughout Idaho, regardless of their exposure to COVID-19; and

WHEREAS, as an order of general applicability, the order of isolation is in essence an administrative rule to be promulgated pursuant to the Idaho Administrative Procedure Act, Chapter 52, Title 67, Idaho Code; and

WHEREAS, proper procedures under the Administrative Procedure Act were not followed in the promulgation of the order of isolation; and

WHEREAS, the Legislature has the authority to reject any rule as provided by law pursuant to Section 29, Article III, of the Constitution of the State of Idaho; and

WHEREAS, the order states that a violation or failure to comply with a mandatory provision of the order may constitute a misdemeanor punishable by fine, imprisonment, or both; and

WHEREAS, the Legislature has determined to end orders that diminish personal accountability for health decisions, curtail family participation in extracurricular events, effectively quarantine and isolate all of the healthy individuals in the State of Idaho, and single out certain categories of Idaho businesses for enhanced regulation; and

WHEREAS, the order is currently in effect as of 12:00 a.m., December 30, 2020.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-sixth Idaho Legislature, the Senate and the House of Representatives concurring therein, that the general order of isolation and all of its prohibitions and requirements issued on December 30, 2020, in response to the COVID-19 outbreak in Idaho and pursuant to Section 56-1003(7), Idaho Code, by the Governor and the Director of the Idaho Department of Health and Welfare is hereby terminated.

[SCR 103](#) was introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

January 29, 2021

The JUDICIARY AND RULES Committee reports that [SCR 102](#) and [S 1043](#) have been correctly printed.

LAKEY, Chairman

[SCR 102](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

[S 1043](#) was referred to the Education Committee.

January 28, 2021

The FINANCE Committee reports out [S 1033](#) with the recommendation that it do pass.

BAIR, Chairman

[S 1033](#) was filed for second reading.

January 28, 2021

The COMMERCE AND HUMAN RESOURCES Committee reports out [S 1009](#) and [S 1013](#) with the recommendation that they do pass.

PATRICK, Chairman

[S 1009](#) and [S 1013](#) were filed for second reading.

January 28, 2021

The COMMERCE AND HUMAN RESOURCES Committee reports out [S 1014](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

PATRICK, Chairman

There being no objection, [S 1014](#) was referred to the Fourteenth Order of Business, General Calendar.

January 28, 2021

The EDUCATION Committee reports out [S 1039](#) with the recommendation that it do pass.

THAYN, Chairman

[S 1039](#) was filed for second reading.

January 29, 2021

The STATE AFFAIRS Committee reports out [SJR 101](#) with the recommendation that it do pass.

LODGE, Chair

[SJR 101](#) was filed for second reading.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

January 28, 2021

Dear Madam President:

I transmit herewith [H 26](#), [H 28](#), [H 29](#), and [H 22](#), which have passed the House.

MAULIN, Chief Clerk

[H 26](#), [H 28](#), [H 29](#), and [H 22](#) were filed for first reading.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1044

BY LOCAL GOVERNMENT AND TAXATION COMMITTEE

AN ACT

RELATING TO URBAN RENEWAL; AMENDING SECTION 7-701A, IDAHO CODE, TO PROVIDE A CERTAIN LIMITATION ON THE USE OF EMINENT DOMAIN AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 50-2006, IDAHO CODE, TO PROVIDE THAT PROPERTY OF AN URBAN RENEWAL AGENCY SHALL REVERT TO THE MUNICIPALITY UPON DISSOLUTION AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 50-2010, IDAHO CODE, TO PROVIDE A CERTAIN LIMITATION ON THE USE OF EMINENT DOMAIN AND TO MAKE TECHNICAL CORRECTIONS.

S 1045

BY EDUCATION COMMITTEE

AN ACT

RELATING TO EDUCATION; AMENDING CHAPTER 46, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-4603, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING ADVANCED OPPORTUNITIES FUNDING FOR NONPUBLIC SCHOOL STUDENTS.

S 1046

BY EDUCATION COMMITTEE

AN ACT

RELATING TO EDUCATION; AMENDING CHAPTER 16, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1636, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING INNOVATION CLASSROOMS.

[S 1044](#), [S 1045](#), and [S 1046](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 26](#), [H 28](#), and [H 29](#), by Judiciary, Rules and Administration Committee, were introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

[H 22](#), by Education Committee, was introduced, read the first time at length, and referred to the Education Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[H 18](#), by Appropriations Committee, was read the second time at length and filed for third reading.

[S 1027](#), by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

[S 1017](#), by Health and Welfare Committee, was read the second time at length and filed for third reading.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:22 a.m. until the hour of 11 a.m., Monday, February 1, 2021.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

TWENTY-SECOND LEGISLATIVE DAY
MONDAY, FEBRUARY 1, 2021

Senate Chamber

President McGeachin called the Senate to order at 11 a.m.
Roll call showed all members present.
Prayer was offered by Chaplain Doug Armstrong.
The Pledge of Allegiance was led by Olivia Jones, Page.
The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 29, 2021, was read and approved as corrected.

LAKEY, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

February 1, 2021

The JUDICIARY AND RULES Committee reports that [SCR 103](#), [S 1044](#), [S 1045](#), and [S 1046](#) have been correctly printed.

LAKEY, Chairman

[SCR 103](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

[S 1044](#) was referred to the Local Government and Taxation Committee.

[S 1045](#) and [S 1046](#) were referred to the Education Committee.

February 1, 2021

The STATE AFFAIRS Committee reports out [S 1018](#) with the recommendation that it do pass.

LODGE, Chair

[S 1018](#) was filed for second reading.

February 1, 2021

The STATE AFFAIRS Committee reports it has had under consideration the Gubernatorial appointment listed below and the Committee recommends that said appointment be confirmed by the Senate:

Kristine Raper to the Public Utilities Commission, term to expire January 13, 2027.

LODGE, Chair

The Gubernatorial appointment was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

January 28, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that Elizabeth Elroy of Meridian, Idaho, was reappointed as a member of the Board of Environmental Quality to serve a term commencing July 1, 2020, and expiring July 1, 2024.

This reappointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

Sincerely,
/s/ Brad Little
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the Health and Welfare Committee.

January 28, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that Ted Pulver of Post Falls, Idaho, was appointed as a member of the Sexual Offender Management Board to serve a term commencing January 21, 2021, and expiring January 1, 2024.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

Sincerely,
/s/ Brad Little
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the Judiciary and Rules Committee.

January 28, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that Rob Perez of Eagle, Idaho, was appointed as a member of the Treasurer's Investment Advisory Board to serve a term commencing July 9, 2020, and expiring July 1, 2024.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

Sincerely,
/s/ Brad Little
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the State Affairs Committee.

The Senate advanced to the Ninth Order of Business.

Messages from the House

January 29, 2021

Dear Madam President:

I transmit herewith [H 5](#), which has passed the House.

MAULIN, Chief Clerk

[H 5](#) was filed for first reading.

January 29, 2021

Dear Madam President:

I return herewith [S 1008](#), which has passed the House.

MAULIN, Chief Clerk

[S 1008](#) was referred to the Judiciary and Rules Committee for enrolling.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President announced that the Health and Welfare Committee report relative to the Gubernatorial reappointment of Timothy Rarick was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Ricks, seconded by Senator Burgoyne, the Gubernatorial reappointment of Timothy Rarick as a member of the State Board of Health and Welfare was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for her signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the Judiciary and Rules Committee report relative to the Gubernatorial appointment of Scott Smith was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Thayne, seconded by Senator Wintrow, the Gubernatorial appointment of Scott Smith as a member of the Commission of Pardons and Parole was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for her signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the Judiciary and Rules Committee report relative to the Gubernatorial appointment of Shelly Parker was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Lakey, seconded by Senator Rabe, the Gubernatorial appointment of Shelly Parker as a member of the Commission of Pardons and Parole was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for her signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

On request by Senator Agenbroad, granted by unanimous consent, [SCR 102](#) was referred to the Health and Welfare Committee.

The Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1047

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO ALCOHOL; AMENDING SECTION 23-948, IDAHO CODE, TO PROVIDE FOR PROPERTY OWNED BY A COUNTY OR CITY, TO REVISE TERMINOLOGY, TO PROVIDE THAT LICENSES ISSUED SHALL REMAIN VALID AND MAY BE TRANSFERRED IN CERTAIN INSTANCES, AND TO MAKE TECHNICAL CORRECTIONS.

[S 1047](#) was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 5](#), by Transportation and Defense Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[S 1033](#), by Finance Committee, was read the second time at length and filed for third reading.

[S 1009](#) and [S 1013](#), by Commerce and Human Resources Committee, were read the second time at length and filed for third reading.

[S 1039](#), by Education Committee, was read the second time at length and filed for third reading.

[SJR 101](#), by State Affairs Committee, was read the second time at length and filed for third reading.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:26 a.m. until the hour of 11 a.m., Tuesday, February 2, 2021.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

TWENTY-THIRD LEGISLATIVE DAY
TUESDAY, FEBRUARY 2, 2021

Senate Chamber

President McGeachin called the Senate to order at 11 a.m.

Roll call showed all members present except Senator Patrick, absent and excused.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Jaylee Harris, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 1, 2021, was read and approved as corrected.

LAKEY, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

February 2, 2021

The JUDICIARY AND RULES Committee reports that [S 1047](#) has been correctly printed.

LAKEY, Chairman

[S 1047](#) was referred to the State Affairs Committee.

February 1, 2021

The JUDICIARY AND RULES Committee reports that [S 1008](#) has been correctly enrolled.

LAKEY, Chairman

The President signed Enrolled [S 1008](#) and ordered it transmitted to the House for the signature of the Speaker.

February 1, 2021

The JUDICIARY AND RULES Committee reports out [S 1036](#) and [S 1037](#) with the recommendation that they do pass.

LAKEY, Chairman

[S 1036](#) and [S 1037](#) were filed for second reading.

February 1, 2021

The RESOURCES AND ENVIRONMENT Committee reports it has had under consideration the Gubernatorial appointments listed below and the Committee recommends that said appointments be confirmed by the Senate:

Don Ebert to the Idaho Fish and Game Commission, term to expire June 30, 2023.

Gregory Cameron to the Idaho Fish and Game Commission, term to expire June 30, 2024.

Ronald Davies to the Idaho Fish and Game Commission, term to expire June 30, 2024.

VICK, Chairman

The Gubernatorial appointments were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

February 1, 2021

The HEALTH AND WELFARE Committee reports out [S 1016](#) and [S 1038](#) with the recommendation that they do pass.

MARTIN, Chairman

[S 1016](#) and [S 1038](#) were filed for second reading.

February 1, 2021

The HEALTH AND WELFARE Committee reports it has had under consideration the Gubernatorial appointment listed below and the Committee recommends that said appointment be confirmed by the Senate:

Wendy Jaquet to the State Board of Health and Welfare, term to expire January 1, 2025.

MARTIN, Chairman

The Gubernatorial appointment was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

February 1, 2021

Dear Madam President:

I transmit herewith [H 27](#), [H 42](#), and [H 21](#), which have passed the House.

MAULIN, Chief Clerk

[H 27](#), [H 42](#), and [H 21](#) were filed for first reading.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

[H 27](#), by Judiciary, Rules and Administration Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

[H 42](#), by Business Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

[H 21](#), by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[S 1018](#), by State Affairs Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

On request by Senator Anthon, granted by unanimous consent, [S 1027](#) was placed at the head of the Third Reading Calendar, followed by [SJR 101](#), followed by Senate bills, followed by House bills.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12:28 p.m. until the hour of 10:45 a.m., Wednesday, February 3, 2021.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

TWENTY-FOURTH LEGISLATIVE DAY
WEDNESDAY, FEBRUARY 3, 2021

Senate Chamber

President McGeachin called the Senate to order at 10:45 a.m.

Roll call showed all members present except Senator Lodge, absent and excused.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Curtis Keddington, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 2, 2021, was read and approved as corrected.

LAKEY, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

February 2, 2021

The LOCAL GOVERNMENT AND TAXATION Committee reports out [S 1044](#) with the recommendation that it do pass.

RICE, Chairman

[S 1044](#) was filed for second reading.

February 2, 2021

The COMMERCE AND HUMAN RESOURCES Committee reports out [S 1011](#) and [S 1041](#) with the recommendation that they do pass.

PATRICK, Chairman

[S 1011](#) and [S 1041](#) were filed for second reading.

February 2, 2021

The EDUCATION Committee reports out [S 1043](#) with the recommendation that it do pass.

THAYN, Chairman

[S 1043](#) was filed for second reading.

February 2, 2021

The EDUCATION Committee reports it has had under consideration the Gubernatorial appointments listed below and the Committee recommends that said appointments be confirmed by the Senate:

Sherrilynn Bair to the Public Charter School Commission, term to expire May 12, 2024.

Wanda Quinn to the Public Charter School Commission, term to expire May 12, 2024.

Brian Scigliano to the Public Charter School Commission, term to expire May 12, 2024.

THAYN, Chairman

The Gubernatorial appointments were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

February 2, 2021

Dear Madam President:

I transmit herewith [HCR 3](#), which has passed the House.

MAULIN, Chief Clerk

[HCR 3](#) was filed for first reading.

February 2, 2021

Dear Madam President:

I return herewith [S 1023](#), which has passed the House.

MAULIN, Chief Clerk

[S 1023](#) was referred to the Judiciary and Rules Committee for enrolling.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

On request by Senator Vick, granted by unanimous consent, [SCR 103](#) was referred to the State Affairs Committee.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1048

**BY LOCAL GOVERNMENT AND TAXATION
COMMITTEE**

AN ACT

RELATING TO TAXING DISTRICT BUDGETS; AMENDING SECTION 63-802, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE LIMITATION ON TAXING DISTRICT BUDGET REQUESTS.

S 1049
BY COMMERCE AND HUMAN RESOURCES
COMMITTEE
 AN ACT

RELATING TO BANKS; AMENDING SECTION 26-208, IDAHO CODE, TO REVISE PROVISIONS REGARDING MEETINGS OF A BANK BOARD OF DIRECTORS; AMENDING SECTION 26-213, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE MEMBERSHIP AND MEETINGS OF A BANK BOARD OF DIRECTORS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 26-707, IDAHO CODE, TO REMOVE PROVISIONS REGARDING THE REAL ESTATE HOLDINGS OF A BANK AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 26-1104, IDAHO CODE, TO REVISE PROVISIONS REGARDING FEES ON CERTAIN BANKS AND TO MAKE TECHNICAL CORRECTIONS.

S 1050
BY COMMERCE AND HUMAN RESOURCES
COMMITTEE
 AN ACT

RELATING TO INSURANCE; AMENDING CHAPTER 18, TITLE 41, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 41-1853, IDAHO CODE, TO DEFINE TERMS AND TO PROVIDE REQUIREMENTS FOR HEALTH BENEFIT PLANS AND STUDENT HEALTH BENEFIT PLANS COVERING CONTRACEPTION.

S 1051
BY COMMERCE AND HUMAN RESOURCES
COMMITTEE
 AN ACT

RELATING TO THE PERSONNEL SYSTEM; AMENDING SECTION 67-5309C, IDAHO CODE, TO PROVIDE THAT CERTAIN INFORMATION BE INCLUDED IN THE ANNUAL REPORT SUBMITTED TO THE GOVERNOR AND THE LEGISLATURE BY THE ADMINISTRATOR OF THE DIVISION OF HUMAN RESOURCES AND TO MAKE TECHNICAL CORRECTIONS.

S 1052
BY EDUCATION COMMITTEE
 AN ACT

RELATING TO EDUCATION; AMENDING CHAPTER 61, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-6106, IDAHO CODE, TO PROVIDE FLEXIBLE SCHOOL SCHEDULES FOR CERTAIN ELEMENTARY SCHOOL STUDENTS; AMENDING CHAPTER 61, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-6107, IDAHO CODE, TO PROVIDE FLEXIBLE SCHEDULE ELIGIBILITY CRITERIA FOR KINDERGARTEN THROUGH GRADE 3 STUDENTS; AMENDING CHAPTER 61, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-6108, IDAHO CODE, TO PROVIDE FLEXIBLE SCHEDULE ELIGIBILITY CRITERIA FOR GRADE 4 THROUGH 6 STUDENTS; AMENDING CHAPTER 61, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-6109, IDAHO CODE, TO ESTABLISH MISCELLANEOUS PROVISIONS REGARDING FLEXIBLE SCHOOL SCHEDULES FOR ELEMENTARY SCHOOL STUDENTS; AND AMENDING THE HEADING FOR CHAPTER 61, TITLE 33, IDAHO CODE.

S 1053
BY STATE AFFAIRS COMMITTEE
 AN ACT

RELATING TO CODIFIER'S CORRECTIONS; AMENDING SECTION 19-4804, IDAHO CODE, TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 26-2110, IDAHO CODE, TO MAKE A CODIFIER'S CORRECTION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 28-4-613, IDAHO CODE, TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 30-24-801, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 30-25-103, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 30-25-110, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 30-25-205, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 30-25-701, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 30-25-703, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES; AMENDING SECTION 30-25-705, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 30-30-205, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 31-2404, IDAHO CODE, TO PROVIDE A CORRECT REFERENCE; AMENDING SECTION 33-137, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 33-524, IDAHO CODE, AS ENACTED BY SECTION 1, CHAPTER 64, LAWS OF 2020, TO REDESIGNATE THE SECTION; AMENDING SECTION 33-1002, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 33-1004B, IDAHO CODE, TO MAKE CODIFIER'S CORRECTIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING CHAPTER 62, TITLE 33, IDAHO CODE, AS ENACTED BY SECTION 1, CHAPTER 328, LAWS OF 2020, TO REDESIGNATE THE CHAPTER AND TO PROVIDE CORRECT CODE REFERENCES; AMENDING SECTION 39-118E, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 39-4429, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 39-5204, IDAHO CODE, TO MAKE A CODIFIER'S CORRECTION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 39-5608, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 39-5803, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 39-6104, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 39-7904, IDAHO CODE, TO PROVIDE A CORRECT RULE REFERENCE; AMENDING SECTION 39-7910, IDAHO CODE, TO PROVIDE A CORRECT RULE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 41-2006, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 41-2804, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 41-2870, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 41-3354, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE;

AMENDING SECTION 41-3401, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 41-3413, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 41-3608, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 42-619, IDAHO CODE, TO MAKE A CODIFIER'S CORRECTION; AMENDING SECTION 47-704, IDAHO CODE, TO MAKE CODIFIER'S CORRECTIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 49-402D, IDAHO CODE, TO MAKE CODIFIER'S CORRECTIONS; AMENDING SECTION 49-443, IDAHO CODE, TO REMOVE SURPLUS VERBIAGE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-1116, IDAHO CODE, TO REMOVE SURPLUS VERBIAGE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-4711, IDAHO CODE, TO REMOVE SURPLUS VERBIAGE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-5103, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 54-5408, IDAHO CODE, TO REMOVE SURPLUS VERBIAGE; AMENDING SECTION 67-1401, IDAHO CODE, TO MAKE CODIFIER'S CORRECTIONS AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING CHAPTER 93, TITLE 67, IDAHO CODE, AS ENACTED BY SECTION 1, CHAPTER 296, LAWS OF 2019, TO REDESIGNATE THE CHAPTER.

S 1054

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO MARTIAL LAW; AMENDING SECTION 46-601, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE AUTHORITY OF THE GOVERNOR DURING A STATE OF EXTREME PERIL, TO DEFINE TERMS, TO PROVIDE THAT THE GOVERNOR MAY NOT ALTER, ADJUST, OR SUSPEND ANY PROVISION OF THE IDAHO CODE IN CERTAIN INSTANCES, TO PROVIDE THAT NOTHING SHALL PROHIBIT THE GOVERNOR FROM DEPLOYING THE NATIONAL GUARD, AND TO PROVIDE SEVERABILITY; AMENDING SECTION 46-602, IDAHO CODE, TO REVISE TERMINOLOGY AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY.

S 1055

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO SPORT SHOOTING RANGES; AMENDING SECTION 55-2604, IDAHO CODE, TO REVISE DEFINITIONS AND TO DEFINE TERMS; AMENDING SECTION 55-2605, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AND DECLARING AN EMERGENCY.

[S 1048](#), [S 1049](#), [S 1050](#), [S 1051](#), [S 1052](#), [S 1053](#), [S 1054](#), and [S 1055](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[HCR 3](#), by Transportation and Defense Committee, was introduced, read at length, and referred to the Transportation Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[S 1036](#) and [S 1037](#), by Judiciary and Rules Committee, were read the second time at length and filed for third reading.

[S 1016](#) and [S 1038](#), by Health and Welfare Committee, were read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

[S 1027](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ricks arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared [S 1027](#) passed, title was approved, and the bill ordered transmitted to the House.

[SJR 101](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Grow arose as sponsor of the resolution and opened the debate. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Lakey, Lee, Lent, Lodge, Martin, Patrick, Rice, Ricks, Riggs, Souza, Thayn, Winder, Woodward. Total - 24.

NAYS—Bayer, Burgoyne, Johnson, Nelson, Nye, Rabe, Stennett, Vick, Ward-Engelking, Wintrow, Zito. Total - 11.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared [SJR 101](#) adopted, title was approved, and the resolution ordered transmitted to the House.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12:38 p.m. until the hour of 11 a.m., Thursday, February 4, 2021.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

TWENTY-FIFTH LEGISLATIVE DAY
THURSDAY, FEBRUARY 4, 2021

Senate Chamber

President McGeachin called the Senate to order at 11 a.m.

Roll call showed all members present except Senator Bair, absent and excused.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Sophia Lind, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 3, 2021, was read and approved as corrected.

LAKEY, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

February 4, 2021

The JUDICIARY AND RULES Committee reports that [S 1048](#), [S 1049](#), [S 1050](#), [S 1051](#), [S 1052](#), [S 1053](#), [S 1054](#), and [S 1055](#) have been correctly printed.

LAKEY, Chairman

[S 1048](#) was referred to the Local Government and Taxation Committee.

[S 1049](#), [S 1050](#), and [S 1051](#) were referred to the Commerce and Human Resources Committee.

[S 1052](#) was referred to the Education Committee.

[S 1053](#), [S 1054](#), and [S 1055](#) were referred to the State Affairs Committee.

February 3, 2021

The JUDICIARY AND RULES Committee reports that [S 1023](#) has been correctly enrolled.

LAKEY, Chairman

The President signed Enrolled [S 1023](#) and ordered it transmitted to the House for the signature of the Speaker.

February 3, 2021

The RESOURCES AND ENVIRONMENT Committee reports out [S 1005](#) with the recommendation that it do pass.

VICK, Chairman

[S 1005](#) was filed for second reading.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

February 3, 2021

Dear Madam President:

I transmit herewith [H 66](#), [H 32](#), [H 35](#), [H 36](#), [H 37](#), [H 38](#), [H 39](#), and [H 40](#), which have passed the House.

MAULIN, Chief Clerk

[H 66](#), [H 32](#), [H 35](#), [H 36](#), [H 37](#), [H 38](#), [H 39](#), and [H 40](#) were filed for first reading.

February 3, 2021

Dear Madam President:

I return herewith Enrolled [S 1008](#), which has been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [S 1008](#) was referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

Senator Bair was recorded present at this order of business.

The President announced that the State Affairs Committee report relative to the Gubernatorial reappointment of Kristine Raper was before the Senate for final consideration, the question being, "Shall the report be adopted?"

Pursuant to Senate Rule 39(H), Senator Burgoyne disclosed a possible conflict of interest under applicable law.

On motion by Senator Grow, seconded by Senator Ward-Engelking, the Gubernatorial reappointment of Kristine Raper as a member of the Public Utilities Commission was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for her signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the Resources and Environment Committee report relative to the Gubernatorial appointment of Don Ebert was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Johnson, seconded by Senator Nelson, the Gubernatorial appointment of Don Ebert as a member of the Idaho Fish and Game Commission was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for her signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the Resources and Environment Committee report relative to the Gubernatorial reappointment of Gregory Cameron was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Anthon, seconded by Senator Stennett, the Gubernatorial reappointment of Gregory Cameron as a member of the Idaho Fish and Game Commission was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for her signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the Resources and Environment Committee report relative to the Gubernatorial appointment of Ronald Davies was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Guthrie, seconded by Senator Stennett, the Gubernatorial appointment of Ronald Davies as a member of the Idaho Fish and Game Commission was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for her signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the Health and Welfare Committee report relative to the Gubernatorial reappointment of Wendy Jaquet was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Stennett, seconded by Senator Lee, the Gubernatorial reappointment of Wendy Jaquet as a member of the State Board of Health and Welfare was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for her signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

H 66, by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

H 32, by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

H 35, **H 36**, **H 37**, **H 38**, **H 39**, and **H 40**, by Health and Welfare Committee, were introduced, read the first time at length, and referred to the Health and Welfare Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

S 1044, by Local Government and Taxation Committee, was read the second time at length and filed for third reading.

S 1011 and **S 1041**, by Commerce and Human Resources Committee, were read the second time at length and filed for third reading.

S 1043, by Education Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

S 1034 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Agenbroad arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared **S 1034** passed, title was approved, and the bill ordered transmitted to the House.

S 1012 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Souza arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared **S 1012** passed, title was approved, and the bill ordered transmitted to the House.

S 1015 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Harris arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS—Burgoyne. Total - 1.

Total - 35.

Whereupon the President declared **S 1015** passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:57 a.m. until the hour of 11 a.m., Friday, February 5, 2021.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

TWENTY-SIXTH LEGISLATIVE DAY
FRIDAY, FEBRUARY 5, 2021

Senate Chamber

President McGeachin called the Senate to order at 11 a.m.

Roll call showed all members present except Senators Anthon, Burgoyne, and Rabe, absent and formally excused by the Chair; and Senators Crabtree and Woodward, absent and excused.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Hana Pfeiffer, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 4, 2021, was read and approved as corrected.

LAKEY, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Lee, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

February 4, 2021

The JUDICIARY AND RULES Committee reports that Enrolled [S 1008](#) was delivered to the Office of the Governor at 1:13 p.m., February 4, 2021.

LAKEY, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

February 4, 2021

The COMMERCE AND HUMAN RESOURCES Committee reports out [S 1010](#) with the recommendation that it do pass.

PATRICK, Chairman

[S 1010](#) was filed for second reading.

February 4, 2021

The COMMERCE AND HUMAN RESOURCES Committee reports out [S 1042](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

PATRICK, Chairman

There being no objection, [S 1042](#) was referred to the Fourteenth Order of Business, General Calendar.

February 4, 2021

The COMMERCE AND HUMAN RESOURCES Committee reports it has had under consideration the Gubernatorial appointment listed below and the Committee recommends that said appointment be confirmed by the Senate:

Brett Thomas to the Idaho Health Insurance Exchange Board, term to expire April 4, 2021.

PATRICK, Chairman

The Gubernatorial appointment was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

February 4, 2021

The HEALTH AND WELFARE Committee reports out [SCR 102](#) with the recommendation that it do pass.

MARTIN, Chairman

[SCR 102](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

February 5, 2021

The STATE AFFAIRS Committee reports it has had under consideration the Gubernatorial appointment listed below and the Committee recommends that said appointment be confirmed by the Senate:

Rob Perez to the Treasurer's Investment Advisory Board, term to expire July 1, 2024.

LODGE, Chair

The Gubernatorial appointment was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

On request by Senator Lee, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

February 4, 2021

Dear Madam President:

I transmit herewith [H 23](#), [H 24](#), [H 25](#), and [H 58](#), which have passed the House.

MAULIN, Chief Clerk

[H 23](#), [H 24](#), [H 25](#), and [H 58](#) were filed for first reading.

February 5, 2021

Dear Madam President:

I return herewith [S 1004](#), which has passed the House.

MAULIN, Chief Clerk

[S 1004](#) was referred to the Judiciary and Rules Committee for enrolling.

On request by Senator Lee, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

**Introduction, First Reading, and Reference of Bills,
House Petitions, Resolutions, and Memorials**

S 1056

**BY COMMERCE AND HUMAN RESOURCES
COMMITTEE**

AN ACT

RELATING TO THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES; AMENDING SECTION 67-2601, IDAHO CODE, TO PROVIDE FOR THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES AND TO REMOVE PROVISIONS REGARDING CERTAIN BOARDS; REPEALING SECTION 67-2601A, IDAHO CODE, RELATING TO THE DIVISION OF BUILDING SAFETY; REPEALING SECTION 67-2602, IDAHO CODE, RELATING TO THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES; AMENDING CHAPTER 26, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-2602, IDAHO CODE, TO PROVIDE FOR THE ADMINISTRATOR OF THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES; REPEALING SECTION 67-2602A, IDAHO CODE, RELATING TO LICENSE FEES; REPEALING SECTION 67-2603, IDAHO CODE, RELATING TO THE DIVISION ADMINISTRATOR; AMENDING CHAPTER 26, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-2603, IDAHO CODE, TO PROVIDE FOR DIVISION EMPLOYEES; REPEALING SECTION 67-2604, IDAHO CODE, RELATING TO AUTHORITY GRANTED BY WRITTEN AGREEMENT; AMENDING CHAPTER 26, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-2604, IDAHO CODE, TO PROVIDE DUTIES OF THE DIVISION ADMINISTRATOR; REPEALING SECTION 67-2605, IDAHO CODE, RELATING TO THE OCCUPATIONAL LICENSES ACCOUNT; AMENDING CHAPTER 26, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-2605, IDAHO CODE, TO PROVIDE FOR CERTAIN SAFETY INSPECTIONS AND SAFETY ORDERS; REPEALING SECTION 67-2606, IDAHO CODE, RELATING TO THE OCCUPATIONAL LICENSES ACCOUNT; AMENDING CHAPTER 26, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-2606, IDAHO CODE, TO PROVIDE A MILITARY EXEMPTION FOR CERTAIN LICENSE FEES; AMENDING CHAPTER 26, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-2607, IDAHO CODE, TO PROVIDE FOR EXPENSES OF THE DIVISION ADMINISTRATOR; REPEALING SECTION 67-2608, IDAHO CODE, RELATING TO DIVISION ADMINISTRATOR COOPERATION WITH OTHER AGENCIES; AMENDING CHAPTER 26, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-2608, IDAHO CODE, TO PROVIDE FOR THE OCCUPATIONAL LICENSES

FUND; REPEALING SECTION 67-2609, IDAHO CODE, RELATING TO REGISTRATION OF OCCUPATIONS; AMENDING CHAPTER 26, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-2609, IDAHO CODE, TO PROVIDE FOR DIVISION ADMINISTRATOR COOPERATION WITH OTHER AGENCIES; REPEALING SECTION 67-2613, IDAHO CODE, RELATING TO LIMITED APPLICATION OF CHAPTER; AMENDING CHAPTER 26, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-2613, IDAHO CODE, TO PROVIDE CLARIFICATION OF DEFINITIONS; AMENDING SECTION 67-2614, IDAHO CODE, TO REVISE PROVISIONS REGARDING RENEWAL AND REINSTATEMENT OF LICENSES; REPEALING SECTION 67-2615, IDAHO CODE, RELATING TO REEXAMINATION AND PAYMENT OF CERTIFICATE FEES; REPEALING SECTION 67-2616, IDAHO CODE, RELATING TO CLARIFICATION OF DEFINITIONS; AMENDING SECTION 67-1406, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 6-1010, IDAHO CODE, TO REMOVE PROVISIONS REGARDING A CERTAIN FUND AND TO PROVIDE FOR THE OCCUPATIONAL LICENSES FUND; AMENDING SECTION 36-2116, IDAHO CODE, TO PROVIDE FOR THE OCCUPATIONAL LICENSES FUND, TO REMOVE PROVISIONS REGARDING A CERTAIN ACCOUNT, AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 36-2117, IDAHO CODE, TO PROVIDE FOR THE OCCUPATIONAL LICENSES FUND, TO REMOVE PROVISIONS REGARDING A CERTAIN ACCOUNT, AND TO MAKE A TECHNICAL CORRECTION; REPEALING SECTION 39-4124, IDAHO CODE, RELATING TO THE IDAHO BUILDING CODE FUND; AMENDING CHAPTER 41, TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 39-4124, IDAHO CODE, TO PROVIDE FOR THE OCCUPATIONAL LICENSES FUND; AMENDING SECTION 39-4303, IDAHO CODE, TO PROVIDE FOR THE OCCUPATIONAL LICENSES FUND AND TO REMOVE PROVISIONS REGARDING A CERTAIN ACCOUNT; REPEALING SECTION 54-217, IDAHO CODE, RELATING TO THE STATE BOARD OF ACCOUNTANCY ACCOUNT; AMENDING CHAPTER 2, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-217, IDAHO CODE, TO PROVIDE FOR THE OCCUPATIONAL LICENSES FUND; AMENDING SECTION 54-308, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 54-313, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY; REPEALING SECTION 54-910, IDAHO CODE, RELATING TO THE STATE BOARD OF DENTISTRY FUND; AMENDING CHAPTER 9, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-910, IDAHO CODE, TO PROVIDE FOR THE OCCUPATIONAL LICENSES FUND; REPEALING SECTION 54-1015, IDAHO CODE, RELATING TO THE ELECTRICAL BOARD FUND; AMENDING CHAPTER 10, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-1015, IDAHO CODE, TO PROVIDE FOR THE OCCUPATIONAL LICENSES FUND; REPEALING SECTION 54-1209, IDAHO CODE, RELATING TO RECEIPTS AND DISBURSEMENTS; AMENDING CHAPTER 12, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-1209, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING RECEIPTS AND DISBURSEMENTS; REPEALING SECTION 54-1405, IDAHO CODE, RELATING TO THE STATE BOARD OF NURSING ACCOUNT; AMENDING CHAPTER 14, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-1405, IDAHO CODE, TO PROVIDE FOR THE

OCCUPATIONAL LICENSES FUND; AMENDING SECTION 54-1508, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE, TO PROVIDE CORRECT TERMINOLOGY, AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-1720, IDAHO CODE, TO PROVIDE FOR THE OCCUPATIONAL LICENSES FUND, TO REMOVE A PROVISION REGARDING A CERTAIN ACCOUNT, AND TO MAKE TECHNICAL CORRECTIONS; REPEALING SECTION 54-1809, IDAHO CODE, RELATING TO THE STATE BOARD OF MEDICINE FUND; AMENDING CHAPTER 18, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-1809, IDAHO CODE, TO PROVIDE FOR THE OCCUPATIONAL LICENSES FUND; REPEALING SECTION 54-1921, IDAHO CODE, RELATING TO THE PUBLIC WORKS CONTRACTORS LICENSE FUND; AMENDING CHAPTER 19, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-1921, IDAHO CODE, TO PROVIDE FOR THE OCCUPATIONAL LICENSES FUND; REPEALING SECTION 54-2021, IDAHO CODE, RELATING TO DISPOSITION OF FUNDS; AMENDING CHAPTER 20, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-2021, IDAHO CODE, TO PROVIDE FOR THE OCCUPATIONAL LICENSES FUND; AMENDING SECTION 54-2059, IDAHO CODE, TO PROVIDE FOR THE OCCUPATIONAL LICENSES FUND AND TO REMOVE PROVISIONS REGARDING A CERTAIN FUND; AMENDING SECTION 54-2065, IDAHO CODE, TO PROVIDE FOR THE OCCUPATIONAL LICENSES FUND, TO REMOVE PROVISIONS REGARDING A CERTAIN FUND, AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-2070, IDAHO CODE, TO REMOVE PROVISIONS REGARDING A CERTAIN FUND, TO PROVIDE FOR THE OCCUPATIONAL LICENSES FUND, AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 54-2105, IDAHO CODE, TO REMOVE PROVISIONS REGARDING A CERTAIN ACCOUNT, TO PROVIDE FOR THE OCCUPATIONAL LICENSES FUND, AND TO MAKE TECHNICAL CORRECTIONS; REPEALING SECTION 54-2121, IDAHO CODE, RELATING TO THE STATE BOARD OF VETERINARY MEDICINE ACCOUNT; AMENDING CHAPTER 21, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-2121, IDAHO CODE, TO PROVIDE FOR THE OCCUPATIONAL LICENSES FUND; AMENDING SECTION 54-2407, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS; REPEALING SECTION 54-2630, IDAHO CODE, RELATING TO THE PLUMBING BOARD FUND; AMENDING CHAPTER 26, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-2630, IDAHO CODE, TO PROVIDE FOR THE OCCUPATIONAL LICENSES FUND; AMENDING SECTION 54-2911, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 54-3205, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-3317, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 54-3412, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 54-3505, IDAHO CODE, TO PROVIDE FOR THE OCCUPATIONAL LICENSES FUND AND TO REMOVE PROVISIONS REGARDING A CERTAIN FUND; AMENDING SECTION 54-3719, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 54-3915, IDAHO CODE, TO PROVIDE FOR

THE OCCUPATIONAL LICENSES FUND AND TO REMOVE PROVISIONS REGARDING A CERTAIN ACCOUNT; AMENDING SECTION 54-4113, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-4122, IDAHO CODE, TO REMOVE A CODE REFERENCE, TO PROVIDE FOR THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES, AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-4216, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 54-4315, IDAHO CODE, TO PROVIDE FOR THE OCCUPATIONAL LICENSES FUND AND TO REMOVE PROVISIONS REGARDING A CERTAIN ACCOUNT; AMENDING SECTION 54-4510, IDAHO CODE, TO PROVIDE FOR THE OCCUPATIONAL LICENSES FUND AND TO REMOVE PROVISIONS REGARDING CERTAIN FEES; REPEALING SECTION 54-5024, IDAHO CODE, RELATING TO THE IDAHO HEATING, VENTILATION AND AIR CONDITIONING BOARD FUND; AMENDING CHAPTER 50, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-5024, IDAHO CODE, TO PROVIDE FOR THE OCCUPATIONAL LICENSES FUND; AMENDING SECTION 54-5105, IDAHO CODE, TO PROVIDE FOR THE OCCUPATIONAL LICENSES FUND AND TO REMOVE PROVISIONS REGARDING A CERTAIN FUND; AMENDING SECTION 54-5308, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-5313, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-5613, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 54-5822, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 55-2203, IDAHO CODE, TO PROVIDE FOR THE OCCUPATIONAL LICENSES FUND, TO REMOVE PROVISIONS REGARDING A CERTAIN FUND, TO PROVIDE FOR THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES, AND TO MAKE TECHNICAL CORRECTIONS; REPEALING SECTION 55-2204, IDAHO CODE, RELATING TO THE DAMAGE PREVENTION BOARD FUND; AMENDING SECTION 55-2211, IDAHO CODE, TO REMOVE PROVISIONS REGARDING A CERTAIN FUND, TO PROVIDE FOR THE OCCUPATIONAL LICENSES FUND, AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 72-519, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AND DECLARING AN EMERGENCY.

S 1057
BY COMMERCE AND HUMAN RESOURCES
COMMITTEE
AN ACT

RELATING TO THE INSURED HOMEOWNER PROTECTION ACT; AMENDING TITLE 41, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 66, TITLE 41, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO REQUIRE COMPLIANCE WITH THE PROVISIONS OF THE CHAPTER, TO DEFINE TERMS, TO ESTABLISH PROVISIONS REGARDING CERTAIN CONTRACTS OR AGREEMENTS, TO PROHIBIT CERTAIN ACTS, TO PROVIDE REQUIREMENTS FOR AN ASSIGNMENT OF BENEFITS CONTRACT OR AGREEMENT, TO REQUIRE AN ITEMIZED DESCRIPTION OF WORK, TO REQUIRE CERTAIN NOTICE, TO PROVIDE THAT RIGHTS

CONFERRED BY THE CHAPTER MAY NOT BE WAIVED, TO PROVIDE THAT CONTRACTS IN VIOLATION OF THE CHAPTER ARE VOID, AND TO PROVIDE RULEMAKING AUTHORITY.

S 1058
BY LOCAL GOVERNMENT AND TAXATION
COMMITTEE
AN ACT

RELATING TO PUBLIC LIBRARIES; AMENDING SECTION 33-2604, IDAHO CODE, TO PROVIDE THAT CERTAIN PERSONS SHALL NOT BE AN APPOINTED TRUSTEE OF A LIBRARY BOARD AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 33-2608, IDAHO CODE, TO REVISE A PROVISION REGARDING THE HIRING OF LIBRARY EMPLOYEES AND TO MAKE TECHNICAL CORRECTIONS.

S 1059
BY LOCAL GOVERNMENT AND TAXATION
COMMITTEE
AN ACT

RELATING TO STATE GOVERNMENT; AMENDING SECTION 67-5311, IDAHO CODE, TO REVISE A CERTAIN LIMITATION ON STATE EMPLOYEES.

S 1060
BY HEALTH AND WELFARE COMMITTEE
AN ACT

RELATING TO PUBLIC HEALTH DISTRICTS; AMENDING SECTION 39-414, IDAHO CODE, TO PROVIDE FOR THE APPROVAL AND EXTENSION OF CERTAIN ORDERS AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 39-419, IDAHO CODE, TO PROVIDE FOR AN INFRACTION, TO REMOVE PROVISIONS REGARDING ASSOCIATIONS AND CORPORATIONS, AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY.

S 1061
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO ELECTIONS; AMENDING SECTION 34-106, IDAHO CODE, TO REVISE PROVISIONS REGARDING CERTAIN ELECTION DEADLINES; AMENDING SECTION 34-116, IDAHO CODE, TO REVISE PROVISIONS REGARDING COMPUTATION OF TIME; AMENDING SECTION 34-715, IDAHO CODE, TO REVISE PROVISIONS REGARDING CERTAIN ELECTION DEADLINES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 34-717, IDAHO CODE, TO REVISE PROVISIONS REGARDING CERTAIN ELECTION DEADLINES; AND AMENDING SECTION 34-1707, IDAHO CODE, TO REVISE PROVISIONS REGARDING DUTIES RELATED TO THE RECALL OF AN OFFICER.

S 1062
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO CANDIDATES; AMENDING SECTION 34-702A, IDAHO CODE, TO REVISE PROVISIONS REGARDING DECLARATIONS OF INTENT FOR WRITE-IN CANDIDATES; AMENDING SECTION 34-708, IDAHO CODE, TO REVISE PROVISIONS REGARDING SIGNATURE VERIFICATIONS FOR INDEPENDENT CANDIDATES; AND AMENDING

SECTION 34-708A, IDAHO CODE, TO REVISE PROVISIONS REGARDING SIGNATURE VERIFICATIONS FOR INDEPENDENT CANDIDATES AND TO MAKE TECHNICAL CORRECTIONS.

S 1063
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO THE SECRETARY OF STATE; AMENDING SECTION 67-914, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE STORAGE OF CERTAIN RECORDS FILED WITH THE SECRETARY OF STATE.

S 1064
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO ELECTION BALLOTS; AMENDING SECTION 34-1003, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE ISSUANCE OF AN ABSENTEE BALLOT, TO REMOVE OBSOLETE LANGUAGE, AND TO MAKE TECHNICAL CORRECTIONS.

S 1065
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO NOTARIES PUBLIC; AMENDING SECTION 59-1019, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE USE OF CERTAIN FACSIMILE SIGNATURES.

S 1066
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO CAMPAIGN FINANCE; AMENDING SECTION 67-6602, IDAHO CODE, TO REVISE A DEFINITION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 67-6603, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE APPOINTMENT OF A POLITICAL TREASURER; AMENDING SECTION 67-6607, IDAHO CODE, TO REVISE PROVISIONS REGARDING REPORTS OF CONTRIBUTIONS AND EXPENDITURES BY CANDIDATES AND POLITICAL COMMITTEES; AND AMENDING SECTION 67-6608, IDAHO CODE, TO REVISE PROVISIONS REGARDING SPECIAL PROVISIONS FOR CERTAIN ELECTIONS AND MEASURES.

S 1067
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO ELECTIONS; AMENDING SECTION 33-511, IDAHO CODE, TO REVISE PROVISIONS REGARDING AN ELECTION TO DISCONTINUE A SCHOOL AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 34-702A, IDAHO CODE, TO REVISE PROVISIONS REGARDING A DECLARATION OF INTENT FOR WRITE-IN CANDIDATES; AMENDING SECTION 34-1401, IDAHO CODE, TO REVISE TERMINOLOGY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 34-1702, IDAHO CODE, TO REVISE PROVISIONS REGARDING RECALL PETITIONS; AMENDING SECTION 34-1703, IDAHO CODE, TO REVISE PROVISIONS REGARDING INFORMATION ON RECALL PETITIONS; AMENDING SECTION 34-1704, IDAHO CODE, TO REVISE PROVISIONS REGARDING RECALL PETITION PROCEDURES; AMENDING SECTION 34-1706, IDAHO CODE, TO REVISE PROVISIONS REGARDING RECALL

PETITIONS; AMENDING SECTION 34-1707, IDAHO CODE, TO REVISE PROVISIONS REGARDING RECALL PETITIONS; AMENDING SECTION 34-1709, IDAHO CODE, TO REVISE A PROVISION REGARDING SPECIAL RECALL ELECTION RESULTS; AMENDING SECTION 34-1714, IDAHO CODE, TO REVISE PROVISIONS REGARDING PROHIBITED ACTS; AMENDING SECTION 34-1715, IDAHO CODE, TO REVISE PROVISIONS REGARDING RECALL PETITIONS; AMENDING SECTION 42-4204, IDAHO CODE, TO REVISE PROVISIONS REGARDING AQUIFER RECHARGE DISTRICT ELECTIONS; AMENDING SECTION 50-403, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE ADMINISTRATION OF ELECTION LAWS; AND AMENDING SECTION 50-418, IDAHO CODE, TO REVISE PROVISIONS REGARDING INITIATIVE AND REFERENDUM ELECTIONS.

S 1068

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO THE LEGISLATURE; AMENDING SECTION 67-404, IDAHO CODE, TO PROVIDE THAT EACH REGULAR LEGISLATIVE SESSION SHALL ADJOURN SINE DIE BY A CERTAIN DATE, TO PROVIDE EXCEPTIONS, AND TO MAKE TECHNICAL CORRECTIONS.

S 1069

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO ABSENTEE BALLOTS; AMENDING SECTION 34-1005, IDAHO CODE, TO REVISE PROVISIONS REGARDING ISSUES WITH ABSENTEE BALLOTS.

[S 1056](#), [S 1057](#), [S 1058](#), [S 1059](#), [S 1060](#), [S 1061](#), [S 1062](#), [S 1063](#), [S 1064](#), [S 1065](#), [S 1066](#), [S 1067](#), [S 1068](#), and [S 1069](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 23](#), [H 24](#), and [H 25](#), by Resources and Conservation Committee, were introduced, read the first time at length, and referred to the Resources and Environment Committee.

[H 58](#), by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[S 1005](#), by Resources and Environment Committee, was read the second time at length and filed for third reading.

On request by Senator Lee, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Lee, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:28 a.m. until the hour of 11 a.m., Monday, February 8, 2021.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

TWENTY-NINTH LEGISLATIVE DAY
MONDAY, FEBRUARY 8, 2021

Senate Chamber

President McGeachin called the Senate to order at 11 a.m.

Roll call showed all members present except Senators Lee and Stennett, absent and formally excused by the Chair.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Hannah Stephenson, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 5, 2021, was read and approved as corrected.

LAKEY, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

SJM 101 BY STATE AFFAIRS COMMITTEE A JOINT MEMORIAL

TO THE PRESIDENT OF THE UNITED STATES, TO THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE UNITED STATES IN CONGRESS ASSEMBLED, AND TO THE CONGRESSIONAL DELEGATION REPRESENTING THE STATE OF IDAHO IN THE CONGRESS OF THE UNITED STATES.

We, your Memorialists, the Senate and the House of Representatives of the State of Idaho assembled in the First Regular Session of the Sixty-sixth Idaho Legislature, do hereby respectfully represent that:

WHEREAS, the Medal of Honor is the United States of America's highest and most-prestigious personal military decoration that may be awarded to recognize United States military service members who have distinguished themselves by acts of valor. The Medal of Honor represents the indomitable spirit, determination, selflessness, and gallantry of those who, in the face of overwhelming odds, performed far beyond the call of duty; and

WHEREAS, as members of the "Greatest Generation," which represented the character and strength of the State of

Idaho and the United States, Captain Arthur Junior Jackson, United States Marine Corps, who served with the 3rd Battalion, 7th Marine Regiment, and Robert Dale Maxwell, United States Army, who served with the 7th Infantry Regiment, 3rd Infantry Division, were both awarded the Medal of Honor during World War II for gallantry, risking their lives, and acting with valor. Both Captain Arthur Junior Jackson and Robert Dale Maxwell, along with Idaho's other Medal of Honor recipients, are now deceased, leaving only memories of their heroic acts. The stories of these patriots' courage and valor during the war should never be forgotten; and

WHEREAS, the President of the United States holds the authority to designate a state funeral. A number of state funerals to honor our war heroes have been held in the past, including the 1921 state funeral for the Unknown Soldier of World War I and the 1964 state funeral honoring General Douglas MacArthur. These state funerals have offered our nation the opportunity to pause, reflect, and honor the service of those individuals and those who served alongside them; and

WHEREAS, the last surviving Medal of Honor recipients from World War II are 96-year-old Hershel "Woody" Williams, a retired United States Marine Corps warrant officer and United States Department of Veterans Affairs veterans service representative, and 99-year-old Charles H. Coolidge, who served as a United States Army technical sergeant.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-sixth Idaho Legislature, the Senate and the House of Representatives concurring therein, that a state funeral be held at such time of the passing of the last World War II Medal of Honor recipient, to honor the last surviving Medal of Honor recipient from World War II, and to honor those who served in World War II, such distinction giving our nation the opportunity to thank those who saved the world from Nazism, fascism, and militaristic imperialism. This national recognition would also serve to honor the 473 service members who were awarded the Medal of Honor for service during World War II, along with the 16 million American men and women who faithfully served our nation, including many Idahoans, during that war, paying a final salute to the millions of men and women of the "Greatest Generation" who served our country from 1941 to 1945.

BE IT FURTHER RESOLVED that the Secretary of the Senate be, and she is hereby authorized and directed to forward a copy of this Memorial to the President of the United States, to the President of the Senate and the Speaker of the House of Representatives of Congress, and to the congressional delegation representing the State of Idaho in the Congress of the United States.

[SJM 101](#) was introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

February 8, 2021

The JUDICIARY AND RULES Committee reports that [S 1056](#), [S 1057](#), [S 1058](#), [S 1059](#), [S 1060](#), [S 1061](#), [S 1062](#), [S 1063](#), [S 1064](#), [S 1065](#), [S 1066](#), [S 1067](#), [S 1068](#), and [S 1069](#) have been correctly printed.

LAKEY, Chairman

[S 1056](#) and [S 1057](#) were referred to the Commerce and Human Resources Committee.

[S 1058](#) was referred to the Local Government and Taxation Committee.

[S 1059](#) was referred to the State Affairs Committee.

[S 1060](#) was referred to the Health and Welfare Committee.

[S 1061](#), [S 1062](#), [S 1063](#), [S 1064](#), [S 1065](#), [S 1066](#), [S 1067](#), [S 1068](#), and [S 1069](#) were referred to the State Affairs Committee.

February 5, 2021

The JUDICIARY AND RULES Committee reports that [S 1004](#) has been correctly enrolled.

LAKEY, Chairman

The President signed Enrolled [S 1004](#) and ordered it transmitted to the House for the signature of the Speaker.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

February 5, 2021

Dear Madam President:

I transmit herewith [H 46](#), [H 47](#), [H 48](#), and [H 50](#), which have passed the House.

MAULIN, Chief Clerk

[H 46](#), [H 47](#), [H 48](#), and [H 50](#) were filed for first reading.

February 5, 2021

Dear Madam President:

I return herewith Enrolled [S 1023](#), which has been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [S 1023](#) was referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President announced that the Education Committee report relative to the Gubernatorial reappointment of Sherrilynn Bair was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Bair, seconded by Senator Ward-Engelking, the Gubernatorial reappointment of Sherrilynn Bair as a member of the Public Charter School Commission was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for her signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the Education Committee report relative to the Gubernatorial reappointment of Wanda Quinn was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Cook, seconded by Senator Ward-Engelking, the Gubernatorial reappointment

of Wanda Quinn as a member of the Public Charter School Commission was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for her signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1070

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO ELECTIONS; AMENDING SECTION 34-1003, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE ISSUANCE OF AN ABSENTEE BALLOT; AND AMENDING SECTION 34-1007, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE COUNTING OF ABSENTEE BALLOTS.

[S 1070](#) was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 46](#), [H 47](#), and [H 48](#), by Transportation and Defense Committee, were introduced, read the first time at length, and referred to the State Affairs Committee.

[H 50](#), by Agricultural Affairs Committee, was introduced, read the first time at length, and referred to the Agricultural Affairs Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[S 1010](#), by Commerce and Human Resources Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

[S 1017](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Wintrow arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Burgoyne, Burtenshaw, Cook, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward. Total - 30.

NAYS—Bayer, Crabtree, Zito. Total - 3.

Absent and excused—Lee, Stennett. Total - 2.

Total - 35.

Whereupon the President declared [S 1017](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1033](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bair arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 33.

NAYS—None.

Absent and excused—Lee, Stennett. Total - 2.

Total - 35.

Whereupon the President declared [S 1033](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1009](#) was read the third time at length, section by section, and placed before the Senate for final consideration. President Pro Tempore Winder arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Zito. Total - 32.

NAYS—Woodward. Total - 1.

Absent and excused—Lee, Stennett. Total - 2.

Total - 35.

Whereupon the President declared [S 1009](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1013](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Agenbroad arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Bair, Burgoyne, Burtenshaw, Cook, Guthrie, Heider, Lakey, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Souza, Thayn, Ward-Engelking, Winder, Wintrow, Woodward. Total - 20.

NAYS—Anthon, Bayer, Crabtree, Den Hartog, Grow, Harris, Johnson, Lent, Rice, Ricks, Riggs, Vick, Zito. Total - 13.

Absent and excused—Lee, Stennett. Total - 2.

Total - 35.

Whereupon the President declared [S 1013](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1039](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Thayn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 33.

NAYS—None.

Absent and excused—Lee, Stennett. Total - 2.

Total - 35.

Whereupon the President declared [S 1039](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Anthon, seconded by Senator Burgoyne, by voice vote, the Senate adjourned at 12:05 p.m. until the hour of 11 a.m., Tuesday, February 9, 2021.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

THIRTIETH LEGISLATIVE DAY
TUESDAY, FEBRUARY 9, 2021

Senate Chamber

President McGeachin called the Senate to order at 11 a.m.

Roll call showed all members present.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Jaxon Griffin, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 8, 2021, was read and approved as corrected.

LAKEY, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

SCR 104

BY RESOURCES AND ENVIRONMENT COMMITTEE

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND SUPPORTING THE CHANGE IN THE WINTER FLOOD CONTROL RULE CURVES OF THE RIRIE RESERVOIR PROJECT TO MORE PROPERLY BALANCE RIRIE RESERVOIR WATER SUPPLY AND IRRIGATION SUPPLIES WITH ADEQUATE FLOOD CONTROL.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the flood control rule curves for Ririe Reservoir were developed prior to the time Ririe storage space was contracted; and

WHEREAS, the storage space in Ririe Reservoir is now contracted to Mitigation, Inc., following the 1990 Fort Hall Indian Water Rights Agreement, and the contracted space has proven to be unreliable and difficult to fill; and

WHEREAS, the Ririe Dam enacting legislation allows for modification of flood control rule curves as additional information becomes available and standard operating procedures state the flood control objective of Ririe Dam is "to provide adequate storage space in the reservoir to regulate stream flow downstream insofar as possible to a non-damaging level, and yet

still provide a near full reservoir at the end of the flood season for irrigation and other project purposes"; and

WHEREAS, conditions in the Willow Creek basin have changed since the flood control rule curves were developed, including the establishment of an annual maintenance schedule to keep Willow Creek Canal, Sand Creek Canal, and the Willow Creek Floodway Channel free of ice during the winter and the development of offstream storage facilities, all of which substantially reduce the risk of flooding; and

WHEREAS, the current flood control rule curves do not rely upon current or updated hydrologic conditions on Willow Creek; and

WHEREAS, the standard operating procedures require cooperation between the United States Bureau of Reclamation (USBR), the United States Army Corp of Engineers (USACE), the Idaho Department of Water Resources, the Water District 01 Watermaster, water users, the Idaho Department of Fish and Game, local interests, and others in order to provide maximum benefits for the region; and

WHEREAS, water users of Mitigation, Inc. are dependent upon available water supplies in order to mitigate the impacts to their water supply caused by the Fort Hall Indian Water Rights Agreement, and therefore adjusting the flood control rule curves may increase the reliability of contracted storage supplies in Ririe Reservoir; and

WHEREAS, increased carryover water in upper basin reservoirs, like Ririe Reservoir, benefits water user storage allocations in Water District 01 by holding water high in the storage system and exchanging it with other reservoir storage in order to increase reliability; and

WHEREAS, the USBR and the USACE have completed the phase 1 updated flood risk evaluation and additional water storage and feasibility study at Ririe Reservoir, which has shown how the reevaluation of winter flood control operations could retain flood control benefits while also providing valuable storage benefits during some years; and

WHEREAS, the USBR completed a Draft Environmental Assessment: Ririe Winter Storage Study for Ririe Dam and Reservoir in 2014 that compares No Action to Alternative 1 with a finding of no significant natural resource or socioeconomic impact; and

WHEREAS, legislation, including the Water Infrastructure Improvements for the Nation Act, has been passed by Congress to facilitate efforts to improve and update the Ririe Reservoir winter flood control rule curves by leveraging federal infrastructure for increased water supplies; and

WHEREAS, notwithstanding the compelling reasons for a change in the flood control curves to retain storage in Ririe Reservoir, those involved in the federal government agencies are reluctant to allow reasonable modifications based, in part, on using statistically low probabilities of a flood occurring in Willow Creek, which has never been seen in the history of the basin or region; and

WHEREAS, the Idaho Legislature and the State of Idaho have gone on record as fully supporting additional storage in the State of Idaho and recognize that the Ririe Dam is clearly capable of retaining additional storage without the substantial costs associated with constructing new storage facilities and without increasing the risks imposed on any other reservoir within Water District 01; and

WHEREAS, the Idaho Legislature intends to provide a portion of the current economic surplus enjoyed by the State of Idaho to the Idaho Water Resource Board for projects and studies similar to those of the Ririe Reservoir flood control rule curve modifications and recognizes that the costs associated with

those studies and projects are beyond the means available to Mitigation, Inc. to undertake to their conclusion.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-sixth Idaho Legislature, the Senate and the House of Representatives concurring therein, that the Idaho Legislature does hereby resolve to call upon the federal government through its applicable agencies and personnel to finish the flood risk study, which will result in changing the flood control rule curves of the Ririe Reservoir based on the hydrologic analysis completed in phase 1 of the study, to better match the current conditions in the Willow Creek basin and allow for a more dependable contracted storage supply in Water District 01, and to provide for full mitigation of the impacts resulting from the 1990 Fort Hall Indian Water Rights Agreement.

BE IT FURTHER RESOLVED that the Idaho Legislature supports and encourages the Idaho Water Resource Board to consider a proposal to provide financial resources to Mitigation, Inc. to finalize the studies and projects necessary to change the Ririe Reservoir flood control rule curves.

BE IT FURTHER RESOLVED that the Idaho Governor be encouraged to join with the Idaho Legislature in supporting the change in the winter flood control rule curves of the Ririe Reservoir project to more properly balance Ririe Reservoir water supply and irrigation supplies with adequate flood control.

[SCR 104](#) was introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

February 9, 2021

The JUDICIARY AND RULES Committee reports that [SJM 101](#) and [S 1070](#) have been correctly printed.

LAKEY, Chairman

[SJM 101](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

[S 1070](#) was referred to the State Affairs Committee.

February 8, 2021

The JUDICIARY AND RULES Committee reports that Enrolled [S 1023](#) was delivered to the Office of the Governor at 1:01 p.m., February 8, 2021.

LAKEY, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

February 8, 2021

The STATE AFFAIRS Committee reports out [S 1053](#) with the recommendation that it do pass.

LODGE, Chair

[S 1053](#) was filed for second reading.

February 8, 2021

The RESOURCES AND ENVIRONMENT Committee reports out [S 1020](#) with the recommendation that it do pass.

VICK, Chairman

[S 1020](#) was filed for second reading.

February 8, 2021

The JUDICIARY AND RULES Committee reports out [H 26](#), [H 28](#), and [H 29](#) with the recommendation that they do pass.

LAKEY, Chairman

[H 26](#), [H 28](#), and [H 29](#) were filed for second reading.

February 8, 2021

The HEALTH AND WELFARE Committee reports out [H 35](#) and [H 36](#) with the recommendation that they do pass.

MARTIN, Chairman

[H 35](#) and [H 36](#) were filed for second reading.

February 8, 2021

The HEALTH AND WELFARE Committee reports it has had under consideration the Gubernatorial appointment listed below and the Committee recommends that said appointment be confirmed by the Senate:

Elizabeth Elroy to the Board of Environmental Quality, term to expire July 1, 2024.

MARTIN, Chairman

The Gubernatorial appointment was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

The Senate advanced to the Seventh Order of Business.

Reports of Special Committees

February 3, 2021

To: Senate Judiciary and Rules Committee
House Judiciary, Rules and Administration Committee

Pursuant to Idaho Code Section 67-509:

The Joint Printing Committee recommends the continued endorsement of limiting the printing of the Idaho Session Laws to a total of 100 copies given the accessibility and decrease in expenditures associated with online access. The Committee also acknowledges the significant decrease in the 2020 publishing price to \$1,800 in legislative expenditures as state agencies are required to cover the cost of the volumes they order.

The Joint Printing Committee also requests that the Secretary of the Senate and the Chief Clerk of the House of Representatives be allotted the time to continue to process, review, and upload historic Session Law volumes and Journals to the legislative website during the next two legislative interims.

The Joint Printing Committee
/s/ Senators Lakey and Burgoyne
/s/ Representatives Chaney and Gannon
/s/ Secretary Novak
/s/ Chief Clerk Maulin

The recommendations of the Joint Printing Committee were referred to Judiciary and Rules Committee.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

February 9, 2021

Dear Madam President:

I transmit herewith [H 83](#) and [H 43](#), which have passed the House.

MAULIN, Chief Clerk

[H 83](#) and [H 43](#) were filed for first reading.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President announced that the Education Committee report relative to the Gubernatorial reappointment of Brian Scigliano was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Ward-Engelking, seconded by Senator Heider, the Gubernatorial reappointment of Brian Scigliano as a member of the Public Charter School Commission was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for her signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the Commerce and Human Resources Committee report relative to the Gubernatorial appointment of Brett Thomas was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Heider, seconded by Senator Ward-Engelking, the Gubernatorial appointment of Brett Thomas as a member of the Idaho Health Insurance Exchange Board was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for her signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the State Affairs Committee report relative to the Gubernatorial appointment of Rob Perez was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Heider, seconded by Senator Nye, the Gubernatorial appointment of Rob Perez as a member of the Treasurer's Investment Advisory Board was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for her signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that [SCR 102](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Agenbroad, seconded by Senator Wintrow, [SCR 102](#) was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

The Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1071
BY FINANCE COMMITTEE
AN ACT

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY FOR FISCAL YEAR 2021; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY FOR THE ADMINISTRATION AND SUPPORT SERVICES PROGRAM FOR FISCAL YEAR 2021; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY FOR THE WATER QUALITY PROGRAM FOR FISCAL YEAR 2021; AND DECLARING AN EMERGENCY.

S 1072
BY RESOURCES AND ENVIRONMENT COMMITTEE
AN ACT

RELATING TO IRRIGATION DISTRICTS; AMENDING SECTION 43-209, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE FILLING OF VACANCIES.

S 1073
BY RESOURCES AND ENVIRONMENT COMMITTEE
AN ACT

RELATING TO IRRIGATION; AMENDING SECTION 42-1208, IDAHO CODE, TO PROVIDE THAT CERTAIN REAL PROPERTY IS NOT SUBJECT TO ADVERSE POSSESSION.

S 1074
BY RESOURCES AND ENVIRONMENT COMMITTEE
AN ACT

RELATING TO IRRIGATION; REPEALING SECTION 42-1101, IDAHO CODE, RELATING TO THE RIGHTS OF LANDOWNERS TO WATER; AMENDING SECTION 42-1102, IDAHO CODE, TO REVISE RIGHT-OF-WAY PROVISIONS; AND AMENDING SECTION 42-1204, IDAHO CODE, TO REVISE RIGHT-OF-WAY PROVISIONS.

S 1075
BY EDUCATION COMMITTEE
AN ACT

RELATING TO EDUCATION; AMENDING CHAPTER 3, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-358, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING A KINDERGARTEN JUMP-START PROGRAM.

S 1076
BY JUDICIARY AND RULES COMMITTEE
AN ACT

RELATING TO JOURNALS AND SESSION LAWS; AMENDING SECTION 67-509, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE PUBLICATION AND DISTRIBUTION OF JOURNALS AND THE PRINTING AND PRESERVING OF SESSION LAWS AND TO MAKE A TECHNICAL CORRECTION.

S 1077**BY JUDICIARY AND RULES COMMITTEE
AN ACT**

RELATING TO THE UNIFORM ELECTRONIC WILLS ACT; AMENDING CHAPTER 16, TITLE 15, IDAHO CODE, BY THE ADDITION OF A NEW PART 1, CHAPTER 16, TITLE 15, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO DEFINE TERMS, TO PROVIDE FOR THE LAW APPLICABLE TO AN ELECTRONIC WILL, TO PROVIDE FOR CHOICE OF LAW REGARDING EXECUTION, TO PROVIDE FOR THE EXECUTION OF AN ELECTRONIC WILL, TO PROVIDE FOR REVOCATION OF AN ELECTRONIC WILL, TO PROVIDE THAT AN ELECTRONIC WILL MAY BE ATTESTED AND MADE SELF-PROVING AT THE TIME OF EXECUTION, TO PROVIDE FOR CERTIFICATION OF A PAPER COPY, TO PROVIDE FOR UNIFORMITY OF APPLICATION AND CONSTRUCTION, AND TO PROVIDE APPLICABILITY.

S 1078**BY JUDICIARY AND RULES COMMITTEE
AN ACT**

RELATING TO COUNTY RECORDERS; AMENDING SECTION 31-2402, IDAHO CODE, TO PROVIDE FOR THE RECORDING OF DEATH CERTIFICATES, TO CLARIFY THAT CERTAIN DOCUMENTS MUST BE RECORDED, AND TO MAKE A TECHNICAL CORRECTION.

S 1079**BY AGRICULTURAL AFFAIRS COMMITTEE
AN ACT**

RELATING TO ENVIRONMENTAL QUALITY; AMENDING CHAPTER 36, TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 39-3628A, IDAHO CODE, TO ESTABLISH THE AGRICULTURAL BEST MANAGEMENT PRACTICES (BMP) FUND, TO PROVIDE FOR GRANT ELIGIBILITY, AND TO PROVIDE FOR REPORTS; AND DECLARING AN EMERGENCY.

S 1080**BY FINANCE COMMITTEE
AN ACT**

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF HEALTH AND WELFARE FOR FISCAL YEAR 2021; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR FISCAL YEAR 2021; AND DECLARING AN EMERGENCY.

S 1081**BY FINANCE COMMITTEE
AN ACT**

RELATING TO THE APPROPRIATION TO THE CATASTROPHIC HEALTH CARE PROGRAM FOR FISCAL YEAR 2021; APPROPRIATING ADDITIONAL MONEYS TO THE CATASTROPHIC HEALTH CARE PROGRAM FOR FISCAL YEAR 2021 AND TRANSFERRING MONEYS FROM THE GENERAL FUND TO THE CATASTROPHIC HEALTH CARE COST FUND; AND DECLARING AN EMERGENCY.

[S 1071](#), [S 1072](#), [S 1073](#), [S 1074](#), [S 1075](#), [S 1076](#), [S 1077](#), [S 1078](#), [S 1079](#), [S 1080](#), and [S 1081](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 83](#), by Appropriations Committee, was introduced, read the first time at length, and referred to the Finance Committee.

[H 43](#), by Resources and Conservation Committee, was introduced, read the first time at length, and referred to the Resources and Environment Committee.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

On request by Senator Anthon, granted by unanimous consent, [S 1053](#) was referred to the Fourteenth Order of Business, General Calendar.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

[S 1018](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Heider arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared [S 1018](#) passed, title was approved, and the bill ordered transmitted to the House.

[H 11](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bair arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared [H 11](#) passed, title was approved, and the bill ordered returned to the House.

[H 18](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ward-Engelking arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Johnson, Lakey, Lee, Lent, Lodge, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Wintrow, Zito. Total - 31.

NAYS—None.

Absent and excused—Heider, Martin, Winder, Woodward. Total - 4.

Total - 35.

Whereupon the President declared [H 18](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12:02 p.m. until the hour of 11 a.m., Wednesday, February 10, 2021.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

THIRTY-FIRST LEGISLATIVE DAY
WEDNESDAY, FEBRUARY 10, 2021

Senate Chamber

President McGeachin called the Senate to order at 11 a.m.

Roll call showed all members present except Senator Martin, absent and formally excused by the Chair; and Senator Burtenshaw, absent and excused.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Jaylee Harris, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 9, 2021, was read and approved as corrected.

LAKEY, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

SCR 105

BY EDUCATION COMMITTEE A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND REJECTING A CERTAIN RULE OF THE STATE BOARD OF EDUCATION RELATING TO RULES GOVERNING ADMINISTRATION.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Legislature is vested with authority to reject executive agency rules under the provisions of Section 67-5291, Idaho Code, in the event that the Legislature finds that the rules are not consistent with legislative intent; and

WHEREAS, it is the finding of the Legislature that certain rules of the State Board of Education relating to Rules Governing Administration are not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-sixth Idaho Legislature, the Senate and the House of Representatives concurring therein, that IDAPA 08.02.01, Rules Governing Administration, Section 250., Subsections 01., 04., and 05., adopted as a pending rule under Docket Number 08-0201-2001, only, be, and the same are hereby rejected and declared null, void, and of no force and effect.

[SCR 105](#) was introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

February 10, 2021

The JUDICIARY AND RULES Committee reports that [SCR 104](#), [S 1071](#), [S 1072](#), [S 1073](#), [S 1074](#), [S 1075](#), [S 1076](#), [S 1077](#), [S 1078](#), [S 1079](#), [S 1080](#), and [S 1081](#) have been correctly printed.

LAKEY, Chairman

On request by Senator Vick, granted by unanimous consent, [SCR 104](#) was referred to the Resources and Environment Committee.

[S 1071](#) was referred to the Finance Committee.

[S 1072](#), [S 1073](#), and [S 1074](#) were referred to the Resources and Environment Committee.

[S 1075](#) was referred to the Education Committee.

[S 1076](#), [S 1077](#), and [S 1078](#) were referred to the Judiciary and Rules Committee.

[S 1079](#) was referred to the Agricultural Affairs Committee.

[S 1080](#) and [S 1081](#) were referred to the Finance Committee.

February 9, 2021

The COMMERCE AND HUMAN RESOURCES Committee reports out [S 1024](#), [S 1026](#), and [S 1056](#) with the recommendation that they do pass.

PATRICK, Chairman

[S 1024](#), [S 1026](#), and [S 1056](#) were filed for second reading.

February 9, 2021

The FINANCE Committee reports out [H 83](#) and [S 1071](#) with the recommendation that they do pass.

BAIR, Chairman

[H 83](#) and [S 1071](#) were filed for second reading.

February 9, 2021

The LOCAL GOVERNMENT AND TAXATION Committee reports out [H 15](#), [H 32](#), and [H 58](#) with the recommendation that they do pass.

RICE, Chairman

[H 15](#), [H 32](#), and [H 58](#) were filed for second reading.

February 9, 2021

The EDUCATION Committee reports out [S 1045](#) with the recommendation that it do pass.

THAYN, Chairman

[S 1045](#) was filed for second reading.

February 10, 2021

The STATE AFFAIRS Committee reports out [S 1055](#) and [S 1068](#) with the recommendation that they do pass.

LODGE, Chair

[S 1055](#) and [S 1068](#) were filed for second reading.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

February 5, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that Carol Mascarenas of Idaho Falls, Idaho, was reappointed as a member of the Board of Environmental Quality to serve a term commencing July 1, 2020, and expiring July 1, 2024.

This reappointment was made subject to confirmation by the Senate. Notice of reappointment is hereby given.

Sincerely,
/s/ Brad Little
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial reappointment was referred to the Health and Welfare Committee.

February 5, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that James Yost of Meridian, Idaho, was reappointed as a member of the Northwest Power and Conservation Council to serve a term commencing January 15, 2021, and expiring January 15, 2024.

This reappointment was made subject to confirmation by the Senate. Notice of reappointment is hereby given.

Sincerely,
/s/ Brad Little
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial reappointment was referred to the Resources and Environment Committee.

February 5, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that Julie DeLorenzo of Boise, Idaho, was reappointed as a member of the Idaho Transportation Board to serve a term commencing January 31, 2021, and expiring January 31, 2027.

This reappointment was made subject to confirmation by the Senate. Notice of reappointment is hereby given.

Sincerely,
/s/ Brad Little
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial reappointment was referred to the Transportation Committee.

February 5, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that Chris Pomeroy of Hailey, Idaho, was appointed as a member of the Aeronautics Advisory Board to serve a term commencing January 31, 2021, and expiring January 31, 2026.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

Sincerely,
/s/ Brad Little
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the Transportation Committee.

Senator Burtenshaw was recorded present at this order of business.

February 9, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that I have signed on February 9, 2021 and am transmitting to the Secretary of State the following Senate Bills, to wit:

[S 1008](#) and [S 1023](#)

Sincerely,
/s/ Brad Little
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Senate advanced to the Ninth Order of Business.

Messages from the House

February 9, 2021

Dear Madam President:

I transmit herewith [H 57](#) and [H 90](#), which have passed the House.

MAULIN, Chief Clerk

[H 57](#) and [H 90](#) were filed for first reading.

February 9, 2021

Dear Madam President:

I return herewith Enrolled [S 1004](#), which has been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [S 1004](#) was referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

**Introduction, First Reading, and Reference of Bills,
House Petitions, Resolutions, and Memorials**

S 1082

**BY COMMERCE AND HUMAN RESOURCES
COMMITTEE**

AN ACT

RELATING TO THE STATE INSURANCE FUND; AMENDING SECTION 67-5333, IDAHO CODE, TO PROVIDE THAT STATE INSURANCE FUND EMPLOYEES HIRED AFTER A CERTAIN DATE SHALL NOT PARTICIPATE IN THE SICK LEAVE PROGRAM ESTABLISHED BY THE SECTION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 72-910, IDAHO CODE, TO PROVIDE THAT THE MANAGER OF THE STATE INSURANCE FUND SHALL BE THE CUSTODIAN OF THE STATE INSURANCE FUND AND TO REVISE PROVISIONS REGARDING SUCH FUND; AMENDING SECTION 72-912, IDAHO CODE, TO REMOVE REFERENCES TO THE STATE TREASURER AND TO MAKE TECHNICAL CORRECTIONS; AND REPEALING SECTION 72-927, IDAHO CODE, RELATING TO PAYMENT OF COMPENSATION AND REFUNDS.

S 1083

**BY COMMERCE AND HUMAN RESOURCES
COMMITTEE**

AN ACT

RELATING TO LICENSURE BY ENDORSEMENT; AMENDING SECTION 67-9306, IDAHO CODE, AS ENACTED BY SECTION 1, CHAPTER 296, LAWS OF 2019, TO REVISE PROVISIONS REGARDING LICENSURE BY ENDORSEMENT FOR MILITARY MEMBERS, VETERANS, AND SPOUSES.

S 1084

**BY COMMERCE AND HUMAN RESOURCES
COMMITTEE**

AN ACT

RELATING TO THE OCCUPATIONAL LICENSING REFORM ACT; AMENDING SECTION 67-9408, IDAHO

CODE, TO ESTABLISH A PROCESS FOR REVIEW OF LICENSING AUTHORITIES AND RELATED LAWS AND REGULATIONS.

S 1085

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO THE FETAL HEARTBEAT PREBORN CHILD PROTECTION ACT; AMENDING TITLE 18, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 87, TITLE 18, IDAHO CODE, TO DEFINE TERMS, TO PROVIDE LEGISLATIVE FINDINGS AND INTENT, TO PROVIDE FOR THE DETERMINATION OF A FETAL HEARTBEAT, TO PROHIBIT AN ABORTION FOLLOWING DETECTION OF A FETAL HEARTBEAT, TO PROVIDE EXCEPTIONS IN CERTAIN INSTANCES, TO PROVIDE A PENALTY, TO PROVIDE AN EFFECTIVE DATE UPON A CERTAIN OCCURRENCE, TO PROVIDE THAT A PREGNANT WOMAN MAY BRING A CIVIL ACTION IN CERTAIN INSTANCES, AND TO PROVIDE SEVERABILITY.

S 1086

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO THE ANTI-BOYCOTT AGAINST ISRAEL ACT; AMENDING CHAPTER 23, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-2346, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO PROHIBIT A PUBLIC ENTITY FROM ENTERING INTO CERTAIN CONTRACTS WITH COMPANIES THAT BOYCOTT ISRAEL, TO DEFINE TERMS, TO PROVIDE THAT CERTAIN CONTRACTS SHALL BE VOID, TO PROVIDE RULEMAKING AUTHORITY, AND TO PROVIDE APPLICABILITY.

S 1087

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO TOBACCO AND ELECTRONIC SMOKING DEVICES; AMENDING SECTION 39-5702, IDAHO CODE, TO REVISE A DEFINITION AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 39-5703, IDAHO CODE, TO PROVIDE THAT PARENTS OR GUARDIANS OF CERTAIN MINORS MAY BE REQUIRED TO PARTICIPATE IN AWARENESS PROGRAMS; AMENDING SECTION 39-5704, IDAHO CODE, TO REVISE AN AGE REQUIREMENT AND TO REVISE PROVISIONS REGARDING MINOR EMPLOYEES; AMENDING SECTION 39-5705, IDAHO CODE, TO REVISE AN AGE REQUIREMENT; AMENDING SECTION 39-5710, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE PARTICIPATION OF MINORS IN CERTAIN INSPECTIONS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 39-5713, IDAHO CODE, TO PROHIBIT CERTAIN LOCAL REGULATION AND TAXES; AMENDING SECTION 39-5714, IDAHO CODE, TO REVISE AN AGE REQUIREMENT; AMENDING SECTION 39-5715, IDAHO CODE, TO REVISE AN AGE REQUIREMENT; AND AMENDING SECTION 39-5717, IDAHO CODE, TO REVISE PROVISIONS REGARDING SHIPPING REQUIREMENTS.

[S 1082](#), [S 1083](#), [S 1084](#), [S 1085](#), [S 1086](#), and [S 1087](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 57](#), by Resources and Conservation Committee, was introduced, read the first time at length, and referred to the Resources and Environment Committee.

[H 90](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[S 1020](#), by Resources and Environment Committee, was read the second time at length and filed for third reading.

[H 26](#), [H 28](#), and [H 29](#), by Judiciary, Rules and Administration Committee, were read the second time at length and filed for third reading.

[H 35](#) and [H 36](#), by Health and Welfare Committee, were read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

[S 1036](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Zito arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS—None.

Absent and excused—Martin. Total - 1.

Total - 35.

Whereupon the President declared [S 1036](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1037](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Wintrow arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS—None.

Absent and excused—Martin. Total - 1.

Total - 35.

Whereupon the President declared [S 1037](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1016](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Wintrow arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

On request by Senator Wintrow, granted by unanimous consent, the following typographical correction was made to [S 1016](#), pursuant to Senate Rule 9(F):

On page 3, line 31, change "(h)" to "(n)".

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS—None.

Absent and excused—Martin. Total - 1.

Total - 35.

Whereupon the President declared [S 1016](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1038](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Stennett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS—None.

Absent and excused—Martin. Total - 1.

Total - 35.

Whereupon the President declared [S 1038](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1044](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Souza arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS—None.

Absent and excused—Martin. Total - 1.

Total - 35.

Whereupon the President declared [S 1044](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Anthon, granted by unanimous consent, [S 1011](#) retained its place on the Third Reading Calendar for one legislative day.

[S 1041](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Guthrie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H): President Pro Tempore Winder and Senators Anthon, Den Hartog, Lakey, and Nye disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS—None.

Absent and excused—Martin. Total - 1.

Total - 35.

Whereupon the President declared [S 1041](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Anthon, seconded by Senator Burgoyne, by voice vote, the Senate adjourned at 12:13 p.m. until the hour of 11 a.m., Thursday, February 11, 2021.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

**THIRTY-SECOND LEGISLATIVE DAY
THURSDAY, FEBRUARY 11, 2021**

Senate Chamber

President McGeachin called the Senate to order at 11 a.m.

Roll call showed all members present except Senator Burtenshaw, absent and formally excused by the Chair.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Olivia Jones, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 10, 2021, was read and approved as corrected.

LAKEY, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

SJM 102 **BY JUDICIARY AND RULES COMMITTEE** A JOINT MEMORIAL

TO THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE UNITED STATES IN CONGRESS ASSEMBLED, TO THE CONGRESSIONAL DELEGATION REPRESENTING THE STATE OF IDAHO IN THE CONGRESS OF THE UNITED STATES, AND TO EACH OF THE SPEAKERS AND SENATE PRESIDENTS OF THE NINETY-NINE STATE LEGISLATIVE CHAMBERS IN THE 50 STATES.

We, your Memorialists, the Senate and the House of Representatives of the State of Idaho assembled in the First Regular Session of the Sixty-sixth Idaho Legislature, do hereby respectfully represent that:

WHEREAS, an independent United States Supreme Court is an essential element of America's system of checks and balances that protects our constitutional rights; and

WHEREAS, the Supreme Court has been composed of nine justices for more than 150 years; and

WHEREAS, the President and Congress should be prohibited from undermining the independence of the Supreme Court by changing the number of justices on the Court.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-sixth Idaho Legislature, the Senate and the House of Representatives concurring therein, that the Legislature of the State of Idaho urges Congress to propose the "Keep Nine Amendment" to the United States Constitution that states: "The Supreme Court of the United States shall be composed of nine Justices."

BE IT FURTHER RESOLVED that the Secretary of the Senate be, and she is hereby authorized and directed to forward a copy of this Memorial to the Majority Leader of the United States Senate, the Speaker of the House of Representatives of Congress, to the congressional delegation representing the State of Idaho in the Congress of the United States, and to each of the speakers and senate presidents of the 99 state legislative chambers in the 50 states.

SCR 106 **BY AGRICULTURAL AFFAIRS COMMITTEE**

A CONCURRENT RESOLUTION
STATING FINDINGS OF THE LEGISLATURE AND AUTHORIZING THE IDAHO WHEAT COMMISSION TO ENTER INTO AGREEMENTS WITH THE STATE BUILDING AUTHORITY TO FINANCE THE CONSTRUCTION OF A NEW BUILDING AT 821 W. STATE STREET IN BOISE TO HOUSE OFFICES OF THE IDAHO WHEAT COMMISSION AND OTHER STATE COMMODITY COMMISSIONS AND AGRICULTURAL GROUPS.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Idaho Wheat Commission, a self-governed agency of the State of Idaho, currently owns the property and building at 821 W. State Street, Boise, Idaho; and

WHEREAS, the building is nearly 80 years old and approaching the end of its useful life as maintenance and upkeep costs continue to rise; and

WHEREAS, the Idaho Wheat Commission building has been instrumental in creating an office environment where agricultural commissions and groups may share office expenses and collaborate on matters of mutual interest; and

WHEREAS, funds employed in the original purchase of the building have been a wise investment of wheat grower dollars; and

WHEREAS, the timing is favorable for bonding due to historically low interest rates.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-sixth Idaho Legislature, the Senate and the House of Representatives concurring therein, that the Legislature authorizes and approves the Idaho Wheat Commission to enter into an agreement or agreements with the Idaho State Building Authority, under such terms and conditions as may be reasonable and necessary, to provide financing to construct a new office building to house commodity commissions and other related agricultural groups.

BE IT FURTHER RESOLVED that this resolution constitutes authorization required by the provisions of Section 67-6410, Idaho Code.

[SJM 102](#) and [SCR 106](#) were introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

February 11, 2021

The JUDICIARY AND RULES Committee reports that [SCR 105](#), [S 1082](#), [S 1083](#), [S 1084](#), [S 1085](#), [S 1086](#), and [S 1087](#) have been correctly printed.

LAKEY, Chairman

[SCR 105](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

[S 1082](#), [S 1083](#), and [S 1084](#) were referred to the Commerce and Human Resources Committee.

[S 1085](#), [S 1086](#), and [S 1087](#) were referred to the State Affairs Committee.

February 10, 2021

The JUDICIARY AND RULES Committee reports that Enrolled [S 1004](#) was delivered to the Office of the Governor at 1:26 p.m., February 10, 2021.

LAKEY, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

February 10, 2021

The JUDICIARY AND RULES Committee reports out [H 27](#) with the recommendation that it do pass.

LAKEY, Chairman

[H 27](#) was filed for second reading.

February 10, 2021

The JUDICIARY AND RULES Committee reports it has had under consideration the Gubernatorial appointment listed below and the Committee recommends that said appointment be confirmed by the Senate:

Ted Pulver to the Sexual Offender Management Board, term to expire January 1, 2024.

LAKEY, Chairman

The Gubernatorial appointment was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

February 10, 2021

The JUDICIARY AND RULES Committee reports it has had under consideration the recommendations of the Joint Publishing Committee, pursuant to Idaho Code Section 67-509, the Committee recommends the report be adopted.

LAKEY, Chairman

The recommendations of the Joint Publishing Committee and the Judiciary and Rules Committee report were referred to the Tenth Order of Business, Motions and Resolutions.

February 9, 2021

The FINANCE Committee reports out [S 1080](#) and [S 1081](#) with the recommendation that they do pass.

BAIR, Chairman

[S 1080](#) and [S 1081](#) were filed for second reading.

February 10, 2021

The HEALTH AND WELFARE Committee reports out [H 37](#), [H 38](#), [H 39](#), [H 40](#), and [S 1060](#) with the recommendation that they do pass.

MARTIN, Chairman

[H 37](#), [H 38](#), [H 39](#), [H 40](#), and [S 1060](#) were filed for second reading.

February 10, 2021

The EDUCATION Committee reports out [S 1046](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

THAYN, Chairman

There being no objection, [S 1046](#) was referred to the Fourteenth Order of Business, General Calendar.

February 11, 2021

The AGRICULTURAL AFFAIRS Committee reports out [H 50](#) with the recommendation that it do pass.

BURTENSHAW, Chairman

[H 50](#) was filed for second reading.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

February 10, 2021

Dear Madam President:

I transmit herewith [H 49](#) and [HCR 5](#), which have passed the House.

MAULIN, Chief Clerk

[H 49](#) and [HCR 5](#) were filed for first reading.

February 10, 2021

Dear Madam President:

I return herewith [S 1034](#), which has passed the House.

MAULIN, Chief Clerk

[S 1034](#) was referred to the Judiciary and Rules Committee for enrolling.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

On request by Senator Anthon, granted by unanimous consent, [SJM 101](#) retained its place on the calendar for Monday, February 15, 2021.

The President announced that the Health and Welfare Committee report relative to the Gubernatorial reappointment of Elizabeth Elroy was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Martin, seconded by Senator Stennett, the Gubernatorial reappointment of Elizabeth Elroy as a member

of the Board of Environmental Quality was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for her signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The Senate advanced to the Eleventh Order of Business.

**Introduction, First Reading, and Reference of Bills,
House Petitions, Resolutions, and Memorials**

S 1088

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO FORCIBLE ENTRY AND UNLAWFUL DETAINER; AMENDING CHAPTER 3, TITLE 6, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 6-303A, IDAHO CODE, TO PROVIDE CERTAIN LIMITATIONS ON FEES FOR RESIDENTIAL TENANTS AND TO PROVIDE APPLICABILITY.

S 1089

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO RAPE; AMENDING SECTION 18-6101, IDAHO CODE, TO REVISE A PROVISION REGARDING RAPE WHERE THE VICTIM IS SIXTEEN OR SEVENTEEN YEARS OF AGE; AND REPEALING SECTION 18-6107, IDAHO CODE, RELATING TO RAPE OF A SPOUSE.

S 1090

BY RESOURCES AND ENVIRONMENT COMMITTEE

AN ACT

RELATING TO THE DEPARTMENT OF LANDS; AMENDING SECTION 58-120, IDAHO CODE, TO REVISE PROVISIONS REGARDING LEGAL REPRESENTATION OF THE DEPARTMENT OF LANDS.

S 1091

BY FINANCE COMMITTEE

AN ACT

RELATING TO THE APPROPRIATION TO THE OFFICE OF THE STATE BOARD OF EDUCATION FOR FISCAL YEAR 2021; APPROPRIATING ADDITIONAL MONEYS TO THE OFFICE OF THE STATE BOARD OF EDUCATION FOR FISCAL YEAR 2021; AND DECLARING AN EMERGENCY.

S 1092

BY HEALTH AND WELFARE COMMITTEE

AN ACT

RELATING TO MEDICAID; AMENDING SECTION 56-265, IDAHO CODE, TO PROVIDE FOR REIMBURSEMENT FOR NEW IN-STATE HOSPITALS SERVING AS MEDICAID PROVIDERS AND TO MAKE A TECHNICAL CORRECTION.

S 1093

BY HEALTH AND WELFARE COMMITTEE

AN ACT

RELATING TO PHYSICIAN ASSISTANTS; AMENDING SECTION 54-1807A, IDAHO CODE, TO PROVIDE REQUIREMENTS REGARDING PHYSICIAN ASSISTANTS WHO PRACTICE AT CERTAIN FACILITIES OR PRACTICES OR WHO OWN A MEDICAL PRACTICE.

S 1094

BY FINANCE COMMITTEE

AN ACT

RELATING TO THE APPROPRIATION TO THE IDAHO TRANSPORTATION DEPARTMENT FOR FISCAL YEAR 2021; APPROPRIATING ADDITIONAL MONEYS TO THE IDAHO TRANSPORTATION DEPARTMENT FOR THE HIGHWAY OPERATIONS PROGRAM FOR FISCAL YEAR 2021; APPROPRIATING ADDITIONAL MONEYS TO THE IDAHO TRANSPORTATION DEPARTMENT FOR THE CONTRACT CONSTRUCTION AND RIGHT-OF-WAY ACQUISITION PROGRAM FOR CAPITAL OUTLAY FOR FISCAL YEAR 2021; APPROPRIATING ADDITIONAL MONEYS TO THE IDAHO TRANSPORTATION DEPARTMENT FOR THE CONTRACT CONSTRUCTION AND RIGHT-OF-WAY ACQUISITION PROGRAM FOR TRUSTEE AND BENEFIT PAYMENTS FOR FISCAL YEAR 2021; AND DECLARING AN EMERGENCY.

[S 1088](#), [S 1089](#), [S 1090](#), [S 1091](#), [S 1092](#), [S 1093](#), and [S 1094](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 49](#), by Transportation and Defense Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

[HCR 5](#), by State Affairs Committee, was introduced, read at length, and referred to the State Affairs Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[S 1024](#), [S 1026](#), and [S 1056](#), by Commerce and Human Resources Committee, were read the second time at length and filed for third reading.

[H 83](#), by Appropriations Committee, was read the second time at length and filed for third reading.

[S 1071](#), by Finance Committee, was read the second time at length and filed for third reading.

[H 15](#), [H 32](#), and [H 58](#), by Revenue and Taxation Committee, were read the second time at length and filed for third reading.

[S 1045](#), by Education Committee, was read the second time at length and filed for third reading.

[S 1055](#) and [S 1068](#), by State Affairs Committee, were read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

[S 1011](#), having been held, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Woodward arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS—None.

Absent and excused—Burtenshaw. Total - 1.

Total - 35.

Whereupon the President declared [S 1011](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1043](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Zito arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Cook, Crabtree, Den Hartog, Grow, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 32.

NAYS—Guthrie, Nye. Total - 2.

Absent and excused—Burtenshaw. Total - 1.

Total - 35.

Whereupon the President declared [S 1043](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1005](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Patrick arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS—None.

Absent and excused—Burtenshaw. Total - 1.

Total - 35.

Whereupon the President declared [S 1005](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1010](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Patrick arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS—None.

Absent and excused—Burtenshaw. Total - 1.

Total - 35.

Whereupon the President declared [S 1010](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1020](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Harris arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

On request by Senator Harris, granted by unanimous consent, the following typographical correction was made to [S 1020](#), pursuant to Senate Rule 9(F):

On page 2, line 2, change "purposed", to "purposes".

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Lakey, Lee, Lent, Lodge, Martin, Nelson, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 30.

NAYS—Burgoyne, Nye, Stennett. Total - 3.

Absent and excused—Burtenshaw, Johnson. Total - 2.

Total - 35.

Whereupon the President declared [S 1020](#) passed, title was approved, and the bill ordered transmitted to the House.

Having voted on the prevailing side by which [S 1043](#) passed the Senate, Senator Rice served notice that he may on this or the next legislative day move for reconsideration of the vote.

[S 1043](#) was ordered held at the Secretary's desk.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12:19 p.m. until the hour of 10:30 a.m., Friday, February 12, 2021.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

**THIRTY-THIRD LEGISLATIVE DAY
FRIDAY, FEBRUARY 12, 2021**

Senate Chamber

President McGeachin called the Senate to order at 10:30 a.m.

Roll call showed all members present except Senator Burtenshaw, absent and formally excused by the Chair; and Senator Den Hartog, absent and excused.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Curtis Keddington, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 11, 2021, was read and approved as corrected.

LAKEY, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

February 12, 2021

The JUDICIARY AND RULES Committee reports that [SJM 102](#), [SCR 106](#), [S 1088](#), [S 1089](#), [S 1090](#), [S 1091](#), [S 1092](#), [S 1093](#), and [S 1094](#) have been correctly printed.

LAKEY, Chairman

[SJM 102](#) and [SCR 106](#) were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

[S 1088](#) and [S 1089](#) were referred to the Judiciary and Rules Committee.

[S 1090](#) was referred to the Resources and Environment Committee.

[S 1091](#) was referred to the Finance Committee.

[S 1092](#) and [S 1093](#) were referred to the Health and Welfare Committee.

[S 1094](#) was referred to the Finance Committee.

February 11, 2021

The JUDICIARY AND RULES Committee reports that [S 1034](#) has been correctly enrolled.

LAKEY, Chairman

The President signed Enrolled [S 1034](#) and ordered it transmitted to the House for the signature of the Speaker.

February 11, 2021

The COMMERCE AND HUMAN RESOURCES Committee reports out [H 42](#), [S 1049](#), and [S 1057](#) with the recommendation that they do pass.

PATRICK, Chairman

[H 42](#), [S 1049](#), and [S 1057](#) were filed for second reading.

February 12, 2021

The FINANCE Committee reports out [S 1091](#) and [S 1094](#) with the recommendation that they do pass.

BAIR, Chairman

[S 1091](#) and [S 1094](#) were filed for second reading.

February 12, 2021

The STATE AFFAIRS Committee reports out [S 1047](#), [S 1062](#), [S 1067](#), [S 1069](#), and [S 1070](#) with the recommendation that they do pass.

LODGE, Chair

[S 1047](#), [S 1062](#), [S 1067](#), [S 1069](#), and [S 1070](#) were filed for second reading.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

February 11, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that I have signed on February 11, 2021 and am transmitting to the Secretary of State the following Senate Bill, to wit:

[S 1004](#)

Sincerely,
/s/ Brad Little
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Senate advanced to the Ninth Order of Business.

Messages from the House

February 11, 2021

Dear Madam President:

I transmit herewith [H 78](#), [H 70](#), [H 67](#), [H 68](#), [H 74](#), and [H 7](#), which have passed the House.

MAULIN, Chief Clerk

[H 78](#), [H 70](#), [H 67](#), [H 68](#), [H 74](#), and [H 7](#) were filed for first reading.

February 11, 2021

Dear Madam President:

I return herewith [S 1012](#), which has passed the House.

MAULIN, Chief Clerk

[S 1012](#) was referred to the Judiciary and Rules Committee for enrolling.

February 11, 2021

Dear Madam President:

I transmit herewith Enrolled [H 11](#) and [H 18](#) for the signature of the President.

MAULIN, Chief Clerk

The President signed Enrolled [H 11](#) and [H 18](#) and ordered them returned to the House.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

Having voted on the prevailing side and proper notice having been served, Senator Rice requested unanimous consent that the vote by which [S 1043](#) passed the Senate be now reconsidered.

Senator Rice's request was granted by unanimous consent, and [S 1043](#) was placed before the Senate for final consideration.

On request by Senator Rice, granted by unanimous consent, [S 1043](#) was referred to the Fourteenth Order of Business, General Calendar.

On request by Senator Anthon, granted by unanimous consent, the Senate went at ease and resolved itself into the Committee for the Lincoln Day Service.

The Lincoln Day Program was presented to the members of the Senate with Co-chairman Senator Rabe providing opening remarks. The prayer was offered by Co-chairman Senator Riggs.

Remarks were provided by Dr. Rachel Miller, Assistant Professor of History, College of Idaho. The Hokum Hi-Flyers performed "Hop high," "Sadie at the Back Door," "Snake River Reel," "Payday," and "Going Across the Sea," with Scott Knickerbocker on the Banjo, and Travis Ward on the guitar.

Closing remarks were provided by Co-chairman Senator Rabe. She extended gratitude to all who helped with the program and the Lincoln Day Service was dissolved.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials**S 1095****BY COMMERCE AND HUMAN RESOURCES COMMITTEE****AN ACT**

RELATING TO THE PUBLIC EMPLOYEE RETIREMENT SYSTEM; AMENDING SECTION 59-1304, IDAHO CODE, TO REVISE A PROVISION REGARDING BOARD MEMBER COMPENSATION.

S 1096**BY COMMERCE AND HUMAN RESOURCES COMMITTEE****AN ACT**

RELATING TO PERSI; AMENDING CHAPTER 13, TITLE 59, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 59-1352B, IDAHO CODE, TO PROVIDE FOR PUBLIC SAFETY OFFICER CATASTROPHIC LINE OF DUTY BENEFITS.

S 1097**BY COMMERCE AND HUMAN RESOURCES COMMITTEE****AN ACT**

RELATING TO TRUST DEEDS; AMENDING SECTION 45-1512, IDAHO CODE, TO REVISE TERMINOLOGY AND TO PROVIDE THAT A CERTAIN ACTION FOR A MONEY JUDGMENT ON A PROMISSORY NOTE SHALL BE FILED WITHIN NINETY DAYS AND TO MAKE TECHNICAL CORRECTIONS.

S 1098**BY COMMERCE AND HUMAN RESOURCES COMMITTEE****AN ACT**

RELATING TO INSURANCE; AMENDING CHAPTER 18, TITLE 41, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 41-1853, IDAHO CODE, TO DEFINE TERMS, TO PROVIDE REQUIREMENTS FOR HEALTH BENEFIT PLANS AND STUDENT HEALTH BENEFIT PLANS COVERING PRESCRIPTION CONTRACEPTION, AND TO PROVIDE THAT THE SECTION SHALL NOT BE CONSTRUED TO REQUIRE CERTAIN REIMBURSEMENT.

S 1099**BY TRANSPORTATION COMMITTEE****AN ACT**

RELATING TO MOTOR VEHICLES; AMENDING SECTION 49-236, IDAHO CODE, TO PROVIDE A PENALTY FOR CERTAIN VIOLATIONS OF A STEADY RED INDICATION.

S 1100**BY TRANSPORTATION COMMITTEE****AN ACT**

RELATING TO HIGHWAYS AND BRIDGES; AMENDING SECTION 40-109, IDAHO CODE, TO REVISE A DEFINITION AND TO MAKE TECHNICAL CORRECTIONS.

S 1101**BY TRANSPORTATION COMMITTEE****AN ACT**

RELATING TO HIGHWAYS AND BRIDGES; AMENDING SECTION 40-203, IDAHO CODE, TO PROVIDE FOR VACATION OF CERTAIN RIGHTS-OF-WAY WITHOUT

COMPENSATION AND TO MAKE TECHNICAL CORRECTIONS.

S 1102
BY TRANSPORTATION COMMITTEE
AN ACT

RELATING TO ELECTRONIC MOTOR VEHICLE REGISTRATION; AMENDING SECTION 49-401A, IDAHO CODE, TO REVISE PROVISIONS REGARDING MOTOR VEHICLE REGISTRATION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING CHAPTER 4, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-401C, IDAHO CODE, TO PROVIDE FOR ELECTRONIC VEHICLE CREDENTIAL PROVIDERS; AMENDING SECTION 49-504, IDAHO CODE, TO PROVIDE FOR THE RETENTION OF CERTAIN RECORDS, TO PROVIDE FOR ELECTRONIC VEHICLE CREDENTIAL PROVIDERS, AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 49-505, IDAHO CODE, TO PROVIDE FOR ELECTRONIC RECORDS OF TITLE AND TO MAKE A TECHNICAL CORRECTION; AND AMENDING SECTION 49-522, IDAHO CODE, TO CLARIFY TERMINOLOGY AND TO MAKE TECHNICAL CORRECTIONS.

S 1103
BY TRANSPORTATION COMMITTEE
AN ACT

RELATING TO THE IDAHO AIR TRAVEL ENHANCEMENT PROGRAM; AMENDING CHAPTER 1, TITLE 21, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 21-143, IDAHO CODE, TO ESTABLISH THE IDAHO AIR TRAVEL ENHANCEMENT PROGRAM, TO PROVIDE FOR THE IDAHO AIR TRAVEL ENHANCEMENT PROGRAM FUND, TO PROVIDE FOR APPROPRIATED MONEYS TO BE DISTRIBUTED TO THE FUND, TO PROVIDE THAT INTEREST EARNED ON THE INVESTMENT OF IDLE MONEYS IN THE PROGRAM FUND SHALL BE PAID TO THE PROGRAM FUND, AND TO PROVIDE THAT PROGRAM FUNDS SHALL BE USED FOR THE DEVELOPMENT AND EXPANSION OF INTRASTATE COMMERCIAL AIR TRAVEL BETWEEN COMMUNITIES LOCATED IN IDAHO.

S 1104
BY TRANSPORTATION COMMITTEE
AN ACT

RELATING TO RULES OF THE ROAD; AMENDING SECTION 49-614, IDAHO CODE, TO PROVIDE FOR ON-TRACK EQUIPMENT AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 49-648, IDAHO CODE, TO PROVIDE FOR ON-TRACK EQUIPMENT AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 49-649, IDAHO CODE, TO PROVIDE FOR ON-TRACK EQUIPMENT AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 49-650, IDAHO CODE, TO PROVIDE FOR ON-TRACK EQUIPMENT AND TO MAKE TECHNICAL CORRECTIONS.

S 1105
BY LOCAL GOVERNMENT AND TAXATION COMMITTEE
AN ACT

RELATING TO BONDS AND LEVIES; AMENDING SECTION 63-803, IDAHO CODE, TO REVISE PROVISIONS

REGARDING BOND AND LEVY INFORMATION TO BE PROVIDED BY TAXING UNITS AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 63-902, IDAHO CODE, TO REVISE PROVISIONS REGARDING BOND AND LEVY INFORMATION ON PROPERTY TAX NOTICES AND TO PROVIDE CORRECT CODE REFERENCES.

S 1106
BY LOCAL GOVERNMENT AND TAXATION COMMITTEE
AN ACT

RELATING TO LOCAL LAND USE PLANNING; AMENDING SECTION 67-6528, IDAHO CODE, TO PROVIDE THAT PLANS AND ORDINANCES SHALL NOT APPLY TO STATE AND LOCAL TRANSPORTATION SYSTEMS AND ESSENTIAL FACILITIES AND TO MAKE TECHNICAL CORRECTIONS.

S 1107
BY LOCAL GOVERNMENT AND TAXATION COMMITTEE
AN ACT

RELATING TO HIGHWAY DISTRICTS; AMENDING SECTION 40-1415, IDAHO CODE, TO PROVIDE FOR AGREEMENTS REGARDING CERTAIN FINANCIAL RESPONSIBILITY FOR URBAN RENEWAL PROJECTS AND TO MAKE TECHNICAL CORRECTIONS.

S 1108
BY LOCAL GOVERNMENT AND TAXATION COMMITTEE
AN ACT

RELATING TO TAXING DISTRICT BUDGETS; AMENDING SECTION 63-802, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE LIMITATION ON TAXING DISTRICT BUDGET REQUESTS.

S 1109
BY EDUCATION COMMITTEE
AN ACT

RELATING TO WORKFORCE DEVELOPMENT; AMENDING CHAPTER 1, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-138, IDAHO CODE, TO ESTABLISH AN IDAHO PROMISE MENTOR PROGRAM.

S 1110
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO BALLOT INITIATIVES AND REFERENDUM; AMENDING SECTION 34-1805, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE NUMBER OF SIGNATURES REQUIRED TO SIGN A PETITION AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY.

[S 1095](#), [S 1096](#), [S 1097](#), [S 1098](#), [S 1099](#), [S 1100](#), [S 1101](#), [S 1102](#), [S 1103](#), [S 1104](#), [S 1105](#), [S 1106](#), [S 1107](#), [S 1108](#), [S 1109](#), and [S 1110](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 78](#), by Business Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

[H 70](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

[H 67](#) and [H 68](#), by Education Committee, were introduced, read the first time at length, and referred to the Education Committee.

[H 74](#), by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Health and Welfare Committee.

[H 7](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[H 27](#), by Judiciary, Rules and Administration Committee, was read the second time at length and filed for third reading.

[S 1080](#) and [S 1081](#), by Finance Committee, were read the second time at length and filed for third reading.

[H 37](#), [H 38](#), [H 39](#), and [H 40](#), by Health and Welfare Committee, were read the second time at length and filed for third reading.

[S 1060](#), by Health and Welfare Committee, was read the second time at length and filed for third reading.

[H 50](#), by Agricultural Affairs Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

On request by Senator Anthon, granted by unanimous consent, [H 58](#) was placed before the Senate for consideration at this time.

[H 58](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Grow arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Agenbroad, Anthon, Bair, Bayer, Burgoyne, Cook, Crabtree, Grow, Guthrie, Harris, Heider, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 32.

NAYS--None.

Absent and excused--Burtenshaw, Den Hartog, Johnson. Total - 3.

Total - 35.

Whereupon the President declared [H 58](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Anthon, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:40 a.m. until the hour of 10:30 a.m., Monday, February 15, 2021.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

THIRTY-SIXTH LEGISLATIVE DAY
MONDAY, FEBRUARY 15, 2021

Senate Chamber

President McGeachin called the Senate to order at 10:30 a.m.

Roll call showed all members present except Senator Burtenshaw, absent and formally excused by the Chair; and Senator Lent, absent and excused.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Sophia Lind, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 12, 2021, was read and approved as corrected.

LAKEY, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

February 15, 2021

The JUDICIARY AND RULES Committee reports that [S 1095](#), [S 1096](#), [S 1097](#), [S 1098](#), [S 1099](#), [S 1100](#), [S 1101](#), [S 1102](#), [S 1103](#), [S 1104](#), [S 1105](#), [S 1106](#), [S 1107](#), [S 1108](#), [S 1109](#), and [S 1110](#) have been correctly printed.

LAKEY, Chairman

[S 1095](#), [S 1096](#), [S 1097](#), and [S 1098](#) were referred to the Commerce and Human Resources Committee.

[S 1099](#), [S 1100](#), [S 1101](#), [S 1102](#), [S 1103](#), and [S 1104](#) were referred to the Transportation Committee.

[S 1105](#), [S 1106](#), [S 1107](#), and [S 1108](#) were referred to the Local Government and Taxation Committee.

[S 1109](#) was referred to the Education Committee.

[S 1110](#) was referred to the State Affairs Committee.

February 12, 2021

The JUDICIARY AND RULES Committee reports that [S 1012](#) has been correctly enrolled.

LAKEY, Chairman

The President signed Enrolled [S 1012](#) and ordered it transmitted to the House for the signature of the Speaker.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

February 12, 2021

Dear Madam President:

I transmit herewith [H 109](#), [H 114](#), and [H 95](#), which have passed the House.

MAULIN, Chief Clerk

[H 109](#), [H 114](#), and [H 95](#) were filed for first reading.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

Having been held, the President announced that [SJM 101](#) was before the Senate for final consideration, the question being, "Shall the memorial be adopted?"

On motion by Senator Zito, seconded by Senator Burgoyne, [SJM 101](#) was adopted by voice vote, title was approved, and the memorial ordered transmitted to the House.

The President announced that [SCR 105](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Woodward, seconded by Senator Stennett, [SCR 105](#) was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

The President announced that [SJM 102](#) was before the Senate for final consideration, the question being, "Shall the memorial be adopted?"

On motion by Senator Vick, seconded by President Pro Tempore Winder, [SJM 102](#) was adopted by voice vote, title was approved, and the memorial ordered transmitted to the House.

The President announced that [SCR 106](#) was before the Senate for final consideration, the question being, "Shall the memorial be adopted?"

On request by Senator Anthon, granted by unanimous consent, [SCR 106](#) retained its place on the calendar for Thursday, February 18, 2021.

On request by Senator Anthon, granted by unanimous consent, the Senate returned to the Eighth Order of Business.

Messages from the Governor

February 15, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that I have appointed Jeff Siddoway of Terreton, Idaho, to the office of Acting State Senator for Legislative District 35, Jefferson County, State of Idaho.

This appointment is effective February 15, 2021, and will continue until for as long as necessary.

Sincerely,
/s/ Brad Little
Governor

THE OFFICE OF THE GOVERNOR
EXECUTIVE DEPARTMENT
BOISE, IDAHO
CERTIFICATE OF APPOINTMENT

KNOW ALL PEOPLE that pursuant to the provisions of Section 59-917, *Idaho Code*, Van Burtenshaw, State Senator, District 35, Jefferson County, State of Idaho, has nominated Jeff Siddoway of Terreton, Idaho, to perform the duties of this office temporarily as Acting State Senator, District 35, Jefferson County, State of Idaho.

NOW, THEREFORE, I, BRAD LITTLE, Governor of the State of Idaho, by virtue of the authority vested in me do hereby appoint Jeff Siddoway of Terreton, Idaho to the office of Acting State Senator, District 35, for a term commencing Monday, February 15, 2021, and will continue for as long as necessary.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho at the Capitol in Boise on this Fifteenth day of February, in the year of our Lord two thousand and twenty-one and of the Independence of the United States of America, the two hundred and forty-fifth and of the Statehood of Idaho the one hundred thirty-first.

/s/ BY THE GOVERNOR BRAD LITTLE
/s/ SECRETARY OF STATE LAWRENCE DENNEY

The correspondence and Certificate of Appointment were ordered filed in the office of the Secretary of the Senate.

The President announced that the Oath of Office had been administered previously to Acting Senator Siddoway, and he was recorded present at this order of business.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

**Introduction, First Reading, and Reference of Bills,
House Petitions, Resolutions, and Memorials**

[H 109](#) and [H 114](#), by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

[H 95](#), by Judiciary, Rules and Administration Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[H 42](#), by Business Committee, was read the second time at length and filed for third reading.

[S 1049](#) and [S 1057](#), by Commerce and Human Resources Committee, were read the second time at length and filed for third reading.

[S 1091](#) and [S 1094](#), by Finance Committee, were read the second time at length and filed for third reading.

[S 1047](#), [S 1062](#), [S 1067](#), [S 1069](#), and [S 1070](#), by State Affairs Committee, were read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

On request by Senator Anthon, granted by unanimous consent, [S 1024](#), [S 1026](#), and [S 1056](#) retained their place on the Third Reading Calendar for one legislative day.

[S 1071](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ward-Engelking arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Siddoway (Burtenshaw), Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared [S 1071](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Anthon, granted by unanimous consent, the Senate returned to the Fourth Order of Business.

Reading of Communications

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote the Senate recessed at 11:55 a.m. until the hour of 4:30 p.m. of this day.

**RECESS
AFTERNOON SESSION**

The Senate reconvened at 4:30 p.m., pursuant to recess, President McGeachin presiding.

Roll call showed all members present except Senators Grow and Harris, absent and excused.

Prior to recess the Senate was at the Fifth Order of Business, Petitions, Resolutions, and Memorials.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

February 15, 2021

The STATE AFFAIRS Committee reports out [S 1085](#) with the recommendation that it do pass.

LODGE, Chair

[S 1085](#) was filed for second reading.

February 15, 2021

The FINANCE Committee reports out [H 114](#) and [H 109](#) with the recommendation that they do pass.

BAIR, Chairman

[H 114](#) and [H 109](#) were filed for second reading.

February 15, 2021

The JUDICIARY AND RULES Committee reports out [S 1035](#) and [S 1076](#) with the recommendation that they do pass.

LAKEY, Chairman

[S 1035](#) and [S 1076](#) were filed for second reading.

February 15, 2021

The RESOURCES AND ENVIRONMENT Committee reports out [S 1072](#), [S 1073](#), [S 1074](#), and [SCR 104](#) with the recommendation that they do pass.

VICK, Chairman

[S 1072](#), [S 1073](#), and [S 1074](#) were filed for second reading.

[SCR 104](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

February 15, 2021

The RESOURCES AND ENVIRONMENT Committee reports it has had under consideration the Gubernatorial appointment listed below and the Committee recommends that said appointment be confirmed by the Senate:

Tammy Overacker to the Idaho Outfitters and Guides Licensing Board, term to expire April 20, 2023.

VICK, Chairman

The Gubernatorial appointment was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

**Introduction, First Reading, and Reference of Bills,
House Petitions, Resolutions, and Memorials**

**S 1111
BY STATE AFFAIRS COMMITTEE
AN ACT**

RELATING TO ELECTIONS; AMENDING SECTION 50-707A, IDAHO CODE, TO REVISE PROVISIONS REGARDING CITY COUNCIL ELECTIONS BY DISTRICT; AND DECLARING AN EMERGENCY.

**S 1112
BY STATE AFFAIRS COMMITTEE
AN ACT**

RELATING TO THE LEGISLATURE; AMENDING CHAPTER 4, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-465, IDAHO CODE, TO PROVIDE CERTAIN REQUIREMENTS FOR A SPECIAL SESSION CONVENED BY THE LEGISLATURE.

**S 1113
BY TRANSPORTATION COMMITTEE
AN ACT**

RELATING TO HIGHWAYS AND BRIDGES; AMENDING SECTION 40-511, IDAHO CODE, TO PROVIDE AN EXEMPTION FROM STOPPING AND INSPECTION FOR PRIVATELY OWNED, NONCOMMERCIAL VEHICLES AND TO MAKE TECHNICAL CORRECTIONS.

**S 1114
BY EDUCATION COMMITTEE
AN ACT**

RELATING TO EDUCATION; AMENDING CHAPTER 16, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1636, IDAHO CODE, TO DEFINE A TERM, TO PROVIDE THAT CERTAIN FUNDS SHALL BE ALLOCATED FOR A TECHNOLOGY-BASED PROGRAM FOR KINDERGARTEN THROUGH GRADE 3 STUDENTS, TO PROVIDE FOR A CERTAIN CONTRACT, TO PROVIDE THAT THE STATE DEPARTMENT OF EDUCATION MAY ESTABLISH ELIGIBILITY CRITERIA, AND TO PROVIDE FOR CERTAIN REPORTS.

**S 1115
BY EDUCATION COMMITTEE
AN ACT**

RELATING TO EDUCATION; AMENDING SECTION 33-5209A, IDAHO CODE, TO REMOVE PROVISIONS REGARDING A PERFORMANCE FRAMEWORK; AND AMENDING SECTION 33-5213, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE PUBLIC CHARTER SCHOOL COMMISSION.

**S 1116
BY EDUCATION COMMITTEE
AN ACT**

RELATING TO EDUCATION; AMENDING SECTION 33-205, IDAHO CODE, TO REVISE PROVISIONS REGARDING EXPULSION OF OR DENIAL OF ENROLLMENT TO STUDENTS WHO POSSESS CERTAIN WEAPONS ON SCHOOL PROPERTY, TO DEFINE TERMS, AND TO MAKE TECHNICAL CORRECTIONS.

**S 1117
BY EDUCATION COMMITTEE
AN ACT**

RELATING TO THE QUALITY EDUCATOR LOAN ASSISTANCE PROGRAM; AMENDING TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 64, TITLE 33, IDAHO CODE, TO ESTABLISH THE QUALITY EDUCATOR LOAN ASSISTANCE PROGRAM AND TO PROVIDE RULEMAKING AUTHORITY, TO DEFINE TERMS, TO PROVIDE DUTIES OF THE STATE BOARD OF EDUCATION AND STATE DEPARTMENT OF EDUCATION REGARDING CRITICAL QUALITY EDUCATOR SHORTAGES, TO PROVIDE LOAN REPAYMENT ASSISTANCE AND ELIGIBILITY AND AWARD CRITERIA, AND TO PROVIDE FOR AWARD PROTOCOLS AND STATUTORY CONSTRUCTION; AND PROVIDING SEVERABILITY.

**S 1118
BY JUDICIARY AND RULES COMMITTEE
AN ACT**

RELATING TO INSURANCE; AMENDING SECTION 41-2503, IDAHO CODE, TO DEFINE A TERM, TO PROVIDE A LIMITATION ON CERTAIN COVERAGE, TO PROVIDE CERTAIN RULEMAKING AUTHORITY, AND TO MAKE TECHNICAL CORRECTIONS.

**S 1119
BY JUDICIARY AND RULES COMMITTEE
AN ACT**

RELATING TO UNCLAIMED PROPERTY; AMENDING SECTION 55-403, IDAHO CODE, TO REVISE PROVISIONS

REGARDING ABANDONED OR UNCLAIMED PROPERTY IN POSSESSION OF A SHERIFF OR CITY POLICE DEPARTMENT AND TO MAKE TECHNICAL CORRECTIONS.

S 1120
BY JUDICIARY AND RULES COMMITTEE
AN ACT

RELATING TO PEACE OFFICERS; AMENDING TITLE 44, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 28, TITLE 44, IDAHO CODE, TO DEFINE TERMS, TO PROVIDE FOR COLLECTIVE BARGAINING RIGHTS OF PEACE OFFICERS, TO PROVIDE FOR EXCLUSIVE BARGAINING AGENTS, TO ESTABLISH PROVISIONS REGARDING NEGOTIATIONS AND COLLECTIVE BARGAINING AGREEMENTS, TO PROVIDE FOR SUBMISSION OF CERTAIN ISSUES TO FACT-FINDING, TO PROVIDE FOR APPOINTMENT OF A FACT-FINDING COMMISSION, TO PROVIDE FOR CONTRACTS BETWEEN PEACE OFFICERS AND PUBLIC EMPLOYERS, TO ESTABLISH PROVISIONS REGARDING REQUESTS TO BARGAIN AND TO PROVIDE FOR MATTERS REQUIRING APPROPRIATION, TO ESTABLISH FACT-FINDING PROCEDURES, TO PROVIDE FOR FACT-FINDING RECOMMENDATIONS, TO PROHIBIT STRIKES DURING CONTRACTS, AND TO PROVIDE FOR EXISTING BARGAINING RELATIONSHIPS.

S 1121
BY FINANCE COMMITTEE
AN ACT

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF WATER RESOURCES FOR FISCAL YEAR 2021; APPROPRIATING AND TRANSFERRING MONEYS FROM THE GENERAL FUND TO THE WATER MANAGEMENT FUND; AND DECLARING AN EMERGENCY.

S 1122
BY RESOURCES AND ENVIRONMENT COMMITTEE
AN ACT

RELATING TO SOIL CONSERVATION; AMENDING THE HEADING FOR CHAPTER 27, TITLE 22, IDAHO CODE; AMENDING SECTION 22-2715, IDAHO CODE, TO REVISE THE SHORT TITLE; AMENDING SECTION 22-2716, IDAHO CODE, TO REVISE REFERENCES TO SOIL CONSERVATION DISTRICTS AND THE STATE SOIL AND WATER CONSERVATION COMMISSION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 22-2717, IDAHO CODE, TO REVISE AND REMOVE DEFINITIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 22-2718, IDAHO CODE, TO REVISE REFERENCES TO SOIL CONSERVATION DISTRICTS AND THE STATE SOIL AND WATER CONSERVATION COMMISSION, TO REMOVE PROVISIONS REGARDING THE IDAHO ONEPLAN, AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 22-2719, IDAHO CODE, TO REVISE REFERENCES TO SOIL CONSERVATION DISTRICTS AND THE STATE SOIL AND WATER CONSERVATION COMMISSION AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 22-2720, IDAHO CODE, TO REVISE REFERENCES TO THE STATE SOIL AND WATER CONSERVATION COMMISSION;

AMENDING SECTION 22-2721, IDAHO CODE, TO REVISE REFERENCES TO SOIL CONSERVATION DISTRICTS AND THE STATE SOIL AND WATER CONSERVATION COMMISSION AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTIONS 22-2722, 22-2725, 22-2726, 22-2727, 22-2730, 22-2731, 22-2732, 22-2733, 22-2734, 22-2735, 36-2404, 38-1306, AND 39-3601, IDAHO CODE, TO REVISE REFERENCES TO SOIL CONSERVATION DISTRICTS AND THE STATE SOIL AND WATER CONSERVATION COMMISSION; AMENDING SECTION 39-3602, IDAHO CODE, TO REVISE AND REMOVE DEFINITIONS AND TO DEFINE TERMS; AMENDING SECTIONS 39-6609, 42-3703, 42-3705, 42-3706, AND 42-3707, IDAHO CODE, TO REVISE REFERENCES TO SOIL CONSERVATION DISTRICTS AND THE STATE SOIL AND WATER CONSERVATION COMMISSION; AMENDING SECTION 42-3717, IDAHO CODE, TO REVISE REFERENCES TO THE STATE SOIL AND WATER CONSERVATION COMMISSION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 63-36220, IDAHO CODE, TO REVISE A REFERENCE TO A SOIL CONSERVATION DISTRICT; AMENDING SECTION 67-818, IDAHO CODE, TO REVISE A REFERENCE TO THE STATE SOIL AND WATER CONSERVATION COMMISSION AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 74-108, TO REVISE A REFERENCE TO A SOIL CONSERVATION DISTRICT.

S 1123
BY RESOURCES AND ENVIRONMENT COMMITTEE
AN ACT

RELATING TO LAVA HOT SPRINGS; AMENDING SECTION 67-4405, IDAHO CODE, TO PROVIDE THAT MONEYS IN THE LAVA HOT SPRINGS FOUNDATION FUND SHALL BE CONTINUOUSLY APPROPRIATED AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 67-4408, IDAHO CODE, TO PROVIDE FOR CONTINUOUS APPROPRIATION FOR OPERATION WHEN NOT LEASED, TO REVISE A CODE REFERENCE, AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 67-4409, IDAHO CODE, TO PROVIDE THAT THE LAVA HOT SPRINGS CAPITAL IMPROVEMENT ACCOUNT SHALL BE CONTINUOUSLY APPROPRIATED AND TO MAKE TECHNICAL CORRECTIONS.

S 1124
BY HEALTH AND WELFARE COMMITTEE
AN ACT

RELATING TO INSURANCE; AMENDING SECTION 41-1849, IDAHO CODE, TO REVISE PROVISIONS REGARDING CONTRACTS WITH PROVIDERS OF DENTAL SERVICES; AND AMENDING SECTION 41-3444, IDAHO CODE, TO REVISE PROVISIONS REGARDING CONTRACTS WITH PROVIDERS OF DENTAL SERVICES.

S 1125
BY HEALTH AND WELFARE COMMITTEE
AN ACT

RELATING TO HEALTH; AMENDING TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 97, TITLE 39, IDAHO CODE, TO PROVIDE A DECLARATION OF POLICY AND INTENT, TO DEFINE TERMS, TO ESTABLISH PROVISIONS REGARDING RECOGNIZED

STATE CRISIS CARE AND SUICIDE HOTLINES, TO PROVIDE FOR MOBILE RESPONSE TEAMS, TO PROVIDE FOR A SUICIDE AND MENTAL HEALTH CRISIS ACCESS FUND, TO PROVIDE FOR A SUICIDE AND MENTAL HEALTH CRISIS ACCESS FEE, TO PROVIDE FOR USE OF THE FEE, TO PROVIDE AUDITING AND REPORTING REQUIREMENTS, AND TO PROVIDE A FEE IMPLEMENTATION DEADLINE.

S 1126

BY HEALTH AND WELFARE COMMITTEE
AN ACT

RELATING TO VIRTUAL CARE ACCESS; AMENDING THE HEADING FOR CHAPTER 57, TITLE 54, IDAHO CODE; AMENDING SECTION 54-5701, IDAHO CODE, TO PROVIDE FOR THE IDAHO VIRTUAL CARE ACCESS ACT; AMENDING SECTION 54-5702, IDAHO CODE, TO PROVIDE FOR VIRTUAL CARE AND TO MAKE A TECHNICAL CORRECTION; REPEALING SECTION 54-5703, IDAHO CODE, RELATING TO DEFINITIONS; AMENDING CHAPTER 57, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-5703, IDAHO CODE, TO DEFINE TERMS; AMENDING SECTION 54-5704, IDAHO CODE, TO PROVIDE FOR VIRTUAL CARE AND TO MAKE TECHNICAL CORRECTIONS; REPEALING SECTION 54-5705, IDAHO CODE, RELATING TO PROVIDER-PATIENT RELATIONSHIPS; AMENDING CHAPTER 57, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-5705, IDAHO CODE, TO PROVIDE FOR PROVIDER-PATIENT RELATIONSHIPS; AMENDING SECTION 54-5706, IDAHO CODE, TO PROVIDE FOR VIRTUAL CARE AND TO PROVIDE FOR CERTAIN EVALUATIONS AND PROCEDURES; AMENDING SECTION 54-5707, IDAHO CODE, TO PROVIDE FOR CERTAIN PRESCRIPTIONS TO BE ISSUED THROUGH VIRTUAL CARE AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 54-5708, IDAHO CODE, TO PROVIDE FOR VIRTUAL CARE; AMENDING SECTION 54-5709, IDAHO CODE, TO PROVIDE FOR VIRTUAL CARE; AMENDING SECTION 54-5710, IDAHO CODE, TO REMOVE UNNECESSARY VERBIAGE; AMENDING SECTION 54-5711, IDAHO CODE, TO PROVIDE FOR CERTAIN MEDICAL RECORD REQUIREMENTS REGARDING VIRTUAL CARE; AMENDING SECTION 54-5712, IDAHO CODE, TO PROVIDE FOR VIRTUAL CARE, TO ESTABLISH CERTAIN PROVISIONS REGARDING VENUE, AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-5713, IDAHO CODE, TO PROVIDE FOR VIRTUAL CARE AND TO PROVIDE FOR CERTAIN RULEMAKING AUTHORITY; AND AMENDING CHAPTER 57, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-5714, IDAHO CODE, TO ESTABLISH A VIRTUAL CARE ADVISORY BOARD.

S 1127

BY HEALTH AND WELFARE COMMITTEE
AN ACT

RELATING TO TELEHEALTH; AMENDING SECTION 54-5705, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE ESTABLISHMENT OF A PROVIDER-PATIENT RELATIONSHIP.

S 1128

BY HEALTH AND WELFARE COMMITTEE
AN ACT

RELATING TO NATUROPATHIC PRACTITIONER LICENSING; AMENDING TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 59, TITLE 54, IDAHO CODE, TO PROVIDE A DECLARATION OF POLICY, TO DEFINE TERMS, TO ESTABLISH A BOARD OF NATUROPATHIC HEALTH CARE, TO PROVIDE FOR BOARD DUTIES AND POWERS, TO PROVIDE FOR CERTAIN FEES, TO ESTABLISH LICENSE REQUIREMENTS, TO PROVIDE FOR CERTAIN EXEMPTIONS FROM LICENSURE, TO PROVIDE FOR LICENSE RENEWAL AND REINSTATEMENT, TO ESTABLISH VIOLATIONS, TO PROVIDE FOR SUSPENSION AND REVOCATION, TO ESTABLISH CERTAIN IMMUNITY, TO PROVIDE FOR COMPLIANCE WITH PUBLIC HEALTH LAW, AND TO ESTABLISH A FORMULARY COMMITTEE.

S 1111, S 1112, S 1113, S 1114, S 1115, S 1116, S 1117, S 1118, S 1119, S 1120, S 1121, S 1122, S 1123, S 1124, S 1125, S 1126, S 1127, and S 1128 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the Senate adjourned at 5:01 p.m. until the hour of 10:30 a.m., Tuesday, February 16, 2021.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

**THIRTY-SEVENTH LEGISLATIVE DAY
TUESDAY, FEBRUARY 16, 2021**

Senate Chamber

President McGeachin called the Senate to order at 10:30 a.m.

Roll call showed all members present except Senator Bair, absent and formally excused by the Chair; and Senator Grow, absent and excused.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Hana Pfeiffer, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 15, 2021, was read and approved as corrected.

LAKEY, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

February 16, 2021

The JUDICIARY AND RULES Committee reports that [S 1111](#), [S 1112](#), [S 1113](#), [S 1114](#), [S 1115](#), [S 1116](#), [S 1117](#), [S 1118](#), [S 1119](#), [S 1120](#), [S 1121](#), [S 1122](#), [S 1123](#), [S 1124](#), [S 1125](#), [S 1126](#), [S 1127](#), and [S 1128](#) have been correctly printed.

LAKEY, Chairman

[S 1111](#) and [S 1112](#) were referred to the State Affairs Committee.

[S 1113](#) was referred to the Transportation Committee.

[S 1114](#) and [S 1115](#) were referred to the Education Committee.

[S 1116](#) was referred to the State Affairs Committee.

[S 1117](#) was referred to the Education Committee.

[S 1118](#) was referred to the Commerce and Human Resources Committee.

[S 1119](#) and [S 1120](#) were referred to the Judiciary and Rules Committee.

[S 1121](#) was referred to the Finance Committee.

[S 1122](#) was referred to the Agricultural Affairs Committee.

[S 1123](#) was referred to the Resources and Environment Committee.

[S 1124](#) was referred to the Commerce and Human Resources Committee.

[S 1125](#), [S 1126](#), and [S 1127](#) were referred to the Health and Welfare Committee.

[S 1128](#) was referred to the Commerce and Human Resources Committee.

February 16, 2021

The AGRICULTURAL AFFAIRS Committee reports out [S 1079](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

BAYER, Vice Chair

There being no objection, [S 1079](#) was referred to the Fourteenth Order of Business, General Calendar.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

February 12, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that John Dinger of Boise, Idaho, was reappointed as a member of the Sexual Offender Management Board to serve a term commencing January 1, 2021, and expiring January 1, 2024.

This reappointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

Sincerely,
/s/ Brad Little
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial reappointment was referred to the Judiciary and Rules Committee.

February 12, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that Melissa Hultberg of Meridian, Idaho, was reappointed as a member of the Sexual Offender Management Board to serve a term commencing January 1, 2021, and expiring January 1, 2024.

This reappointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

Sincerely,
/s/ Brad Little
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial reappointment was referred to the Judiciary and Rules Committee.

February 12, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that Moira Lynch of Boise, Idaho, was reappointed as a member of the Sexual Offender Management Board to serve a term commencing January 1, 2021, and expiring January 1, 2024.

This appointment was made subject to confirmation by the Senate. Notice of reappointment is hereby given.

Sincerely,
/s/ Brad Little
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial reappointment was referred to the Judiciary and Rules Committee.

February 12, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that Jefferson McCray of Burley, Idaho, was appointed as a member of the State Tax Commission to serve a term commencing October 13, 2020, and expiring April 26, 2025.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

Sincerely,
/s/ Brad Little
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the Local Government and Taxation Committee.

February 12, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that Evelyn Johnson of Boise, Idaho, was appointed as a member of the Idaho Commission on Human Rights to serve a term commencing March 4, 2020, and expiring July 1, 2020.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

Sincerely,
/s/ Brad Little
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the State Affairs Committee.

The Senate advanced to the Ninth Order of Business.

Messages from the House

February 15, 2021

Dear Madam President:

I transmit herewith [H 73](#), [H 106](#), and [H 117](#), which have passed the House.

MAULIN, Chief Clerk

[H 73](#), [H 106](#), and [H 117](#) were filed for first reading.

February 15, 2021

Dear Madam President:

I return herewith Enrolled [S 1034](#), which has been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [S 1034](#) was referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

[H 73](#), by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

[H 106](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

[H 117](#), by Appropriations Committee, was introduced, read the first time at length, and referred to the Finance Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[S 1085](#), by State Affairs Committee, was read the second time at length and filed for third reading.

[H 114](#) and [H 109](#), by Appropriations Committee, were read the second time at length and filed for third reading.

[S 1035](#) and [S 1076](#), by Judiciary and Rules Committee, were read the second time at length and filed for third reading.

[S 1072](#), [S 1073](#), and [S 1074](#), by Resources and Environment Committee, were read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

Having been held, [S 1024](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Souza arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bayer, Burgoyne, Cook, Crabtree, Den Hartog, Harris, Heider, Johnson, Lakey, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Siddoway (Burtenshaw), Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 31.

NAYS—Guthrie, Lee. Total - 2.

Absent and excused—Bair, Grow. Total - 2.

Total - 35.

Whereupon the President declared [S 1024](#) passed, title was approved, and the bill ordered transmitted to the House.

Having been held, [S 1026](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Patrick arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bayer, Burgoyne, Cook, Crabtree, Den Hartog, Harris, Heider, Johnson, Lakey, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Siddoway (Burtenshaw), Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 31.

NAYS—Guthrie, Lee. Total - 2.

Absent and excused—Bair, Grow. Total - 2.

Total - 35.

Whereupon the President declared [S 1026](#) passed, title was approved, and the bill ordered transmitted to the House.

Having been held, [S 1056](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Burgoyne arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bayer, Burgoyne, Cook, Crabtree, Den Hartog, Harris, Heider, Johnson, Lakey, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Siddoway (Burtenshaw), Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 31.

NAYS—Guthrie, Lee. Total - 2.

Absent and excused—Bair, Grow. Total - 2.

Total - 35.

Whereupon the President declared [S 1056](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1045](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Thayn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senators Den Hartog and Johnson disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Anthon, Bayer, Burgoyne, Cook, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nye, Patrick, Rice, Ricks, Riggs, Siddoway (Burtenshaw), Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Zito. Total - 28.

NAYS—Agenbroad, Crabtree, Nelson, Rabe, Wintrow, Woodward. Total - 6.

Absent and excused—Bair. Total - 1.

Total - 35.

Whereupon the President declared [S 1045](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1055](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Agenbroad arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bayer, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Siddoway (Burtenshaw), Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 33.

NAYS—Burgoyne. Total - 1.

Absent and excused—Bair. Total - 1.

Total - 35.

Whereupon the President declared [S 1055](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1068](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Guthrie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Burgoyne, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Lakey, Lee, Lent, Lodge, Nelson, Nye, Patrick, Rabe, Ricks, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 26.

NAYS—Bayer, Johnson, Martin, Rice, Riggs, Siddoway (Burtenshaw), Wintrow, Zito. Total - 8.

Absent and excused—Bair. Total - 1.

Total - 35.

Whereupon the President declared [S 1068](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Anthon, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12:19 p.m. until the hour of 10:30 a.m., Wednesday, February 17, 2021.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

**THIRTY-EIGHTH LEGISLATIVE DAY
WEDNESDAY, FEBRUARY 17, 2021**

Senate Chamber

President McGeachin called the Senate to order at 10:30 a.m.

Roll call showed all members present except Senator Bair, absent and formally excused by the Chair.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Jaxon Griffin, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 16, 2021, was read and approved as corrected.

LAKEY, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

February 16, 2021

The JUDICIARY AND RULES Committee reports that Enrolled [S 1034](#) was delivered to the Office of the Governor at 2:40 p.m., February 16, 2021.

LAKEY, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

February 16, 2021

The FINANCE Committee reports out [S 1121](#) with the recommendation that it do pass.

BAIR, Chairman

[S 1121](#) was filed for second reading.

February 16, 2021

The COMMERCE AND HUMAN RESOURCES Committee reports out [S 1051](#), [S 1083](#), [S 1084](#), and [S 1095](#) with the recommendation that they do pass.

PATRICK, Chairman

[S 1051](#), [S 1083](#), [S 1084](#), and [S 1095](#) were filed for second reading.

February 16, 2021

The HEALTH AND WELFARE Committee reports out [H 74](#) and [S 1093](#) with the recommendation that they do pass.

MARTIN, Chairman

[H 74](#) and [S 1093](#) were filed for second reading.

February 16, 2021

The EDUCATION Committee reports out [H 67](#), [H 68](#), and [S 1075](#) with the recommendation that they do pass.

THAYN, Chairman

[H 67](#), [H 68](#), and [S 1075](#) were filed for second reading.

February 17, 2021

The FINANCE Committee reports out [H 117](#) with the recommendation that it do pass.

BAIR, Chairman

[H 117](#) was filed for second reading.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

February 16, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that I have appointed Julie Van Orden of Pingree, Idaho, to the office of Acting State Senator for Legislative District 31, Bingham County, State of Idaho.

This appointment is effective Wednesday, February 17, 2021, and will continue for as long as necessary.

Sincerely,
/s/ Brad Little
Governor

THE OFFICE OF THE GOVERNOR
EXECUTIVE DEPARTMENT
BOISE, IDAHO
CERTIFICATE OF APPOINTMENT

KNOW ALL PEOPLE that pursuant to the provisions of Section 59-917, *Idaho Code*, Steve Bair, State Senator, District 31, Bingham County, State of Idaho, has nominated Julie Van Orden of Pingree, Idaho, to perform the duties of this office temporarily as Acting State Senator, District 31, Bingham County, State of Idaho.

NOW, THEREFORE, I, BRAD LITTLE, Governor of the State of Idaho, by virtue of the authority vested in me do hereby appoint Julie Van Orden of Pingree, Idaho to the office of State Senator, District 31, State of Idaho, for a term commencing Wednesday, February 17, 2021, and will continue for as long as necessary.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho at the Capitol in Boise on this Sixteenth day of February, in the year of our Lord two thousand and twenty-one and of the Independence of the United States of America, the two hundred and forty-fifth and of the Statehood of Idaho the one hundred thirty-first.

/s/ BY THE GOVERNOR BRAD LITTLE
/s/ SECRETARY OF STATE LAWRENCE DENNEY

The correspondence and Certificate of Appointment were ordered filed in the office of the Secretary of the Senate.

The Senate advanced to the Ninth Order of Business.

Messages from the House

February 16, 2021

Dear Madam President:

I transmit herewith [H 135](#), which has passed the House.

MAULIN, Chief Clerk

[H 135](#) was filed for first reading.

February 16, 2021

Dear Madam President:

I transmit herewith Enrolled [H 58](#) for the signature of the President.

MAULIN, Chief Clerk

The President signed Enrolled [H 58](#) and ordered it returned to the House.

February 16, 2021

Dear Madam President:

I return herewith Enrolled [S 1012](#), which has been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [S 1012](#) was referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

[H 135](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

[S 1080](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Riggs arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bayer, Burgoyne, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Siddoway (Burtenshaw), Souza, Stennett,

Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS—None.

Absent and excused—Bair. Total - 1.

Total - 35.

Whereupon the President declared [S 1080](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1081](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Agenbroad arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Burgoyne, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Siddoway (Burtenshaw), Souza, Stennett, Ward-Engelking, Winder, Wintrow, Woodward. Total - 30.

NAYS—Bayer, Thayn, Vick, Zito. Total - 4.

Absent and excused—Bair. Total - 1.

Total - 35.

Whereupon the President declared [S 1081](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1060](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Vick arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bayer, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Siddoway (Burtenshaw), Souza, Stennett, Thayn, Vick, Winder, Wintrow, Woodward, Zito. Total - 32.

NAYS—Burgoyne. Total - 1.

Absent and excused—Bair, Ward-Engelking. Total - 2.

Total - 35.

Whereupon the President declared [S 1060](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1049](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Agenbroad arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bayer, Burgoyne, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Siddoway (Burtenshaw), Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS—None.

Absent and excused—Bair. Total - 1.

Total - 35.

Whereupon the President declared [S 1049](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Anthon, granted by unanimous consent, [S 1057](#) retained its place on the Third Reading Calendar for Friday, February 19, 2021.

[S 1091](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Crabtree arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bayer, Burgoyne, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Siddoway (Burtenshaw), Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS—None.

Absent and excused—Bair. Total - 1.

Total - 35.

Whereupon the President declared [S 1091](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1094](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Woodward arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bayer, Burgoyne, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Siddoway (Burtenshaw), Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS—None.

Absent and excused—Bair. Total - 1.

Total - 35.

Whereupon the President declared [S 1094](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1047](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Acting Senator Siddoway arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bayer, Burgoyne, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Siddoway (Burtenshaw), Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS—None.

Absent and excused—Bair. Total - 1.

Total - 35.

Whereupon the President declared [S 1047](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1062](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Heider arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bayer, Burgoyne, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Siddoway (Burtenshaw), Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS—None.

Absent and excused—Bair. Total - 1.

Total - 35.

Whereupon the President declared [S 1062](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:57 a.m. until the hour of 10:30 a.m., Thursday, February 18, 2021.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

THIRTY-NINTH LEGISLATIVE DAY
THURSDAY, FEBRUARY 18, 2021

Senate Chamber

President McGeachin called the Senate to order at 10:30 a.m.

Roll call showed all members present.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Hannah Stephenson, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 17, 2021, was read and approved as corrected.

LAKEY, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

February 18, 2021

The JUDICIARY AND RULES Committee reports that Enrolled [S 1012](#) was delivered to the Office of the Governor at 1:03 p.m., February 17, 2021.

LAKEY, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

February 17, 2021

The RESOURCES AND ENVIRONMENT Committee reports out [H 23](#) and [H 24](#) with the recommendation that they do pass.

VICK, Chairman

[H 23](#) and [H 24](#) were filed for second reading.

February 17, 2021

The JUDICIARY AND RULES Committee reports out [S 1078](#) with the recommendation that it do pass.

LAKEY, Chairman

[S 1078](#) was filed for second reading.

February 17, 2021

The JUDICIARY AND RULES Committee reports out [S 1088](#) and [S 1089](#) with the recommendation that they be referred to the Fourteenth Order of Business for amendment.

LAKEY, Chairman

There being no objection, [S 1088](#) and [S 1089](#) were referred to the Fourteenth Order of Business, General Calendar.

February 17, 2021

The STATE AFFAIRS Committee reports out [HJR 1](#), [S 1063](#), [S 1065](#), and [S 1112](#) with the recommendation that they do pass.

LODGE, Chair

[HJR 1](#), [S 1063](#), [S 1065](#), and [S 1112](#) were filed for second reading.

February 17, 2021

The LOCAL GOVERNMENT AND TAXATION Committee reports out [S 1058](#) with the recommendation that it do pass.

RICE, Chairman

[S 1058](#) was filed for second reading.

February 18, 2021

The TRANSPORTATION Committee reports out [HCR 3](#), [H 5](#), and [S 1104](#) with the recommendation that they do pass.

DEN HARTOG, Chair

[HCR 3](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

[H 5](#) and [S 1104](#) were filed for second reading.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

February 17, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that I have signed on February 17, 2021 and am transmitting to the Secretary of State the following Senate Bill, to wit:

[S 1034](#)

Sincerely,
/s/ Brad Little
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Senate advanced to the Ninth Order of Business.

Messages from the House

February 17, 2021

Dear Madam President:

I transmit herewith [H 123](#), [H 134](#), [H 91](#), [H 93](#), and [H 79](#), which have passed the House.

MAULIN, Chief Clerk

[H 123](#), [H 134](#), [H 91](#), [H 93](#), and [H 79](#) were filed for first reading.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials**S 1129****BY JUDICIARY AND RULES COMMITTEE**

AN ACT

RELATING TO MOTOR VEHICLE INSURANCE; AMENDING SECTION 41-2503, IDAHO CODE, TO PROVIDE THAT CERTAIN POLICIES SHALL BE CONSTRUED TO PROVIDE COVERAGE IN EXCESS OF THE LIABILITY COVERAGE OF ANY UNDERINSURED MOTOR VEHICLE INVOLVED IN AN ACCIDENT.

S 1130**BY JUDICIARY AND RULES COMMITTEE**

AN ACT

RELATING TO BURGLARY; AMENDING SECTION 18-1401, IDAHO CODE, TO REVISE THE DEFINITION OF "BURGLARY"; AND AMENDING SECTION 18-1401A, IDAHO CODE, TO REVISE THE DEFINITION OF "COMMERCIAL BURGLARY."

S 1131**BY JUDICIARY AND RULES COMMITTEE**

AN ACT

RELATING TO GARNISHMENT; AMENDING SECTION 11-703, IDAHO CODE, TO REVISE PROVISIONS REGARDING GARNISHMENT SEARCH FEES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 11-710, IDAHO CODE, TO REVISE PROVISIONS REGARDING CERTAIN FINANCIAL INSTITUTION FEES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 11-714, IDAHO CODE, TO REVISE PROVISIONS REGARDING FINANCIAL INSTITUTION OBLIGATIONS WHEN SERVED WITH A WRIT OF GARNISHMENT; AND AMENDING SECTION 11-720, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE ANSWER OF A GARNISHEE.

[S 1129](#), [S 1130](#), and [S 1131](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 123](#) and [H 134](#), by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

[H 91](#) and [H 93](#), by Resources and Conservation Committee, were introduced, read the first time at length, and referred to the Resources and Environment Committee.

[H 79](#), by Business Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[S 1121](#), by Finance Committee, was read the second time at length and filed for third reading.

[S 1051](#), [S 1083](#), [S 1084](#), and [S 1095](#), by Commerce and Human Resources Committee, were read the second time at length and filed for third reading.

[H 74](#), by Health and Welfare Committee, was read the second time at length and filed for third reading.

[S 1093](#), by Health and Welfare Committee, was read the second time at length and filed for third reading.

[H 67](#) and [H 68](#), by Education Committee, were read the second time at length and filed for third reading.

[S 1075](#), by Education Committee, was read the second time at length and filed for third reading.

[H 117](#), by Appropriations Committee, was read the second time at length and filed for third reading.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Fourteenth Order of Business.

General Calendar

The President declared the Senate resolved into the Committee of the Whole and called Senator Lee to the Chair to preside during the sitting of the Committee of the Whole.

Following the adjournment of the Committee of the Whole, the President called the Senate to order.

Report of the Committee of the Whole

Senator Lee, Chair of the Committee of the Whole, reported out [S 1014](#), [S 1042](#), [S 1053](#), [S 1043](#), and [S 1079](#), without recommendation, amended as follows:

SENATE AMENDMENT TO S 1014

AMENDMENT TO SECTION 5

On page 6 of the printed bill, delete lines 16 through 27, and insert: "shall collect any attorney's fees or litigation costs unless such attorney's fees or litigation costs are reasonable, are for actual attorney services performed, and are limited to those costs actually incurred;".

SENATE AMENDMENT TO S 1042

AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 38, delete "issuing" and insert: "receiving responses to".

On page 2, in line 4, following "longevity," insert: "past performance"; in line 8, following "Select" insert: "for negotiation"; in line 9, delete "to pro-" and insert: ";"; and delete line 10.

SENATE AMENDMENT TO S 1053**AMENDMENT TO SECTION 2**

On page 4 of the printed bill, delete lines 10 and 11, and insert:

"(f) Credit unions may become members of other Idaho credit unions for the purposes provided in section 26-2120, Idaho Code."

SENATE AMENDMENT TO S 1043**AMENDMENT TO SECTION 1**

On page 1 of the printed bill, in line 41, delete "2"; and in line 42, delete "in executive session,".

On page 2, in line 3, following "charge." insert: "Notwithstanding the provisions of sections 74-205 and 74-206, Idaho Code, a decision to expel or to deny enrollment of a student may be made in executive session, and the student shall not be named in the minutes of the meeting. A record of the decision shall be placed in the student's educational record and in the official records of the board."

CORRECTION TO TITLE

On page 1, delete lines 3 and 4, and insert: "CERTAIN DECISIONS AND FINDINGS SHALL BE MADE IN".

SENATE AMENDMENT TO S 1079**AMENDMENT TO SECTION 1**

On page 1 of the printed bill, in line 24, delete ", loan,".

The Committee also has [S 1046](#) under consideration, reports progress, and begs leave to sit again.

LEE, Chairman

On motion by Senator Lee, seconded by Senator Stennett, the report was adopted by voice vote.

[S 1014](#), as amended, [S 1042](#), as amended, [S 1053](#), as amended, [S 1043](#), as amended, and [S 1079](#), as amended, were referred to the Judiciary and Rules Committee for engrossing and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

On request by Senator Anthon, granted by unanimous consent, the Senate returned to the Tenth Order of Business.

Motions and Resolutions

The President announced that [SCR 106](#), having previously been read at length and debate having previously been opened, was before the Senate for final consideration. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES--Agenbroad, Anthon, Bayer, Burgoyne, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Siddoway (Burtenshaw), Souza, Stennett, Thayn, Van Orden (Bair), Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared [SCR 106](#) adopted, title was approved, and the resolution ordered transmitted to the House.

The President announced that [SCR 104](#) was before the Senate for final consideration.

Moved by Acting Senator Siddoway, seconded by Senator Harris, that [SCR 104](#) be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES--Agenbroad, Anthon, Bayer, Burgoyne, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Siddoway (Burtenshaw), Souza, Stennett, Thayn, Van Orden (Bair), Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared [SCR 104](#) adopted, title was approved, and the resolution ordered transmitted to the House.

The President announced that the Judiciary and Rules Committee report relative to the Gubernatorial appointment of Ted Pulver was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Thayn, seconded by Senator Burgoyne, the Gubernatorial appointment of Ted Pulver as a member of the Sexual Offender Management Board was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for her signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the Resources and Environment Committee report relative to the Gubernatorial appointment of Tammy Overacker was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Thayn, seconded by Senator Rabe, the Gubernatorial appointment of Tammy Overacker as a member of the Idaho Outfitters and Guides Licensing Board was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for her signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the Judiciary and Rules Committee report relative to the Joint Printing Committee's recommendations was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Lakey, seconded by Senator Burgoyne, the recommendation's of the Joint Printing Committee was adopted by voice vote, and ordered transmitted to the House.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

[S 1067](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Heider arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bayer, Burgoyne, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Siddoway (Burtenshaw), Souza, Stennett, Thayn, Van Orden (Bair), Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared [S 1067](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1069](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lodge arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bayer, Burgoyne, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Siddoway (Burtenshaw), Souza, Stennett, Thayn, Van Orden (Bair), Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared [S 1069](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1070](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lodge arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bayer, Burgoyne, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Siddoway (Burtenshaw), Souza, Stennett, Thayn, Van Orden (Bair), Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared [S 1070](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Anthon, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

Reports of Standing Committees

February 18, 2021

The JUDICIARY AND RULES Committee reports that Senate amendments to [S 1014](#), [S 1042](#), [S 1053](#), [S 1043](#), and [S 1079](#) have been correctly printed.

LAKEY, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

February 18, 2021

The JUDICIARY AND RULES Committee reports that [S 1014](#), as amended, [S 1042](#), as amended, [S 1053](#), as amended, [S 1043](#), as amended, and [S 1079](#), as amended, have been correctly engrossed.

LAKEY, Chairman

[S 1014](#), as amended, [S 1042](#), as amended, [S 1053](#), as amended, [S 1043](#), as amended, and [S 1079](#), as amended, were filed for first reading.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

[S 1014](#), as amended, and [S 1042](#), as amended, by Commerce and Human Resources Committee, were read the first time at length and filed for second reading.

[S 1053](#), as amended, by State Affairs Committee, was read the first time at length and filed for second reading.

[S 1043](#), as amended, by Education Committee, was read the first time at length and filed for second reading.

[S 1079](#), as amended, by Agricultural Affairs Committee, was read the first time at length and filed for second reading.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12:03 p.m. until the hour of 10:30 a.m., Friday, February 19, 2021.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

FORTIETH LEGISLATIVE DAY
FRIDAY, FEBRUARY 19, 2021

Senate Chamber

President McGeachin called the Senate to order at 10:30 a.m.

Roll call showed all members present.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Jaylee Harris, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 18, 2021, was read and approved as corrected.

LAKEY, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

February 19, 2021

The JUDICIARY AND RULES Committee reports that [S 1129](#), [S 1130](#), and [S 1131](#) have been correctly printed.

LAKEY, Chairman

[S 1129](#) was referred to the Commerce and Human Resources Committee.

[S 1130](#) and [S 1131](#) were referred to the Judiciary and Rules Committee.

February 18, 2021

The COMMERCE AND HUMAN RESOURCES Committee reports out [H 78](#), [S 1082](#), [S 1096](#), and [S 1124](#) with the recommendation that they do pass.

PATRICK, Chairman

[H 78](#), [S 1082](#), [S 1096](#), and [S 1124](#) were filed for second reading.

February 18, 2021

The TRANSPORTATION Committee reports out [H 49](#), [S 1100](#), and [S 1101](#) with the recommendation that they do pass.

DEN HARTOG, Chair

[H 49](#), [S 1100](#), and [S 1101](#) were filed for second reading.

February 18, 2021

The EDUCATION Committee reports out [S 1109](#) with the recommendation that it do pass.

THAYN, Chairman

[S 1109](#) was filed for second reading.

February 18, 2021

The EDUCATION Committee reports out [H 22](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

THAYN, Chairman

There being no objection, [H 22](#) was referred to the Fourteenth Order of Business, General Calendar.

February 19, 2021

The LOCAL GOVERNMENT AND TAXATION Committee reports out [S 1108](#) with the recommendation that it do pass.

RICE, Chairman

[S 1108](#) was filed for second reading.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

February 18, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that I have signed on February 18, 2021 and am transmitting to the Secretary of State the following Senate Bill, to wit:

[S 1012](#)

Sincerely,
/s/ Brad Little
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Senate advanced to the Ninth Order of Business.

Messages from the House

February 18, 2021

Dear Madam President:

I transmit herewith [H 80](#), [H 81](#), [H 41](#), [H 94](#), [H 96](#), [HCR 7](#), [H 119](#), [H 75](#), [H 115](#), and [HCR 6](#), which have passed the House.

MAULIN, Chief Clerk

[H 80](#), [H 81](#), [H 41](#), [H 94](#), [H 96](#), [HCR 7](#), [H 119](#), [H 75](#), [H 115](#), and [HCR 6](#) were filed for first reading.

February 18, 2021

Dear Madam President:

I return herewith [S 1017](#), [SCR 102](#), [S 1036](#), [S 1037](#), and [S 1071](#), which have passed the House.

MAULIN, Chief Clerk

[S 1017](#), [SCR 102](#), [S 1036](#), [S 1037](#), and [S 1071](#) were referred to the Judiciary and Rules Committee for enrolling.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

**Introduction, First Reading, and Reference of Bills,
House Petitions, Resolutions, and Memorials**

S 1132

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO MOTOR VEHICLES; AMENDING SECTION 49-202, IDAHO CODE, TO PROVIDE FOR DRIVING PRIVILEGES RECORDS; AMENDING SECTION 49-203, IDAHO CODE, TO PROVIDE FOR NONDISCLOSURE OF CERTAIN DRIVING AUTHORIZATION CARD INFORMATION; AMENDING SECTION 49-301, IDAHO CODE, TO PROVIDE FOR DRIVING AUTHORIZATION CARDS; AMENDING SECTION 49-303, IDAHO CODE, TO PROVIDE FOR DRIVING AUTHORIZATION CARDS; AMENDING SECTION 49-304, IDAHO CODE, TO PROVIDE FOR DRIVING AUTHORIZATION CARDS; AMENDING SECTION 49-306, IDAHO CODE, TO PROVIDE FOR DRIVING AUTHORIZATION CARDS AND TO PROVIDE THAT A PERSON WITHOUT A SOCIAL SECURITY NUMBER MAY APPLY FOR A DRIVING AUTHORIZATION CARD; AMENDING SECTION 49-307, IDAHO CODE, TO PROVIDE FOR DRIVING AUTHORIZATION CARDS; AMENDING CHAPTER 3, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-307B, IDAHO CODE, TO DEFINE TERMS, TO AUTHORIZE THE DEPARTMENT TO ISSUE DRIVING AUTHORIZATION CARDS TO CERTAIN INDIVIDUALS, TO PROVIDE ELIGIBILITY REQUIREMENTS, TO PROVIDE CRITERIA FOR DRIVING AUTHORIZATION CARDS, AND TO PROVIDE LIMITATIONS; AMENDING SECTION 49-313, IDAHO CODE, TO PROVIDE FOR DRIVING AUTHORIZATION CARDS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 49-315, IDAHO CODE, TO PROVIDE FOR DRIVING AUTHORIZATION CARDS; AMENDING SECTION 49-316, IDAHO CODE, TO PROVIDE FOR DRIVING AUTHORIZATION CARDS; AMENDING SECTION 49-317, IDAHO CODE, TO PROVIDE FOR DRIVING AUTHORIZATION CARDS; AMENDING SECTION 49-318, IDAHO CODE, TO PROVIDE FOR DRIVING AUTHORIZATION CARDS; AMENDING SECTION 49-320, IDAHO CODE, TO PROVIDE FOR DRIVING AUTHORIZATION CARDS; AMENDING SECTION 49-321, IDAHO CODE, TO PROVIDE FOR DRIVING AUTHORIZATION CARDS; AMENDING SECTION 49-322, IDAHO CODE, TO PROVIDE FOR DRIVING AUTHORIZATION CARDS; AMENDING SECTION 49-326, IDAHO CODE, TO PROVIDE FOR DRIVING AUTHORIZATION CARDS; AMENDING SECTION 49-327, IDAHO CODE, TO PROVIDE FOR DRIVING AUTHORIZATION CARDS; AMENDING SECTION 49-328, IDAHO CODE, TO PROVIDE FOR DRIVING AUTHORIZATION CARDS; AMENDING

SECTION 49-331, IDAHO CODE, TO PROVIDE FOR DRIVING AUTHORIZATION CARDS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 49-1208, IDAHO CODE, TO PROVIDE FOR DRIVING PRIVILEGES; AMENDING SECTION 18-8002, IDAHO CODE, TO PROVIDE FOR CERTAIN SUSPENSION OF DRIVING PRIVILEGES; AND PROVIDING AN EFFECTIVE DATE.

S 1133

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO GUARDIANS OF MINORS; AMENDING SECTION 15-5-207, IDAHO CODE, TO LIMIT THE TIME DURING WHICH A TEMPORARY GUARDIANSHIP MAY BE EXTENDED, TO PROVIDE THAT A COURT MUST TAKE APPROPRIATE ACTION PRIOR TO THE END OF AN EXTENSION PERIOD, AND TO PROVIDE THAT NO TEMPORARY GUARDIANSHIP MAY LAST LONGER THAN TWELVE MONTHS IN TOTAL.

[S 1132](#) and [S 1133](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 80](#) and [H 81](#), by Business Committee, were introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

[H 41](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

[H 94](#) and [H 96](#), by Judiciary, Rules and Administration Committee, were introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

[HCR 7](#), by Resources and Conservation Committee, was introduced, read at length, and referred to the Resources and Environment Committee.

[H 119](#), by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

[H 75](#), by Commerce and Human Resources Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

[H 115](#), by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Health and Welfare Committee.

[HCR 6](#), by Health and Welfare Committee, was introduced, read at length, and referred to the Commerce and Human Resources Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[H 23](#) and [H 24](#), by Resources and Conservation Committee, were read the second time at length and filed for third reading.

[S 1078](#), by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

[HJR 1](#), by State Affairs Committee, was read the second time at length and filed for third reading.

[S 1063](#), [S 1065](#), and [S 1112](#), by State Affairs Committee, were read the second time at length and filed for third reading.

[S 1058](#), by Local Government and Taxation Committee, was read the second time at length and filed for third reading.

[H 5](#), by Transportation and Defense Committee, was read the second time at length and filed for third reading.

[S 1104](#), by Transportation Committee, was read the second time at length and filed for third reading.

[S 1014](#), as amended, and [S 1042](#), as amended, by Commerce and Human Resources Committee, were read the second time at length and filed for third reading.

[S 1053](#), as amended, by State Affairs Committee, was read the second time at length and filed for third reading.

[S 1043](#), as amended, by Education Committee, was read the second time at length and filed for third reading.

[S 1079](#), as amended, by Agricultural Affairs Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

On request by Senator Anthon, granted by unanimous consent, [S 1085](#) was placed at the head of the Third Reading Calendar, followed by [H 42](#), followed by Senate Bills, followed by House bills.

On request by Senator Burgoyne, granted by unanimous consent, [S 1057](#) was recommitted to the Commerce and Human Resources Committee.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:15 a.m. until the hour of 10 a.m., Monday, February 22, 2021.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

FORTY-THIRD LEGISLATIVE DAY
MONDAY, FEBRUARY 22, 2021

Senate Chamber

President McGeachin called the Senate to order at 10 a.m.

Roll call showed all members present except President Pro Tempore Winder, Senators Harris, Lodge, Ricks, and Wintrow, and Acting Senator Siddoway, absent and excused.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Charlotte Brockman, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 19, 2021, was read and approved as corrected.

LAKEY, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

February 22, 2021

The JUDICIARY AND RULES Committee reports that [S 1132](#) and [S 1133](#) have been correctly printed.

LAKEY, Chairman

[S 1132](#) was referred to the Transportation Committee.

[S 1133](#) was referred to the Judiciary and Rules Committee.

February 22, 2021

The JUDICIARY AND RULES Committee reports that [S 1017](#), [SCR 102](#), [S 1036](#), [S 1037](#), and [S 1071](#) have been correctly enrolled.

LAKEY, Chairman

The President signed Enrolled [S 1017](#), [SCR 102](#), [S 1036](#), [S 1037](#), and [S 1071](#) and ordered them transmitted to the House for the signature of the Speaker.

Senator Wintrow was recorded present at this order of business.

February 22, 2021

The FINANCE Committee reports out [H 123](#) and [H 134](#) with the recommendation that they do pass.

AGENBROAD, Vice Chairman

[H 123](#) and [H 134](#) were filed for second reading.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

February 19, 2021

Dear Madam President:

I transmit herewith [H 176](#) and [H 85](#), which have passed the House.

MAULIN, Chief Clerk

[H 176](#) and [H 85](#) were filed for first reading.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

[H 176](#), by Appropriations Committee, was introduced, read the first time at length, and referred to the Finance Committee.

[H 85](#), by Transportation and Defense Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

Senator Ricks was recorded present at this order of business.

[H 78](#), by Business Committee, was read the second time at length and filed for third reading.

[S 1082](#) and [S 1096](#), by Commerce and Human Resources Committee, were read the second time at length and filed for third reading.

[S 1124](#), by Health and Welfare Committee, was read the second time at length and filed for third reading.

[H 49](#), by Transportation and Defense Committee, was read the second time at length and filed for third reading.

[S 1100](#) and [S 1101](#), by Transportation Committee, were read the second time at length and filed for third reading.

[S 1109](#), by Education Committee, was read the second time at length and filed for third reading.

[S 1108](#), by Local Government and Taxation Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

On request by Senator Anthon, granted by unanimous consent, [S 1085](#) retained its place on the Third Reading Calendar.

[H 42](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Anthon arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bayer, Burgoyne, Cook, Crabtree, Den Hartog, Grow, Guthrie, Heider, Johnson, Lakey, Lee, Lent, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Siddoway (Burtenshaw), Souza, Stennett, Thayn, Van Orden (Bair), Vick, Ward-Engelking, Wintrow, Woodward, Zito. Total - 32.

NAYS—None.

Absent and excused—Harris, Lodge, Winder. Total - 3.

Total - 35.

Whereupon the President declared [H 42](#) passed, title was approved, and the bill ordered returned to the House.

[S 1035](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lee arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bayer, Burgoyne, Cook, Crabtree, Den Hartog, Grow, Guthrie, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Siddoway (Burtenshaw), Souza, Stennett, Thayn, Van Orden (Bair), Vick, Ward-Engelking, Wintrow, Woodward, Zito. Total - 33.

NAYS—None.

Absent and excused—Harris, Winder. Total - 2.

Total - 35.

Whereupon the President declared [S 1035](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1076](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lakey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bayer, Burgoyne, Cook, Crabtree, Den Hartog, Grow, Guthrie, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Siddoway (Burtenshaw), Souza, Stennett, Thayn, Van Orden (Bair), Vick, Ward-Engelking, Wintrow, Woodward, Zito. Total - 33.

NAYS—None.

Absent and excused—Harris, Winder. Total - 2.

Total - 35.

Whereupon the President declared [S 1076](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1072](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Anthon arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bayer, Burgoyne, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Siddoway (Burtenshaw), Souza, Stennett, Thayn, Van Orden (Bair), Vick, Ward-Engelking, Wintrow, Woodward, Zito. Total - 34.

NAYS—None.

Absent and excused—Winder. Total - 1.

Total - 35.

Whereupon the President declared [S 1072](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1073](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Anthon arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bayer, Burgoyne, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Siddoway (Burtenshaw), Souza, Stennett, Thayn, Van Orden (Bair), Vick, Ward-Engelking, Wintrow, Woodward, Zito. Total - 34.

NAYS—None.

Absent and excused—Winder. Total - 1.

Total - 35.

Whereupon the President declared [S 1073](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1074](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Guthrie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bayer, Burgoyne, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Siddoway (Burtenshaw), Souza, Stennett, Thayn, Van Orden (Bair), Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared [S 1074](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1121](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lent arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senator Lee and Acting Senator Van Orden disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bayer, Burgoyne, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Ricks, Riggs, Siddoway (Burtenshaw), Souza, Stennett, Thayn, Van Orden (Bair), Vick, Ward-Engelking, Winder, Woodward, Zito. Total - 33.

NAYS—Wintrow. Total - 1.

Absent and excused—Rice. Total - 1.

Total - 35.

Whereupon the President declared [S 1121](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1051](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Guthrie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bayer, Burgoyne, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Siddoway (Burtenshaw), Souza, Stennett, Thayn, Van Orden (Bair), Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared [S 1051](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1083](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lakey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bayer, Burgoyne, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Siddoway (Burtenshaw), Souza, Stennett, Thayn, Van Orden (Bair), Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared [S 1083](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1084](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Den Hartog arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bayer, Burgoyne, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Siddoway (Burtenshaw), Souza, Stennett, Thayn, Van Orden (Bair), Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared [S 1084](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1095](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Patrick arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bayer, Burgoyne, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Siddoway (Burtenshaw), Souza, Stennett, Thayn, Van Orden (Bair), Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared [S 1095](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1093](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Martin arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bayer, Burgoyne, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Siddoway (Burtenshaw), Souza, Stennett, Thayn, Van Orden (Bair), Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared [S 1093](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Anthon, granted by unanimous consent, [S 1075](#) retained its place on the Third Reading Calendar for Wednesday, February 24, 2021.

[S 1078](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Anthon arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bayer, Burgoyne, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Siddoway (Burtenshaw), Souza, Stennett, Thayn, Van Orden (Bair), Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared [S 1078](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1063](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Guthrie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bayer, Burgoyne, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Siddoway (Burtenshaw), Souza, Stennett, Thayn, Van Orden (Bair), Vick, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS—None.

Absent and excused—Ward-Engelking. Total - 1.

Total - 35.

Whereupon the President declared [S 1063](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1065](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Heider arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bayer, Burgoyne, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Siddoway (Burtenshaw), Souza, Stennett, Thayn, Van Orden (Bair), Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared [S 1065](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Anthon, granted by unanimous consent, [S 1112](#) retained its place on the Third Reading Calendar for Wednesday, February 24, 2021.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:55 a.m. until the hour of 10 a.m., Tuesday, February 23, 2021.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

FORTY-FOURTH LEGISLATIVE DAY
TUESDAY, FEBRUARY 23, 2021

Senate Chamber

President McGeachin called the Senate to order at 10 a.m.

Roll call showed all members present except Senators Rice and Stennett, absent and excused.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Grace Kuhn, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 22, 2021, was read and approved as corrected.

LAKEY, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

February 22, 2021

The STATE AFFAIRS Committee reports out [S 1110](#) and [S 1111](#) with the recommendation that they do pass.

LODGE, Chair

[S 1110](#) and [S 1111](#) were filed for second reading.

February 22, 2021

The STATE AFFAIRS Committee reports out [S 1116](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

LODGE, Chair

There being no objection, [S 1116](#) was referred to the Fourteenth Order of Business, General Calendar.

February 22, 2021

The FINANCE Committee reports out [H 176](#) with the recommendation that it do pass.

AGENBROAD, Vice Chairman

[H 176](#) was filed for second reading.

February 22, 2021

The JUDICIARY AND RULES Committee reports out [S 1119](#), [S 1130](#), and [S 1131](#) with the recommendation that they do pass.

LAKEY, Chairman

[S 1119](#), [S 1130](#), and [S 1131](#) were filed for second reading.

February 22, 2021

The JUDICIARY AND RULES Committee reports out [S 1120](#) with the recommendation that it be re-referred.

LAKEY, Chairman

There being no objection, [S 1120](#) was re-referred to the Commerce and Human Resources Committee.

February 22, 2021

The EDUCATION Committee reports out [S 1115](#) with the recommendation that it do pass.

THAYN, Chairman

[S 1115](#) was filed for second reading.

February 22, 2021

The HEALTH AND WELFARE Committee reports out [S 1092](#) with the recommendation that it do pass.

MARTIN, Chairman

[S 1092](#) was filed for second reading.

February 22, 2021

The HEALTH AND WELFARE Committee reports it has had under consideration the Gubernatorial appointment listed below and the Committee recommends that said appointment be confirmed by the Senate:

Carol Mascarenas to the Board of Environmental Quality, term to expire July 1, 2024.

MARTIN, Chairman

The Gubernatorial appointment was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

February 23, 2021

The AGRICULTURAL AFFAIRS Committee reports out [S 1122](#) with the recommendation that it do pass.

BAYER, Vice Chair

[S 1122](#) was filed for second reading.

Senator Stennett was recorded present at this order of business.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

February 22, 2021

Dear Madam President:

I transmit herewith [H 128](#), [H 51](#), [H 64](#), [H 104](#), [H 107](#), [H 120](#), [H 170](#), [H 171](#), [H 200](#), and [H 138](#), which have passed the House.

MAULIN, Chief Clerk

[H 128](#), [H 51](#), [H 64](#), [H 104](#), [H 107](#), [H 120](#), [H 170](#), [H 171](#), [H 200](#), and [H 138](#) were filed for first reading.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President announced that [HCR 3](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Woodward, seconded by Senator Ward-Engelking, [HCR 3](#) was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials**S 1134****BY STATE AFFAIRS COMMITTEE**

AN ACT

RELATING TO THE STATE DISASTER EMERGENCY ACCOUNT; AMENDING SECTION 46-1005A, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE DISASTER EMERGENCY ACCOUNT AND TO PROVIDE SEVERABILITY; AND DECLARING AN EMERGENCY.

S 1135**BY STATE AFFAIRS COMMITTEE**

AN ACT

RELATING TO FIREARMS AND OTHER DEADLY WEAPONS; AMENDING SECTION 18-3302D, IDAHO CODE, TO REVISE PROVISIONS REGARDING POSSESSION OF A FIREARM OR OTHER DEADLY WEAPON ON SCHOOL GROUNDS AND TO PROVIDE THAT A SCHOOL BOARD OF TRUSTEES SHALL ADOPT A CERTAIN POLICY; AMENDING SECTION 33-512, IDAHO CODE, TO REVISE A PROVISION REGARDING A SCHOOL SAFETY PLAN; AND AMENDING SECTION 74-106, IDAHO CODE, TO PROVIDE THAT CERTAIN RECORDS OF SCHOOLS ARE EXEMPT FROM DISCLOSURE.

S 1136**BY STATE AFFAIRS COMMITTEE**

AN ACT

RELATING TO MARTIAL LAW; AMENDING SECTION 46-601, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE AUTHORITY OF THE GOVERNOR DURING A STATE OF EXTREME PERIL, TO DEFINE TERMS, TO PROVIDE THAT THE GOVERNOR MAY NOT ALTER, ADJUST, OR SUSPEND ANY PROVISION OF THE IDAHO CODE IN CERTAIN INSTANCES, TO PROVIDE THAT NOTHING SHALL PROHIBIT THE GOVERNOR FROM DEPLOYING THE NATIONAL GUARD, AND TO PROVIDE SEVERABILITY; AMENDING SECTION 46-602, IDAHO CODE, TO REVISE TERMINOLOGY

AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 46-604, IDAHO CODE, TO REVISE TERMINOLOGY; AMENDING SECTION 46-607, IDAHO CODE, TO REVISE TERMINOLOGY; AND DECLARING AN EMERGENCY.

S 1137**BY JUDICIARY AND RULES COMMITTEE**

AN ACT

RELATING TO JUDGES; AMENDING SECTION 59-502, IDAHO CODE, TO REVISE THE SALARIES OF JUSTICES OF THE SUPREME COURT.

[S 1134](#), [S 1135](#), [S 1136](#), and [S 1137](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 128](#), by Transportation and Defense Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

[H 51](#) and [H 64](#), by Agricultural Affairs Committee, were introduced, read the first time at length, and referred to the Agricultural Affairs Committee.

[H 104](#) and [H 107](#), by State Affairs Committee, were introduced, read the first time at length, and referred to the State Affairs Committee.

[H 120](#), [H 170](#), and [H 171](#), by Revenue and Taxation Committee, were introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

[H 200](#), by Appropriations Committee, was introduced, read the first time at length, and referred to the Finance Committee.

[H 138](#), by Commerce and Human Resources Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[H 123](#) and [H 134](#), by Appropriations Committee, were read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

On request by Senator Harris, granted by unanimous consent, [S 1124](#) was referred to the Fourteenth Order of Business, General Calendar.

On request by Senator Anthon, granted by unanimous consent, [S 1085](#) retained its place on the Third Reading Calendar for Friday, February 26, 2021.

[S 1058](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Zito arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bayer, Burgoyne, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Ricks, Riggs, Siddoway (Burtenshaw), Souza, Stennett, Thayne,

Van Orden (Bair), Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS–None.

Absent and excused–Rice. Total - 1.

Total - 35.

Whereupon the President declared [S 1058](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1104](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nelson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Agenbroad, Anthon, Bayer, Burgoyne, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Ricks, Riggs, Siddoway (Burtenshaw), Souza, Stennett, Thayn, Van Orden (Bair), Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS–None.

Absent and excused–Rice. Total - 1.

Total - 35.

Whereupon the President declared [S 1104](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1014](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lakey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Agenbroad, Anthon, Burgoyne, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Ricks, Riggs, Siddoway (Burtenshaw), Souza, Stennett, Thayn, Van Orden (Bair), Ward-Engelking, Winder, Wintrow, Woodward. Total - 28.

NAYS–Bayer, Cook, Crabtree, Lent, Vick, Zito. Total - 6.

Absent and excused–Rice. Total - 1.

Total - 35.

Whereupon the President declared [S 1014](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

[S 1042](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Woodward arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Agenbroad, Anthon, Bayer, Burgoyne, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Ricks, Riggs, Siddoway (Burtenshaw), Souza, Stennett, Thayn, Van Orden (Bair), Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS–None.

Absent and excused–Rice. Total - 1.

Total - 35.

Whereupon the President declared [S 1042](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

[S 1053](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Anthon arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Agenbroad, Anthon, Bayer, Burgoyne, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Siddoway (Burtenshaw), Souza, Stennett, Thayn, Van Orden (Bair), Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared [S 1053](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Anthon, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:15 a.m. until the hour of 10 a.m., Wednesday, February 24, 2021.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

FORTY-FIFTH LEGISLATIVE DAY
WEDNESDAY, FEBRUARY 24, 2021

Senate Chamber

President McGeachin called the Senate to order at 10 a.m.

Roll call showed all members present except Senators Den Hartog and Johnson, absent and excused.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Ella Luekenga, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 23, 2021, was read and approved as corrected.

LAKEY, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

February 24, 2021

The JUDICIARY AND RULES Committee reports that [S 1134](#), [S 1135](#), [S 1136](#), and [S 1137](#) have been correctly printed.

LAKEY, Chairman

Senator Johnson was recorded present at this order of business.

[S 1134](#), [S 1135](#), and [S 1136](#) were referred to the State Affairs Committee.

[S 1137](#) was referred to the Judiciary and Rules Committee.

February 23, 2021

The TRANSPORTATION Committee reports out [S 1102](#) with the recommendation that it do pass.

DEN HARTOG, Chair

[S 1102](#) was filed for second reading.

February 23, 2021

The COMMERCE AND HUMAN RESOURCES Committee reports out [H 79](#), [HCR 6](#), and [S 1098](#) with the recommendation that they do pass.

PATRICK, Chairman

[H 79](#) and [S 1098](#) were filed for second reading.

[HCR 6](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

February 23, 2021

The LOCAL GOVERNMENT AND TAXATION Committee reports it has had under consideration the Gubernatorial appointments listed below and the Committee recommends that said appointments be confirmed by the Senate:

David Kinghorn to the Board of Tax Appeals, term to expire June 30, 2022.

Kenneth Nuhn to the Board of Tax Appeals, term to expire June 30, 2023.

RICE, Chairman

The Gubernatorial appointments were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

February 22, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that Linda Clark of Boise, Idaho, was reappointed as a member of the State Board of Education to serve a term commencing July 1, 2020, and expiring July 1, 2025.

This appointment was made subject to confirmation by the Senate. Notice of reappointment is hereby given.

Sincerely,
/s/ Brad Little
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial reappointment was referred to the Education Committee.

February 22, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that Valisa Say of Idaho Falls, Idaho, was reappointed as a member of the Bingo-Raffle

Advisory Board to serve a term commencing January 7, 2021, and expiring January 7, 2024.

This reappointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

Sincerely,
/s/ Brad Little
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial reappointment was referred to the State Affairs Committee.

The Senate advanced to the Ninth Order of Business.

Messages from the House

February 23, 2021

Dear Madam President:

I transmit herewith [H 139](#) and [H 140](#), which have passed the House.

MAULIN, Chief Clerk

[H 139](#) and [H 140](#) were filed for first reading.

February 23, 2021

Dear Madam President:

I return herewith [S 1027](#), which has passed the House.

MAULIN, Chief Clerk

[S 1027](#) was referred to the Judiciary and Rules Committee for enrolling.

February 23, 2021

Dear Madam President:

I return herewith Enrolled [S 1036](#), [S 1037](#), [S 1071](#), [S 1017](#), and [SCR 102](#) which have been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [S 1036](#), [S 1037](#), [S 1071](#), and [S 1017](#) were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

Enrolled [SCR 102](#) was referred to the Judiciary and Rules Committee for transmittal to the Office of the Secretary of State.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

On motion by Senator Anthon, seconded by Senator Rice, by voice vote, the following attaches were elected to fill the offices provided for by the *Constitution* of the State of Idaho and by statute:

Pages:

Charlotte Brockman, Gooding
Grace Kuhn, Boise
Ella Luekenga, Nampa
Julissa Melendez, Parma
Josh Nelson, Eagle

Colton Rietema, Wilder
Tyler Tippetts, Meridian

Whereupon the President instructed the Sergeant-at-Arms, Sarah Jane McDonald, to escort the attaches to the Desk at which time the Oath of Office was administered to the elected attaches and they were escorted from the Chamber.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1138 BY FINANCE COMMITTEE AN ACT

RELATING TO THE APPROPRIATION TO THE MILITARY DIVISION FOR FISCAL YEAR 2022; APPROPRIATING MONEYS TO THE MILITARY DIVISION FOR FISCAL YEAR 2022; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AND PROVIDING A CONTINUOUS APPROPRIATION.

[S 1138](#) was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 139](#) and [H 140](#), by Commerce and Human Resources Committee, were introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[S 1110](#) and [S 1111](#), by State Affairs Committee, were read the second time at length and filed for third reading.

[H 176](#), by Appropriations Committee, was read the second time at length and filed for third reading.

[S 1119](#), [S 1130](#), and [S 1131](#), by Judiciary and Rules Committee, were read the second time at length and filed for third reading.

[S 1115](#), by Education Committee, was read the second time at length and filed for third reading.

[S 1092](#), by Health and Welfare Committee, was read the second time at length and filed for third reading.

[S 1122](#), by Resources and Environment Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

On request by Senator Rice, granted by unanimous consent, [S 1108](#) was referred to the Fourteenth Order of Business, General Calendar.

On request by Senator Riggs, granted by unanimous consent, [S 1092](#) was referred to the Fourteenth Order of Business, General Calendar.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Fourteenth Order of Business.

General Calendar

The President declared the Senate resolved into the Committee of the Whole and called Senator Lee to the Chair to preside during the sitting of the Committee of the Whole.

Following the adjournment of the Committee of the Whole, the President called the Senate to order.

Report of the Committee of the Whole

Senator Lee, Chairman of the Committee of the Whole, reported out [S 1046](#), [S 1088](#), [S 1089](#), [S 1116](#), [S 1124](#), and [S 1108](#), without recommendation, amended as follows:

SENATE AMENDMENT TO S 1046

AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 25, delete "Must" and insert: "May".

SENATE AMENDMENT TO S 1088

AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 10, delete "Any fees imposed on a resi-"; delete lines 11 and 12; in line 13, delete "(2)"; in line 14, delete "agreement" and insert: "notice, and for any change to such fees, the landlord shall provide not less than thirty (30) days' notice, in writing, to the tenant"; and in line 15, delete "3" and insert "2".

SENATE AMENDMENT TO S 1089

AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 12, delete "and" and insert: "~~and~~"; and in line 13, following "older" insert: ", and the victim is not lawfully married to the perpetrator".

CORRECTION TO TITLE

On page 1, in line 2, following "CODE," insert: "TO REVISE A PROVISION REGARDING RAPE WHERE THE VICTIM IS UNDER THE AGE OF SIXTEEN AND".

SENATE AMENDMENT TO S 1116

AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 24, delete "~~carried a~~ possessed a deadly"; and in line 25, delete "~~or dangerous~~ weapon or" and insert: "~~carried a weapon or~~ possessed a".

SENATE AMENDMENT TO S 1124

AMENDMENT TO SECTION 1

On page 2 of the printed bill, in line 9, delete "confirm or"; and following line 9, insert:

"This subsection shall not apply to a person operating in accordance with the same brand licensee program as the contracting person or to a person that is an affiliate, as long as the contractual terms, obligations, and fee schedule remain the same as the original agreement."

AMENDMENT TO SECTION 2

On page 3, in line 11, delete "confirm or"; and following line 11, insert:

"This subsection shall not apply to a person operating in accordance with the same brand licensee program as the contracting person or to a person that is an affiliate, as long as the contractual terms, obligations, and fee schedule remain the same as the original agreement."

SENATE AMENDMENT TO S 1108

AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 38, delete "assessor;" and insert: "assessor; except for a fire protection district annexing property prior to July 1, 2021, pursuant to section 31-1429, Idaho Code, the new levy rate shall be multiplied by one hundred percent (100%) of the value of any such property annexed prior to July 1, 2021."; and following line 42, insert:

"(v) Following the first year in which a fire protection district has annexed an area embraced within the limits of a city pursuant to section 31-1429, Idaho Code, the city shall subtract from its budget limitations under this subsection an amount equal to the moneys spent by the city on fire protection services during the last full year in which the city provided fire protection services to its residents."

The Committee also has [H 22](#) under consideration, reports progress, and begs leave to sit again.

LEE, Chairman

On motion by Senator Lee, seconded by Senator Stennett, the report was adopted by voice vote.

[S 1046](#), as amended, [S 1088](#), as amended, [S 1089](#), as amended, [S 1116](#), as amended, [S 1124](#), as amended, and [S 1108](#) were referred to the Judiciary and Rules Committee for engrossing and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

On request by Senator Anthon, granted by unanimous consent, the Senate returned to the Thirteenth Order of Business.

Third Reading of Bills

[S 1043](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Zito arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bayer, Burgoyne, Cook, Crabtree, Den Hartog, Grow, Heider, Johnson, Lent, Nelson, Nye, Rabe, Rice, Riggs, Stennett, Thayn, Van Orden (Bair), Ward-Engelking, Wintrow, Woodward, Zito. Total - 23.

NAYS—Guthrie, Harris, Lakey, Lee, Lodge, Martin, Patrick, Ricks, Siddoway (Burtenshaw), Souza. Total - 10.

Absent and excused—Vick, Winder. Total - 2.

Total - 35.

Whereupon the President declared [S 1043](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

Having been held to a date certain, [S 1075](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Thayn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bayer, Burgoyne, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Siddoway (Burtenshaw), Souza, Stennett, Thayne, Van Orden (Bair), Ward-Engelking, Wintrow, Woodward. Total - 32.

NAYS—Zito. Total - 1.

Absent and excused—Vick, Winder. Total - 2.

Total - 35.

Whereupon the President declared [S 1075](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Anthon, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

Reports of Standing Committees

February 24, 2021

The JUDICIARY AND RULES Committee reports that Senate amendments to [S 1046](#), [S 1088](#), [S 1089](#), [S 1116](#), [S 1124](#), and [S 1108](#) have been correctly printed.

LAKEY, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

February 24, 2021

The JUDICIARY AND RULES Committee reports that [S 1046](#), as amended, [S 1088](#), as amended, [S 1089](#), as amended, [S 1116](#), as amended, [S 1124](#), as amended, and [S 1108](#), as amended, have been correctly engrossed.

LAKEY, Chairman

[S 1046](#), as amended, [S 1088](#), as amended, [S 1089](#), as amended, [S 1116](#), as amended, [S 1124](#), as amended, and [S 1108](#), as amended, were filed for first reading.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

[S 1046](#), as amended, by Education Committee, was read the first time at length and filed for second reading.

[S 1088](#), as amended, and [S 1089](#), as amended, by Judiciary and Rules Committee, were read the first time at length and filed for second reading.

[S 1116](#), as amended, by Education Committee, was read the first time at length and filed for second reading.

[S 1124](#), as amended, by Health and Welfare Committee, was read the first time at length and filed for second reading.

[S 1108](#), as amended, by Local Government and Taxation Committee, was read the first time at length and filed for second reading.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:56 a.m. until the hour of 10 a.m., Thursday, February 25, 2021.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

FORTY-SIXTH LEGISLATIVE DAY
THURSDAY, FEBRUARY 25, 2021

Senate Chamber

President McGeachin called the Senate to order at 10 a.m.

Roll call showed all members present except Senators Heider and Vick, absent and formally excused by the Chair; and Senators Den Hartog and Harris, absent and excused.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Julissa Melendez, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 24, 2021, was read and approved as corrected.

LAKEY, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

February 25, 2021

The JUDICIARY AND RULES Committee reports that [S 1138](#) has been correctly printed.

LAKEY, Chairman

[S 1138](#) was referred to the Finance Committee.

February 25, 2021

The JUDICIARY AND RULES Committee reports that [S 1027](#) has been correctly enrolled.

LAKEY, Chairman

The President signed Enrolled [S 1027](#) and ordered it transmitted to the House for the signature of the Speaker.

February 24, 2021

The JUDICIARY AND RULES Committee reports that Enrolled [S 1036](#), [S 1037](#), [S 1071](#), and [S 1017](#) were delivered to the Office of the Governor at 2:55 p.m., February 24, 2021.

LAKEY, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

February 24, 2021

The JUDICIARY AND RULES Committee reports that Enrolled [SCR 102](#) was delivered to the Office of the Secretary of State at 3:59 p.m., February 24, 2021.

LAKEY, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

February 24, 2021

The STATE AFFAIRS Committee reports out [S 1061](#), [S 1064](#), [S 1086](#), and [S 1087](#) with the recommendation that they do pass.

LODGE, Chair

[S 1061](#), [S 1064](#), [S 1086](#), and [S 1087](#) were filed for second reading.

February 24, 2021

The HEALTH AND WELFARE Committee reports out [H 115](#) and [S 1126](#) with the recommendation that they do pass.

MARTIN, Chairman

[H 115](#) and [S 1126](#) were filed for second reading.

February 24, 2021

The JUDICIARY AND RULES Committee reports out [S 1137](#) with the recommendation that it do pass.

LAKEY, Chairman

[S 1137](#) was filed for second reading.

February 24, 2021

The JUDICIARY AND RULES Committee reports out [S 1133](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

LAKEY, Chairman

There being no objection, [S 1133](#) was referred to the Fourteenth Order of Business, General Calendar.

February 24, 2021

The JUDICIARY AND RULES Committee reports it has had under consideration the Gubernatorial appointment listed below and the Committee recommends that said appointment be confirmed by the Senate:

Melissa Hultberg to the Sexual Offender Management Board, term to expire January 1, 2024.

LAKEY, Chairman

The Gubernatorial appointment was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

February 24, 2021

The RESOURCES AND ENVIRONMENT Committee reports out [H 43](#) with the recommendation that it do pass.

VICK, Chairman

[H 43](#) was filed for second reading.

February 25, 2021

The AGRICULTURAL AFFAIRS Committee reports out [H 64](#) with the recommendation that it do pass.

BURTENSHAW, Chairman

[H 64](#) was filed for second reading.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

February 24, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that I have appointed Flynn Vick of Dalton Gardens, Idaho, to the office of Acting State Senator for Legislative District 2, Kootenai County, State of Idaho.

This appointment is effective February 25, 2021, and will continue for as long as necessary.

Sincerely,
/s/ Brad Little
Governor

THE OFFICE OF THE GOVERNOR
EXECUTIVE DEPARTMENT
BOISE, IDAHO
CERTIFICATE OF APPOINTMENT

KNOW ALL PEOPLE that pursuant to the provisions of Section 59-917, *Idaho Code*, Steve Vick, State Senator, District 2, Kootenai County, State of Idaho, has nominated Flynn Vick of Dalton Gardens, Idaho, to perform the duties of this office temporarily as Acting State Senator, District 2, Kootenai County, State of Idaho.

NOW, THEREFORE, I, Brad Little, Governor of the State of Idaho, by virtue of the authority vested in me do hereby appoint Flynn Vick of Dalton Gardens, Idaho to the office of Acting State Senator, District 2, for a term commencing Thursday, February 25, 2021, and will continue for as long as necessary.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho at the Capitol in Boise on this Twenty-fourth day of February, in the year of our Lord two thousand and twenty-one and of the Independence of the United States of America, the two hundred and forty-fifth and of the Statehood of Idaho the one hundred thirty-first.

/s/ BY THE GOVERNOR BRAD LITTLE
/s/ SECRETARY OF STATE LAWERENCE DENNEY

The correspondence and Certificate of Appointment were ordered filed in the office of the Secretary of the Senate.

The President announced that the Oath of Office had been administered previously to Acting Senator Vick, and he was recorded present at this order of business.

The Senate advanced to the Ninth Order of Business.

Messages from the House

February 24, 2021

Dear Madam President:

I transmit herewith [H 142](#), [H 204](#), [H 205](#), [H 206](#), [H 207](#), [H 101](#), [H 110](#), [H 124](#), [H 86](#), and [H 157](#), which have passed the House.

MAULIN, Chief Clerk

[H 142](#), [H 204](#), [H 205](#), [H 206](#), [H 207](#), [H 101](#), [H 110](#), [H 124](#), [H 86](#), and [H 157](#) were filed for first reading.

February 24, 2021

Dear Madam President:

I transmit herewith Enrolled [H 42](#) for the signature of the President.

MAULIN, Chief Clerk

The President signed Enrolled [H 42](#) and ordered it returned to the House.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

Senator Harris was recorded present at this order of business.

The President announced that the Health and Welfare Committee report relative to the Gubernatorial reappointment of Carol Mascarenas was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Harris, seconded by Senator Stennett, the Gubernatorial reappointment of Carol Mascarenas as a member of the Board of Environmental Quality was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for her signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the Local Government and Taxation Committee report relative to the Gubernatorial reappointment of David Kinghorn was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Grow, seconded by Senator Burgoyne, the Gubernatorial reappointment of David Kinghorn as a member of the Board of Tax Appeals was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial

reappointment confirmation for her signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the Local Government and Taxation Committee report relative to the Gubernatorial reappointment of Kenneth Nuhn was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Bayer, seconded by Senator Nelson, the Gubernatorial reappointment of Kenneth Nuhn as a member of the Board of Tax Appeals was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for her signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

Senator Den Hartog was recorded present at this order of business.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

**Introduction, First Reading, and Reference of Bills,
House Petitions, Resolutions, and Memorials**

**S 1139
BY STATE AFFAIRS COMMITTEE
AN ACT**

RELATING TO HEALTH AND WELFARE; AMENDING SECTION 56-1001, IDAHO CODE, TO DEFINE TERMS, TO REVISE DEFINITIONS, AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 56-1003, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE POWERS AND DUTIES OF THE DIRECTOR OF THE DEPARTMENT OF HEALTH AND WELFARE.

**S 1140
BY FINANCE COMMITTEE
AN ACT**

RELATING TO THE APPROPRIATION TO THE DIVISION OF VETERANS SERVICES FOR FISCAL YEAR 2022; APPROPRIATING MONEYS TO THE DIVISION OF VETERANS SERVICES FOR FISCAL YEAR 2022; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING REAPPROPRIATION AUTHORITY FOR A SECOND VETERANS CEMETERY; AND PROVIDING REAPPROPRIATION AUTHORITY FOR A FOURTH VETERANS HOME.

**S 1141
BY FINANCE COMMITTEE
AN ACT**

RELATING TO THE APPROPRIATION TO THE PUBLIC UTILITIES COMMISSION FOR FISCAL YEAR 2022; APPROPRIATING MONEYS TO THE PUBLIC UTILITIES COMMISSION FOR FISCAL YEAR 2022; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AND AMENDING SECTION 61-215, IDAHO CODE, TO INCREASE THE SALARIES OF THE PUBLIC UTILITIES COMMISSIONERS.

**S 1142
BY FINANCE COMMITTEE
AN ACT**

RELATING TO THE APPROPRIATION TO THE OFFICE OF ENERGY AND MINERAL RESOURCES FOR FISCAL YEAR 2022; APPROPRIATING MONEYS TO THE OFFICE OF ENERGY AND MINERAL RESOURCES FOR FISCAL YEAR 2022; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

**S 1143
BY STATE AFFAIRS COMMITTEE
AN ACT**

RELATING TO INSURANCE; AMENDING SECTION 41-4404, IDAHO CODE, TO REVISE PROVISIONS REGARDING STANDARDS FOR MEDICARE SUPPLEMENT POLICIES AND CERTIFICATES AND TO MAKE TECHNICAL CORRECTIONS.

**S 1144
BY FINANCE COMMITTEE
AN ACT**

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF LABOR FOR FISCAL YEAR 2021; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF LABOR FOR FISCAL YEAR 2021; AND DECLARING AN EMERGENCY.

**S 1145
BY FINANCE COMMITTEE
AN ACT**

RELATING TO THE APPROPRIATION TO THE SOIL AND WATER CONSERVATION COMMISSION FOR FISCAL YEAR 2022; APPROPRIATING MONEYS TO THE SOIL AND WATER CONSERVATION COMMISSION FOR FISCAL YEAR 2022; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AND PROVIDING REQUIREMENTS FOR TRUSTEE AND BENEFIT PAYMENTS DISTRIBUTION.

[S 1139](#), [S 1140](#), [S 1141](#), [S 1142](#), [S 1143](#), [S 1144](#), and [S 1145](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 142](#), by Commerce and Human Resources Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

[H 204](#), [H 205](#), [H 206](#), and [H 207](#), by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

[H 101](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

[H 110](#) and [H 124](#), by Local Government Committee, were introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

[H 86](#) and [H 157](#), by Transportation and Defense Committee, were introduced, read the first time at length, and referred to the Transportation Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[S 1102](#), by Transportation Committee, was read the second time at length and filed for third reading.

[H 79](#), by Business Committee, was read the second time at length and filed for third reading.

[S 1098](#), by Commerce and Human Resources Committee, was read the second time at length and filed for third reading.

[S 1046](#), as amended, by Education Committee, was read the second time at length and filed for third reading.

[S 1088](#), as amended, and [S 1089](#), as amended, by Judiciary and Rules Committee, were read the second time at length and filed for third reading.

[S 1116](#), as amended, by Education Committee, was read the second time at length and filed for third reading.

[S 1124](#), as amended, by Health and Welfare Committee, was read the second time at length and filed for third reading.

[S 1108](#), as amended, by Local Government and Taxation Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

On request by Senator Lodge, granted by unanimous consent, [S 1085](#) was referred to the State Affairs Committee.

On request by Senator Anthon, granted by unanimous consent, [S 1112](#) retained its place on the Third Reading Calendar for Monday, March 1, 2021.

On request by Senator Anthon, granted by unanimous consent, [H 67](#) was placed before the Senate for final consideration.

[H 67](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Den Hartog arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Patrick, Rice, Ricks, Riggs, Siddoway (Burtenshaw), Souza, Stennett, Thayn, Vick (Vick), Ward-Engelking, Winder, Woodward, Zito. Total - 31.

NAYS—Nye, Rabe, Wintrow. Total - 3.

Absent and excused—Heider. Total - 1.

Total - 35.

Whereupon the President declared [H 67](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Anthon, granted by unanimous consent, [H 68](#) was placed before the Senate for final consideration.

[H 68](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Thayn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Johnson, Lakey, Lee,

Lent, Lodge, Martin, Patrick, Rice, Ricks, Riggs, Siddoway (Burtenshaw), Souza, Thayn, Vick (Vick), Winder, Woodward, Zito. Total - 27.

NAYS—Burgoyne, Nelson, Nye, Rabe, Stennett, Ward-Engelking, Wintrow. Total - 7.

Absent and excused—Heider. Total - 1.

Total - 35.

Whereupon the President declared [H 68](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Anthon, granted by unanimous consent, [H 176](#) was placed before the Senate for final consideration.

[H 176](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Woodward arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senator Rabe disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Siddoway (Burtenshaw), Souza, Stennett, Thayn, Vick (Vick), Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS—None.

Absent and excused—Heider. Total - 1.

Total - 35.

Whereupon the President declared [H 176](#) passed, title was approved, and the bill ordered returned to the House.

[S 1079](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Siddoway (Burtenshaw), Souza, Stennett, Thayn, Vick (Vick), Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS—None.

Absent and excused—Heider. Total - 1.

Total - 35.

Whereupon the President declared [S 1079](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

[S 1082](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lakey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Siddoway (Burtenshaw), Souza, Stennett, Thayn, Vick (Vick), Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS—None.

Absent and excused—Heider. Total - 1.

Total - 35.

Whereupon the President declared [S 1082](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1096](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lakey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bayer, Burgoyne, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Vick (Vick), Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 30.

NAYS—Bair, Johnson, Siddoway (Burtenshaw), Thayn. Total - 4.

Absent and excused—Heider. Total - 1.

Total - 35.

Whereupon the President declared [S 1096](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1100](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nelson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Siddoway (Burtenshaw), Souza, Stennett, Thayn, Vick (Vick), Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS—None.

Absent and excused—Heider. Total - 1.

Total - 35.

Whereupon the President declared [S 1100](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1101](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Den Hartog arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Siddoway (Burtenshaw), Souza, Stennett, Thayn, Vick (Vick), Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS—None.

Absent and excused—Heider. Total - 1.

Total - 35.

Whereupon the President declared [S 1101](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1109](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Burgoyne arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Burgoyne, Den Hartog, Grow, Johnson, Lakey, Lent, Lodge, Nelson, Nye, Patrick, Rabe, Stennett, Thayn, Ward-Engelking, Winder, Wintrow, Woodward. Total - 17.

NAYS—Agenbroad, Anthon, Bair, Bayer, Cook, Crabtree, Guthrie, Harris, Lee, Martin, Rice, Ricks, Riggs, Siddoway (Burtenshaw), Souza, Vick (Vick), Zito. Total - 17.

Absent and excused—Heider. Total - 1.

Total - 35.

A tie vote having resulted in the roll call, the President voted NAY and declared that [S 1109](#) had failed to pass the Senate and ordered the bill filed in the office of the Secretary of the Senate.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12:06 p.m. until the hour of 10 a.m., Friday, February 26, 2021.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

**FORTY-SEVENTH LEGISLATIVE DAY
FRIDAY, FEBRUARY 26, 2021**

Senate Chamber

President McGeachin called the Senate to order at 10 a.m.

Roll call showed all members present except Senators Den Hartog, Heider, Lent, and Nelson, absent and formally excused by the Chair.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Colton Rietema, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 25, 2021, was read and approved as corrected.

LAKEY, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

PETITION TO WAIVE JOINT RULE 20

We, the majority leadership of the Senate, petition that the President waive the provisions of Joint Rule 20 pertaining to the limitation on introduction of proposed constitutional amendments, which would permit the introduction and consideration of SJR 102 to present an amendment to the Idaho Constitution to amend Section 8, Article III, to provide that the Legislature may convene into an extraordinary session within 15 days of a written request of 60 percent of each bodies membership.

/s/ President Pro Tempore, Chuck Winder

/s/ Senate Majority Leader, Kelly Anthon

/s/ Assistant Majority Leader, Abby Lee

/s/ Majority Caucus Chair, Mark Harris

Upon presentation of the petition, the President waived the provisions of Joint Rule 20 for the introduction of SJR 102. The correspondence was ordered filed in the office of the Secretary of the Senate.

SJR 102 BY STATE AFFAIRS COMMITTEE

A JOINT RESOLUTION

PROPOSING AN AMENDMENT TO SECTION 8, ARTICLE III, OF THE CONSTITUTION OF THE STATE OF IDAHO RELATING TO SESSIONS OF THE LEGISLATURE; STATING THE QUESTION TO BE SUBMITTED TO THE ELECTORATE; DIRECTING THE LEGISLATIVE COUNCIL TO PREPARE THE STATEMENTS REQUIRED BY LAW; AND DIRECTING THE SECRETARY OF STATE TO PUBLISH THE AMENDMENT AND ARGUMENTS AS REQUIRED BY LAW.

[SJR 102](#) was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

February 26, 2021

The JUDICIARY AND RULES Committee reports that [S 1139](#), [S 1140](#), [S 1141](#), [S 1142](#), [S 1143](#), [S 1144](#), and [S 1145](#) have been correctly printed.

LAKEY, Chairman

[S 1139](#) was referred to the Health and Welfare Committee.

[S 1140](#), [S 1141](#), and [S 1142](#) were referred to the Finance Committee.

[S 1143](#) was referred to the Commerce and Human Resources Committee.

[S 1144](#) and [S 1145](#) were referred to the Finance Committee.

February 25, 2021

The FINANCE Committee reports out [H 200](#), [S 1138](#), [H 204](#), [H 205](#), [H 206](#), and [H 207](#) with the recommendation that they do pass.

BAIR, Chairman

[H 200](#), [S 1138](#), [H 204](#), [H 205](#), [H 206](#), and [H 207](#) were filed for second reading.

February 25, 2021

The TRANSPORTATION Committee reports out [H 128](#) with the recommendation that it do pass.

DEN HARTOG, Chair

[H 128](#) was filed for second reading.

February 25, 2021

The COMMERCE AND HUMAN RESOURCES Committee reports out [H 75](#) and [H 80](#) with the recommendation that they do pass.

PATRICK, Chairman

[H 75](#) and [H 80](#) were filed for second reading.

February 25, 2021

The LOCAL GOVERNMENT AND TAXATION Committee reports out [H 120](#), [H 170](#), and [S 1105](#) with the recommendation that they do pass.

RICE, Chairman

[H 120](#), [H 170](#), and [S 1105](#) were filed for second reading.

February 26, 2021

The STATE AFFAIRS Committee reports out [S 1134](#) with the recommendation that it do pass.

LODGE, Chair

[S 1134](#) was filed for second reading.

February 26, 2021

The STATE AFFAIRS Committee reports out [S 1136](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

LODGE, Chair

There being no objection, [S 1136](#) was referred to the Fourteenth Order of Business, General Calendar.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

February 25, 2021

Dear Madam President:

I transmit herewith [H 158](#), [H 165](#), [H 167](#), [H 216](#), [H 214](#), [H 223](#), [H 111](#), [H 112](#), [H 160](#), [H 136](#), [H 208](#), and [H 210](#), which have passed the House.

MAULIN, Chief Clerk

[H 158](#), [H 165](#), [H 167](#), [H 216](#), [H 214](#), [H 223](#), [H 111](#), [H 112](#), [H 160](#), [H 136](#), [H 208](#), and [H 210](#) were filed for first reading.

February 25, 2021

Dear Madam President:

I transmit herewith Enrolled [HCR 3](#) for the signature of the President.

MAULIN, Chief Clerk

The President signed Enrolled [HCR 3](#) and ordered it returned to the House.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President announced that [HCR 6](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Ward-Engelking, seconded by Senator Harris, [HCR 6](#) was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1146

BY FINANCE COMMITTEE

AN ACT

RELATING TO THE APPROPRIATION TO THE OFFICE OF SPECIES CONSERVATION FOR FISCAL YEAR 2022; APPROPRIATING MONEYS TO THE OFFICE OF SPECIES CONSERVATION FOR FISCAL YEAR 2022; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

S 1147

BY FINANCE COMMITTEE

AN ACT

RELATING TO THE APPROPRIATION TO THE AGRICULTURAL RESEARCH AND COOPERATIVE EXTENSION SERVICE FOR FISCAL YEAR 2022; APPROPRIATING MONEYS TO THE AGRICULTURAL RESEARCH AND COOPERATIVE EXTENSION SERVICE FOR FISCAL YEAR 2022; AND EXEMPTING THE APPROPRIATION FROM OBJECT TRANSFER LIMITATIONS.

S 1148

BY FINANCE COMMITTEE

AN ACT

RELATING TO THE APPROPRIATION TO THE STEM ACTION CENTER FOR FISCAL YEAR 2022; APPROPRIATING MONEYS TO THE STEM ACTION CENTER FOR FISCAL YEAR 2022; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

S 1149

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO BROADBAND COMMUNICATIONS INFRASTRUCTURE AND SYSTEMS; AMENDING CHAPTER 3, TITLE 50, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 50-346, IDAHO CODE, TO PROVIDE CERTAIN POWERS AND AUTHORITY TO A MUNICIPALITY REGARDING BROADBAND COMMUNICATIONS INFRASTRUCTURE AND SYSTEMS, TO PROVIDE THAT A MUNICIPALITY SHALL ACCOUNT FOR CERTAIN MONEYS, TO PROHIBIT A MUNICIPALITY FROM USING EMINENT DOMAIN, TO PROVIDE THAT A MUNICIPALITY SHALL NOT BE LIMITED IN THE USE OF OTHER POWERS, AND TO DEFINE TERMS; AND DECLARING AN EMERGENCY.

S 1150

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO INITIATIVES AND REFERENDUMS; AMENDING SECTION 34-1807, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE CIRCULATION AND SIGNING OF BALLOT INITIATIVE AND REFERENDUM PETITIONS; AND DECLARING AN EMERGENCY.

[S 1146](#), [S 1147](#), [S 1148](#), [S 1149](#), and [S 1150](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 158](#) and [H 165](#), by Transportation and Defense Committee, were introduced, read the first time at length, and referred to the Transportation Committee.

[H 167](#), by Agricultural Affairs Committee, was introduced, read the first time at length, and referred to the Agricultural Affairs Committee.

[H 216](#), by Appropriations Committee, was introduced, read the first time at length, and referred to the Finance Committee.

[H 214](#), by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

[H 223](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

[H 111](#), by Education Committee, was introduced, read the first time at length, and referred to the Education Committee.

[H 112](#), by Transportation and Defense Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

[H 160](#), by Transportation and Defense Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

[H 136](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

[H 208](#), by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Health and Welfare Committee.

[H 210](#), by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[S 1061](#), [S 1064](#), [S 1086](#), and [S 1087](#), by State Affairs Committee, were read the second time at length and filed for third reading.

[H 115](#), by Health and Welfare Committee, was read the second time at length and filed for third reading.

[S 1126](#), by Health and Welfare Committee, was read the second time at length and filed for third reading.

[S 1137](#), by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

[H 43](#), by Resources and Conservation Committee, was read the second time at length and filed for third reading.

[H 64](#), by Agricultural Affairs Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

[H 26](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ricks arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Cook, Crabtree, Grow, Guthrie, Harris, Johnson, Lakey, Lee, Lodge, Martin, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Siddoway (Burtenshaw), Souza, Stennett, Thayn, Vick (Vick), Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 31.

NAYS—None.

Absent and excused—Den Hartog, Heider, Lent, Nelson. Total - 4.

Total - 35.

Whereupon the President declared [H 26](#) passed, title was approved, and the bill ordered returned to the House.

[H 28](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Wintrow arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Cook, Crabtree, Grow, Guthrie, Harris, Johnson, Lakey, Lee, Lodge, Martin, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Siddoway (Burtenshaw), Souza, Stennett, Thayn, Vick (Vick), Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 31.

NAYS—None.

Absent and excused—Den Hartog, Heider, Lent, Nelson. Total - 4.

Total - 35.

Whereupon the President declared [H 28](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Anthon, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills.

On request by Senator Anthon, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

Reports of Standing Committees

February 26, 2021

The JUDICIARY AND RULES Committee reports that [SJR 102](#) has been correctly printed.

LAKEY, Chairman

[SJR 102](#) was referred to the State Affairs Committee.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:03 a.m. until the hour of 10 a.m., Monday, March 1, 2021.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

FIFTIETH LEGISLATIVE DAY
MONDAY, MARCH 1, 2021

Senate Chamber

President McGeachin called the Senate to order at 10 a.m.

Roll call showed all members present except Senator Lodge, absent and formally excused by the Chair.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Josh Nelson, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 26, 2021, was read and approved as corrected.

LAKEY, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 1, 2021

The JUDICIARY AND RULES Committee reports that [S 1146](#), [S 1147](#), [S 1148](#), [S 1149](#), and [S 1150](#) have been correctly printed.

LAKEY, Chairman

[S 1146](#), [S 1147](#), and [S 1148](#) were referred to the Finance Committee.

[S 1149](#) and [S 1150](#) were referred to the State Affairs Committee.

February 26, 2021

The FINANCE Committee reports out [S 1140](#), [S 1141](#), [S 1142](#), [S 1144](#), [S 1145](#), and [H 216](#) with the recommendation that they do pass.

BAIR, Chairman

[S 1140](#), [S 1141](#), [S 1142](#), [S 1144](#), [S 1145](#), and [H 216](#) were filed for second reading.

March 1, 2021

The STATE AFFAIRS Committee reports out [SJR 102](#) with the recommendation that it do pass.

LODGE, Chair

[SJR 102](#) was filed for second reading.

March 1, 2021

The STATE AFFAIRS Committee reports out [H 66](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

LODGE, Chair

There being no objection, [H 66](#) was referred to the Fourteenth Order of Business, General Calendar.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

February 26, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that I have signed on February 26, 2021 and am transmitting to the Secretary of State the following Senate Bills, to wit:

[S 1017](#), [S 1036](#), [S 1037](#), and [S 1071](#)

Sincerely,
/s/ Brad Little
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Senate advanced to the Ninth Order of Business.

Messages from the House

February 26, 2021

Dear Madam President:

I transmit herewith [H 154](#), [H 211](#), [H 217](#), [H 224](#), and [H 225](#), which have passed the House.

MAULIN, Chief Clerk

[H 154](#), [H 211](#), [H 217](#), [H 224](#), and [H 225](#) were filed for first reading.

February 26, 2021

Dear Madam President:

I return herewith Enrolled [S 1027](#), which has been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [S 1027](#) was referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS—None.

Absent and excused—Bair. Total - 1.

Total - 35.

Whereupon the President declared [S 1111](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1119](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ricks arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS—None.

Absent and excused—Bair Total - 1.

Total - 35.

Whereupon the President declared [S 1119](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1130](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lakey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS—None.

Absent and excused—Bair. Total - 1.

Total - 35.

Whereupon the President declared [S 1130](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1131](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lakey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS—None.

Absent and excused—Bair. Total - 1.

Total - 35.

Whereupon the President declared [S 1131](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1115](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Crabtree arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS—None.

Absent and excused—Bair. Total - 1.

Total - 35.

Whereupon the President declared [S 1115](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1122](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS—None.

Absent and excused—Bair. Total - 1.

Total - 35.

Whereupon the President declared [S 1122](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1102](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Den Hartog arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS—None.

Absent and excused—Bair. Total - 1.

Total - 35.

Whereupon the President declared [S 1102](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1098](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Wintrow arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Burgoyne, Guthrie, Johnson, Lee, Martin, Nelson, Nye, Patrick, Rabe, Riggs, Stennett, Ward-Engelking, Winder, Wintrow, Woodward. Total - 16.

NAYS—Anthon, Bayer, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Harris, Heider, Lakey, Lent, Lodge, Rice, Ricks, Souza, Thayn, Vick, Zito. Total - 18.

Absent and excused—Bair. Total - 1.

Total - 35.

Whereupon the President declared that [S 1098](#) had failed to pass the Senate and ordered the bill filed in the office of the Secretary of the Senate.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12:03 p.m. until the hour of 10 a.m., Tuesday, March 2, 2021.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

FIFTY-FIRST LEGISLATIVE DAY
TUESDAY, MARCH 2, 2021

Senate Chamber

President McGeachin called the Senate to order at 10 a.m.

Roll call showed all members present except Senator Rice, absent and formally excused by the Chair; and Senator Nye, absent and excused.

Prayer was offered by President Pro Tempore Chuck Winder.

The Pledge of Allegiance was led by Tyler Tippetts, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 1, 2021, was read and approved as corrected.

LAKEY, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 2, 2021

The JUDICIARY AND RULES Committee reports that [S 1151](#), [S 1152](#), [S 1153](#), and [S 1154](#) have been correctly printed.

LAKEY, Chairman

[S 1151](#), [S 1152](#), [S 1153](#), and [S 1154](#) were referred to the Finance Committee.

March 1, 2021

The JUDICIARY AND RULES Committee reports that Enrolled [S 1027](#) was delivered to the Office of the Governor at 1:44 p.m., March 1, 2021.

LAKEY, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

March 1, 2021

The FINANCE Committee reports out [S 1146](#), [S 1147](#), [S 1148](#), [H 224](#), and [H 225](#) with the recommendation that they do pass.

BAIR, Chairman

[S 1146](#), [S 1147](#), [S 1148](#), [H 224](#), and [H 225](#) were filed for second reading.

March 1, 2021

The STATE AFFAIRS Committee reports it has had under consideration the Gubernatorial appointment listed below and the Committee recommends that said appointment be confirmed by the Senate:

Evelyn Johnson to the Idaho Commission on Human Rights, term to expire July 1, 2020.

LODGE, Chair

The Gubernatorial appointment was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 1, 2021

The RESOURCES AND ENVIRONMENT Committee reports out [H 25](#), [H 57](#), [H 93](#), and [HCR 7](#) with the recommendation that they do pass.

VICK, Chairman

[H 25](#), [H 57](#), and [H 93](#) were filed for second reading.

[HCR 7](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 1, 2021

The JUDICIARY AND RULES Committee reports out [H 94](#), [H 95](#), and [H 96](#) with the recommendation that they do pass.

LAKEY, Chairman

[H 94](#), [H 95](#), and [H 96](#) were filed for second reading.

Senator Nye was recorded present at this order of business.

March 1, 2021

The JUDICIARY AND RULES Committee reports it has had under consideration the Gubernatorial appointments listed below and the Committee recommends that said appointments be confirmed by the Senate:

John Dinger to the Sexual Offender Management Board, term to expire January 1, 2024.

Maira Lynch to the Sexual Offender Management Board, term to expire January 1, 2024.

LAKEY, Chairman

The Gubernatorial appointments were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 1, 2021

The HEALTH AND WELFARE Committee reports out [H 208](#) and [S 1139](#) with the recommendation that they do pass.

MARTIN, Chairman

[H 208](#) and [S 1139](#) were filed for second reading.

March 2, 2021

The AGRICULTURAL AFFAIRS Committee reports out [H 51](#) with the recommendation that it do pass.

BURTENSHAW, Chairman

[H 51](#) was filed for second reading.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

March 1, 2021

Dear Madam President:

I transmit herewith [H 99](#), [H 228](#), [H 229](#), [H 230](#), [H 102](#), [H 103](#), [H 143](#), [H 187](#), [H 148](#), [H 149](#), [H 150](#), [H 193](#), [H 235](#), [H 129](#), [H 131](#), [H 127](#), [H 166](#), [H 132](#), as amended, [H 141](#), as amended, and [HJM 1](#), which have passed the House.

MAULIN, Chief Clerk

[H 99](#), [H 228](#), [H 229](#), [H 230](#), [H 102](#), [H 103](#), [H 143](#), [H 187](#), [H 148](#), [H 149](#), [H 150](#), [H 193](#), [H 235](#), [H 129](#), [H 131](#), [H 127](#), [H 166](#), [H 132](#), as amended, [H 141](#), as amended, and [HJM 1](#) were filed for first reading.

March 1, 2021

Dear Madam President:

I return herewith [S 1016](#), [S 1038](#), and [S 1033](#), which have passed the House.

MAULIN, Chief Clerk

[S 1016](#), [S 1038](#), and [S 1033](#) were referred to the Judiciary and Rules Committee for enrolling.

March 1, 2021

Dear Madam President:

I transmit herewith Enrolled [H 67](#), [H 68](#), and [H 176](#) for the signature of the President.

MAULIN, Chief Clerk

The President signed Enrolled [H 67](#), [H 68](#), and [H 176](#) and ordered them returned to the House.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1155

BY FINANCE COMMITTEE

AN ACT

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF ADMINISTRATION FOR FISCAL YEAR 2022; APPROPRIATING MONEYS TO THE DEPARTMENT OF ADMINISTRATION FOR FISCAL YEAR 2022; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; APPROPRIATING AND TRANSFERRING MONEYS FROM THE PERMANENT BUILDING FUND TO THE ADMINISTRATION AND ACCOUNTING SERVICES FUND; AND PROVIDING REQUIREMENTS FOR THE STATE EMPLOYEE INSURANCE AND BENEFITS PLAN STRUCTURE.

S 1156

BY FINANCE COMMITTEE

AN ACT

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF ADMINISTRATION FOR THE BOND PAYMENTS PROGRAM FOR FISCAL YEAR 2022; AND APPROPRIATING MONEYS TO THE DEPARTMENT OF ADMINISTRATION FOR THE BOND PAYMENTS PROGRAM FOR FISCAL YEAR 2022.

S 1157

BY FINANCE COMMITTEE

AN ACT

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF ADMINISTRATION FOR THE IDAHO STATE CAPITOL COMMISSION FOR FISCAL YEAR 2022; APPROPRIATING MONEYS TO THE DEPARTMENT OF ADMINISTRATION FOR THE IDAHO STATE CAPITOL COMMISSION FOR FISCAL YEAR 2022; APPROPRIATING AND TRANSFERRING MONEYS FROM THE CAPITOL MAINTENANCE RESERVE FUND TO THE CAPITOL COMMISSION OPERATING FUND; AND PROVIDING REAPPROPRIATION AUTHORITY.

S 1158

BY FINANCE COMMITTEE

AN ACT

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF FINANCE FOR FISCAL YEAR 2022; APPROPRIATING MONEYS TO THE DEPARTMENT OF FINANCE FOR FISCAL YEAR 2022; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING FOR CONTINUOUS APPROPRIATION; AND PROVIDING REAPPROPRIATION AUTHORITY.

[S 1155](#), [S 1156](#), [S 1157](#), and [S 1158](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 99](#), by Environment, Energy and Technology Committee, was introduced, read the first time at length, and referred to the Resources and Environment Committee.

[H 228](#), by Appropriations Committee, was introduced, read the first time at length, and referred to the Finance Committee.

[H 229](#), by Transportation and Defense Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

[H 230](#), by Appropriations Committee, was introduced, read the first time at length, and referred to the Finance Committee.

[H 102](#), [H 103](#), and [H 143](#), by Business Committee, were introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

[H 187](#), by Resources and Conservation Committee, was introduced, read the first time at length, and referred to the Resources and Environment Committee.

[H 148](#), [H 149](#), [H 150](#), and [H 193](#), by Judiciary, Rules and Administration Committee, were introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

[H 235](#), by Resources and Conservation Committee, was introduced, read the first time at length, and referred to the Resources and Environment Committee.

[H 129](#) and [H 131](#), by Transportation and Defense Committee, were introduced, read the first time at length, and referred to the Transportation Committee.

[H 127](#), by Environment, Energy and Technology Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

[H 166](#), by Agricultural Affairs Committee, was introduced, read the first time at length, and referred to the Agricultural Affairs Committee.

[H 132](#), as amended, by Transportation and Defense Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

[H 141](#), as amended, by Commerce and Human Resources Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

[HJM 1](#), by State Affairs Committee, was introduced, read at length, and referred to the State Affairs Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[S 1140](#), [S 1141](#), [S 1142](#), [S 1144](#), and [S 1145](#), by Finance Committee, were read the second time at length and filed for third reading.

[H 216](#), by Appropriations Committee, was read the second time at length and filed for third reading.

[SJR 102](#), by State Affairs Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

On request by Senator Anthon, granted by unanimous consent, [H 5](#) was placed before the Senate for final consideration.

[H 5](#) was read the third time at length, section by section, and placed before the Senate for final consideration. President Pro Tempore Winder arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Burgoyne, Crabtree, Den Hartog, Grow, Lee, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Souza, Stennett, Ward-Engelking, Winder, Wintrow, Woodward. Total - 19.

NAYS—Bair, Bayer, Burtenshaw, Cook, Guthrie, Harris, Heider, Johnson, Lakey, Lent, Ricks, Riggs, Thayn, Vick, Zito. Total - 15.

Absent and excused—Rice. Total - 1.

Total - 35.

Whereupon the President declared [H 5](#) passed, title was approved, and the bill ordered returned to the House.

[S 1088](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Rabe arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Burgoyne, Burtenshaw, Cook, Grow, Guthrie, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Ricks, Riggs, Souza, Stennett, Ward-Engelking, Winder, Wintrow, Woodward. Total - 26.

NAYS—Bair, Bayer, Crabtree, Den Hartog, Harris, Thayn, Vick, Zito. Total - 8.

Absent and excused—Rice. Total - 1.

Total - 35.

Whereupon the President declared [S 1088](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

[S 1089](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Wintrow arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS—None.

Absent and excused—Rice. Total - 1.

Total - 35.

Whereupon the President declared [S 1089](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

[S 1116](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Cook arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared [S 1116](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

[S 1124](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Harris arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward. Total - 33.

NAYS—Bayer, Zito. Total - 2.

Total - 35.

Whereupon the President declared [S 1124](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Anthon, granted by unanimous consent, [S 1108](#), as amended, retained its place on the Third Reading Calendar for Friday, March 5, 2021.

[S 1061](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Riggs arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared [S 1061](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1064](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Riggs arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Patrick, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Zito. Total - 29.

NAYS—Guthrie, Harris, Nye, Rabe, Wintrow, Woodward. Total - 6.

Total - 35.

Whereupon the President declared [S 1064](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1086](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lodge arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared [S 1086](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Anthon, granted by unanimous consent, the Senate returned to the Fourth Order of Business.

Reading of Communications

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote the Senate recessed at 11:55 a.m. until the hour of 4:30 p.m. of this day.

RECESS AFTERNOON SESSION

The Senate reconvened at 4:30 p.m., pursuant to recess, President McGeachin presiding.

Roll call showed all members present except Senators Harris and Lodge, absent and excused.

Prior to recess the Senate was at the Fifth Order of Business, Petitions, Resolutions, and Memorials.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 2, 2021

The JUDICIARY AND RULES Committee reports that [S 1016](#), [S 1038](#), and [S 1033](#) have been correctly enrolled.

LAKEY, Chairman

The President signed Enrolled [S 1016](#), [S 1038](#), and [S 1033](#) and ordered them transmitted to the House for the signature of the Speaker.

March 2, 2021

The STATE AFFAIRS Committee reports out [H 46](#) with the recommendation that it do pass.

LODGE, Chair

[H 46](#) was filed for second reading.

March 2, 2021

The FINANCE Committee reports out [H 228](#), [H 230](#), [S 1151](#), [S 1152](#), [S 1153](#), and [S 1154](#) with the recommendation that they do pass.

BAIR, Chairman

[H 228](#), [H 230](#), [S 1151](#), [S 1152](#), [S 1153](#), and [S 1154](#) were filed for second reading.

March 2, 2021

The TRANSPORTATION Committee reports out [S 1103](#) with the recommendation that it do pass.

DEN HARTOG, Chair

[S 1103](#) was filed for second reading.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1159 BY FINANCE COMMITTEE AN ACT

RELATING TO THE APPROPRIATION TO THE STATE
INDEPENDENT LIVING COUNCIL FOR FISCAL YEAR

2022; APPROPRIATING MONEYS TO THE STATE INDEPENDENT LIVING COUNCIL FOR FISCAL YEAR 2022; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

S 1160
BY FINANCE COMMITTEE
AN ACT

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF LANDS FOR FISCAL YEAR 2022; APPROPRIATING MONEYS TO THE DEPARTMENT OF LANDS FOR FISCAL YEAR 2022; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; EXEMPTING THE APPROPRIATION FROM OBJECT TRANSFER LIMITATIONS; AND APPROPRIATING AND TRANSFERRING MONEYS FROM THE GENERAL FUND TO THE FIRE SUPPRESSION DEFICIENCY FUND.

[S 1159](#) and [S 1160](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

[S 1087](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Anthon arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Burtenshaw, Cook, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nye, Patrick, Rabe, Ricks, Riggs, Souza, Winder, Wintrow, Woodward. Total - 25.

NAYS—Bayer, Burgoyne, Crabtree, Nelson, Rice, Stennett, Thayn, Vick, Ward-Engelking, Zito. Total - 10.

Total - 35.

Whereupon the President declared [S 1087](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1126](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Martin arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Burgoyne, Burtenshaw, Cook, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Ricks, Riggs, Souza, Stennett, Thayn, Ward-Engelking, Winder, Wintrow, Woodward. Total - 30.

NAYS—Bayer, Crabtree, Rice, Vick, Zito. Total - 5.

Total - 35.

Whereupon the President declared [S 1126](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Anthon, granted by unanimous consent, [SJR 102](#) was placed at the head of the Third Reading Calendar, followed by Senate bills, followed by House bills.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the Senate adjourned at 5:31 p.m. until the hour of 10 a.m., Wednesday, March 3, 2021.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

FIFTY-SECOND LEGISLATIVE DAY
WEDNESDAY, MARCH 3, 2021

Senate Chamber

President McGeachin called the Senate to order at 10 a.m.

Roll call showed all members present except Senator Crabtree, absent and formally excused by the chat; and Senators Bair, Harris, and Stennett, absent and excused.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Charlotte Brockman, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 2, 2021, was read and approved as corrected.

LAKEY, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 3, 2021

The JUDICIARY AND RULES Committee reports that [S 1155](#), [S 1156](#), [S 1157](#), [S 1158](#), [S 1159](#), and [S 1160](#) have been correctly printed.

LAKEY, Chairman

[S 1155](#), [S 1156](#), [S 1157](#), [S 1158](#), [S 1159](#), and [S 1160](#) were referred to the Finance Committee.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

March 1, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that Chad Henggeler of Fruitland, Idaho, was appointed as a member of the State Board

of Health and Welfare to serve a term commencing February 17, 2021, and expiring January 1, 2023.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

Sincerely,
/s/ Brad Little
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the Health and Welfare Committee.

The Senate advanced to the Ninth Order of Business.

Messages from the House

March 2, 2021

Dear Madam President:

I transmit herewith [H 251](#), [H 220](#), [H 178](#), [H 172](#), [H 173](#), and [H 175](#), which have passed the House.

MAULIN, Chief Clerk

[H 251](#), [H 220](#), [H 178](#), [H 172](#), [H 173](#), and [H 175](#) were filed for first reading.

March 2, 2021

Dear Madam President:

I transmit herewith Enrolled [HCR 6](#), [H 26](#), and [H 28](#) for the signature of the President.

MAULIN, Chief Clerk

The President signed Enrolled [HCR 6](#), [H 26](#), and [H 28](#) and ordered them returned to the House.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

[H 251](#), by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

[H 220](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

[H 178](#), by Business Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

[H 172](#), [H 173](#), and [H 175](#), by Education Committee, were introduced, read the first time at length, and referred to the Education Committee.

Senator Bair was recorded present at this order of business.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[S 1146](#), [S 1147](#), and [S 1148](#), by Finance Committee, were read the second time at length and filed for third reading.

[H 224](#) and [H 225](#), by Appropriations Committee, were read the second time at length and filed for third reading.

[H 25](#), [H 57](#), and [H 93](#), by Resources and Conservation Committee, were read the second time at length and filed for third reading.

[H 94](#), [H 95](#), and [H 96](#), by Judiciary, Rules and Administration Committee, were read the second time at length and filed for third reading.

[H 208](#), by Health and Welfare Committee, was read the second time at length and filed for third reading.

[S 1139](#), by State Affairs Committee, was read the second time at length and filed for third reading.

[H 51](#), by Agricultural Affairs Committee, was read the second time at length and filed for third reading.

[H 46](#), by Transportation and Defense Committee, was read the second time at length and filed for third reading.

[H 228](#) and [H 230](#), by Appropriations Committee, were read the second time at length and filed for third reading.

[S 1151](#), [S 1152](#), [S 1153](#), and [S 1154](#), by Finance Committee, were read the second time at length and filed for third reading.

[S 1103](#), by Transportation Committee, was read the second time at length and filed for third reading.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Fourteenth Order of Business.

Senators Harris and Stennett were recorded present at this order of business.

General Calendar

The President declared the Senate resolved into the Committee of the Whole and called Senator Lee to the Chair to preside during the sitting of the Committee of the Whole.

Following the adjournment of the Committee of the Whole, the President called the Senate to order.

Report of the Committee of the Whole

Senator Lee, Chairman of the Committee of the Whole, reported out [H 22](#), [S 1092](#), [S 1133](#), and [S 1046](#), as amended, without recommendation, amended as follows:

SENATE AMENDMENT TO H 22 AMENDMENT TO SECTION 1

On page 1 of the printed bill, delete lines 19 through 21, and insert: "divisor of twelve (12) and the minimum units shall not apply, ~~and no~~. No public charter school shall receive an increase in support units that exceeds the support units it received in the prior year by more than thirty (30), provided that this limitation shall not apply for the 2020-2021 school year. Funding".

CORRECTION TO TITLE

On page 1, in line 3, delete "REMOVE" and insert: "PROVIDE AN EXCEPTION TO".

SENATE AMENDMENT TO S 1092 AMENDMENT TO SECTION 1

On page 2 of the printed bill, in line 11, delete "will" and insert: "may, at the hospital's option,"; in line 12, following "period of" insert: "up to"; in line 13, delete "thirty-six"; in line 14, delete "(36) month"; also in line 14, following "period"

insert: "of operation of up to thirty-six (36) months"; in line 31, delete "first thirty-six (36) months of oper-"; delete line 32, and insert: "initial period of operation is complete."; and following line 38, insert:

"(10) The provisions of subsection (6)(e) of this section shall be effective only from July 1, 2021, through June 30, 2024.".

CORRECTION TO TITLE

On page 1, in line 3, following "PROVIDERS" insert: ", TO PROVIDE A LIMITATION,".

SENATE AMENDMENT TO S 1133 AMENDMENT TO THE BILL

On page 3 of the printed bill, following line 30, insert:

"SECTION 2. An emergency existing therefor, which emergency is hereby declared to exist, this act shall be in full force and effect on and after its passage and approval.".

CORRECTION TO TITLE

On page 1, in line 6, following "TOTAL" insert: "; AND DECLARING AN EMERGENCY".

SENATE AMENDMENT TO S 1046, As Amended AMENDMENT TO SECTION 1

On page 1 of the engrossed bill, delete lines 24 through 33, and insert:

"(2) A school district may enter into an innovation classroom agreement with a requesting party if the requesting party represents a group of students that is equal to or greater than the average class size in the school. The school district must indicate willingness or nonwillingness to enter into negotiation within sixty (60) days of the receipt of the request.".

On page 2, delete lines 3 through 10, and insert:

- "(d) Growth criteria or other measures of student learning, such as those found in section 33-1001(18), Idaho Code;
- (e) The alternative curriculum and instructional materials to be used in the innovation classroom. The parents of the participating students must agree to the alternative curriculum, and the school district will determine whether the alternative curriculum meets state standards and recommend ways to supplement the alternative curriculum, if applicable;
- (f) A description of an innovation classroom student's access to or use of the school district's transportation, playground, cafeteria, after-school activities, special education, and other services or facilities; and
- (g) The date upon which the innovation classroom will start."

The Committee also has [S 1136](#) and [H 66](#) under consideration, reports progress, and begs leave to sit again.

LEE, Chairman

On motion by Senator Lee, seconded by Senator Stennett, the report was adopted by voice vote.

[S 1092](#), as amended, [S 1133](#), as amended, and [S 1046](#), as amended, as amended, were referred to the Judiciary and Rules Committee for engrossing and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

[H 22](#), as amended in the Senate, was filed for first reading as amended, and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

On request by Senator Anthon, granted by unanimous consent, the Senate returned to the Thirteenth Order of Business.

Third Reading of Bills

SJR 102 was read the third time at length, section by section, and placed before the Senate for final consideration. President Pro Tempore Winder arose as sponsor of the resolution and opened the debate. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Harris, Heider, Lakey, Lee, Lent, Lodge, Patrick, Rice, Ricks, Riggs, Souza, Thayn, Vick, Winder, Zito. Total - 24.

NAYS—Burgoyne, Guthrie, Johnson, Martin, Nelson, Nye, Rabe, Stennett, Ward-Engelking, Wintrow, Woodward. Total - 11.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared **SJR 102** adopted, title was approved, and the resolution ordered transmitted to the House.

On request by Senator Anthon, granted by unanimous consent, **H 74** was placed at the head of the Third Reading Calendar, followed by Senate bills, followed by House bills.

On request by Senator Anthon, granted by unanimous consent, the Senate returned to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

SJM 103

BY STATE AFFAIRS COMMITTEE

A JOINT MEMORIAL

TO THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE UNITED STATES IN CONGRESS ASSEMBLED AND TO THE CONGRESSIONAL DELEGATION REPRESENTING THE STATES OF IDAHO, MONTANA, WASHINGTON, AND OREGON IN THE CONGRESS OF THE UNITED STATES.

We, your Memorialists, the Senate and the House of Representatives of the State of Idaho assembled in the First Regular Session of the Sixty-sixth Idaho Legislature, do hereby respectfully represent that:

WHEREAS, the Idaho Legislature recognizes the Columbia-Snake River System as part of the United States Marine Highway network; and

WHEREAS, the Columbia-Snake River System and its tributaries, collectively and in its entirety, are a multiuse system providing navigation, transportation, fish and wildlife habitat, recreation, hydropower generation, flood control, and irrigation to the citizens and industry of the Pacific Northwest; and

WHEREAS, the Columbia-Snake River System and its tributaries provide a vital contribution to the well-being of the State of Idaho and to the quality of life of its citizens, being among the most operationally important and cost-effective projects in the Federal Columbia River Power System; and

WHEREAS, a balanced river system produces economic benefits like jobs, trade, and renewable electricity while caring for environmental values through good management practices and reinvestment in our natural resources; and

WHEREAS, no amount of money can replace the lifestyle and economies of the communities that depend upon the Columbia-Snake River System's hydropower, navigation, irrigation, flood risk management, recreation, and municipal and industrial water supply benefits; and

WHEREAS, the State of Idaho reasserts and confirms sovereign control over all water resources within the state; and

WHEREAS, the decline of anadromous fish is due to many factors, including increased predation, unfavorable ocean conditions, and harvest levels; and

WHEREAS, breaching the four lower Snake River dams is an idealistic, single variable model to Pacific salmon recovery that flies in the face of reality for salmon, is illogical from an environmental perspective, hurts industry and communities, puts politics over science and local jobs, and may neither restore Idaho salmon nor prevent their extinction; and

WHEREAS, only four of the thirteen Endangered Species Act-listed salmon runs swim past the lower Snake River dams, and they do so with over 95% survival at each of the dams; and

WHEREAS, breaching the four lower Snake River dams would be a drastic measure that would forever alter our way of life in the Pacific Northwest; and

WHEREAS, breaching the lower Snake River dams is an outdated argument that is not supported by current dam passage survival studies of juvenile Pacific salmon; and

WHEREAS, in 2008, 2014, and 2020 the National Oceanic and Atmospheric Administration produced biological opinions that stated breaching the four lower Snake River dams was not necessary action for salmon recovery; and

WHEREAS, the governor of Idaho commissioned the Governor's Salmon Workgroup, a diverse group of stakeholders that worked for 18 months to study the issue of salmon recovery, representing for the first time broad interests working collaboratively to help shape the state's salmon and steelhead policy; and

WHEREAS, that workgroup developed many practical recommendations to address the issue of improved river systems and habitat conditions for healthy salmon populations, specifically excluding any recommendations for removing dams; and

WHEREAS, due to the efforts of the state, the Nez Perce Tribe, and Idaho water users in entering into the 2004 Snake River Water Rights Agreement, up to 487,000 acre-feet of Idaho's water is used for flow augmentation for salmon and steelhead in the lower Snake and Columbia rivers, with water being released through willing-buyer, willing-seller arrangements. In return for flow augmentation, the 2004 agreement provides protections to Idaho water users in the form of a 30-year biological opinion; and

WHEREAS, agricultural and industrial applications of water have a legal priority within the state; and

WHEREAS, the Port of Lewiston, Idaho's only seaport, is part of the collective Columbia-Snake River System and is an asset to the State of Idaho and an asset to the Inland Northwest region, providing global competitiveness and connectivity for regional products, economic development investment, and multimodal transportation; and

WHEREAS, the State of Idaho supports the Port of Lewiston activities and believes that reservoir drawdowns or removal of the dams on the lower Snake and Columbia rivers would inflict on the citizenry a loss of recreation, an increase in electric rates, a loss of navigation, a risk of floods, economic hardship, and an impaired quality of life; and

WHEREAS, cruise boat traffic to the Port of Lewiston has steadily increased over the last 10 years and is projected to increase from 19,000 passengers in 2019 to over 33,000 passengers in 2022, a growth of 76%, bringing much financial growth to the entire Snake River area; and

WHEREAS, the Columbia-Snake River System acts as a top wheat export gateway in the United States, with approximately 10% of all United States wheat exports barged through the four dams on the Snake River and about 50% of all Idaho-grown wheat

barged from Lewiston to Portland and then onto export markets around the world; and

WHEREAS, barging on the Columbia and Snake rivers is the safest, most fuel-efficient means of transporting cargoes in the Northwest, being 40% more fuel-efficient than freight trains and 270% more fuel-efficient than semitrucks; and

WHEREAS, without the ability to barge goods down the river, diesel fuel consumption would increase by nearly 5 million gallons per year as barges would be replaced by less efficient truck-to-rail shipments, resulting in increases in carbon dioxide and other harmful emissions by over 1.2 million tons per year; and

WHEREAS, the Columbia-Snake River System is also highly valued on the west coast for forest product exports and mineral exports, is second in the nation for soy exports, and is a major gateway for auto imports and exports. Each year, around 250,000 tons of wood chips are barged from the Lower Granite Pool to be turned into pulp for paper production at mills on the lower Columbia River; and

WHEREAS, hydroelectric power is one of the best energy sources we have, with clean, reliable, renewable baseload generation that is more valuable than ever as the four lower Snake River dams produce thousands of megawatts of low-cost, affordable electricity, which is renewable energy that provides power to 22 rural Idaho utilities serving tens of thousands of Idahoans, numerous Idaho cities, farmers, and industries, while acting as a battery to integrate other intermittent renewable energy resources on the system; and

WHEREAS, the Idaho Legislature believes that any actions to degrade the functionality, in whole or in part, or to remove or breach dams on the Columbia-Snake River System or its tributaries, or to take water from the state for anadromous fish enhancement efforts would inflict on the citizenry of the state a loss in economic and trade opportunities, a loss of recharge waters for the state's aquifers, a loss of navigation and transportation, an increased risk of floods, an increase in electrical rates, a shortfall in power generation, a loss of recreational opportunities, and a threatened quality of life for Idaho citizens.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-sixth Idaho Legislature, the Senate and the House of Representatives concurring therein, that Idaho opposes the removal or breaching of the dams on the Columbia-Snake River System and its tributaries, has sovereignty of its water resources, prohibits contributions of water from Idaho's reservoirs for flow augmentation except those expressly authorized by state law, contends that efforts for further recovery of anadromous fish must be based on sound science, and supports maintenance and multiple-use benefits of the Columbia-Snake River System. Additionally, the Idaho Legislature recognizes and supports the international competitiveness, multimodal transportation, and economic development benefits provided by the Port of Lewiston.

BE IT FURTHER RESOLVED that the Secretary of the Senate be, and she is hereby authorized and directed to forward a copy of this Memorial to the President of the Senate and the Speaker of the House of Representatives of Congress and to the congressional delegations representing the states of Idaho, Montana, Washington, and Oregon in the Congress of the United States.

SP 101

BY STATE AFFAIRS COMMITTEE

A PROCLAMATION

COMMENDING MARQUEE RICKS FOR HER ACCOMPLISHMENT DURING THE 2021 AMERICAN FARM BUREAU FEDERATION'S NATIONAL YOUNG

FARMERS AND RANCHERS DISCUSSION MEET COMPETITION.

We, the members of the Senate of the State of Idaho assembled in the First Regular Session of the Sixty-sixth Idaho Legislature, do hereby proclaim:

WHEREAS, Marquee Ricks, a farmer from Newdale, Idaho, won the Idaho Farm Bureau Federation Discussion Meet in December 2020, qualifying her for the American Farm Bureau Federation's national Young Farmers and Ranchers Discussion Meet competition, held virtually January 10 through 13, 2021; and

WHEREAS, Marquee Ricks participated in the national Young Farmers and Ranchers Discussion Meet, which simulates a committee meeting in which active discussion, collaboration, and participation are expected and participants are evaluated on their ability to constructively exchange ideas and information on predetermined topics; and

WHEREAS, Marquee Ricks competed among other young farmers and ranchers from around the United States, demonstrating superior knowledge of agriculture and a commitment to promoting the agricultural industry; and

WHEREAS, Marquee Ricks won the national Young Farmers and Ranchers Discussion Meet, finishing in first place among a field of her peers from other state Farm Bureau organizations from across the nation; and

WHEREAS, Marquee Ricks was presented with a 2021 Ford F-150 pickup truck by Ford Motor Company as the grand prize for winning the national Young Farmers and Ranchers Discussion Meet competition; and

WHEREAS, Marquee Ricks is a positive role model for all young farmers and ranchers, FFA students, and other citizens of the importance and power of setting goals and working hard to achieve them.

NOW, THEREFORE, BE IT PROCLAIMED by the members of the Senate assembled in the First Regular Session of the Sixty-sixth Idaho Legislature, that we recognize and congratulate Marquee Ricks for her superior and award-winning performances in the Idaho Farm Bureau Federation Discussion Meet, as well as in the American Farm Bureau Federation's Young Farmers and Ranchers Discussion Meet, and for the pride she brings to the young farmers and ranchers of Idaho and the United States.

[SJM 103](#) and [SP 101](#) were introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 3, 2021

The JUDICIARY AND RULES Committee reports that Senate amendments to [H 22](#), [S 1092](#), [S 1133](#), and [S 1046](#), as amended, have been correctly printed.

LAKEY, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

March 3, 2021

The JUDICIARY AND RULES Committee reports that [S 1092](#), as amended, [S 1133](#), as amended, and [S 1046](#), as amended, as amended, have been correctly engrossed.

LAKEY, Chairman

[S 1092](#), as amended, [S 1133](#), as amended, and [S 1046](#), as amended, as amended, were filed for first reading.

March 3, 2021

The STATE AFFAIRS Committee reports out [S 1150](#) and [H 136](#) with the recommendation that they do pass.

LODGE, Chair

[S 1150](#) and [H 136](#) were filed for second reading.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

**Introduction, First Reading, and Reference of Bills,
House Petitions, Resolutions, and Memorials**

**S 1161
BY STATE AFFAIRS COMMITTEE
AN ACT**

RELATING TO ELECTRICAL CONTRACTORS AND JOURNEYMEN; AMENDING SECTION 54-1003A, IDAHO CODE, TO PROVIDE FOR CERTAIN ON-THE-JOB SUPERVISION AND TRAINING REQUIREMENTS FOR APPRENTICE ELECTRICIANS AND PROVISIONAL JOURNEYMAN ELECTRICIANS.

[S 1161](#) was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 22](#), as amended in the Senate, by Education Committee, was read the first time at length and filed for second reading.

[S 1092](#), as amended, by Health and Welfare Committee, was read the first time at length and filed for second reading.

[S 1133](#), as amended, by State Affairs Committee, was read the first time at length and filed for second reading.

[S 1046](#), as amended, as amended, by Education Committee, was read the first time at length and filed for second reading.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Anthon, seconded by Senator Burgoyne, by voice vote, the Senate adjourned at 12:12 p.m. until the hour of 10 a.m., Thursday, March 4, 2021.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

FIFTY-THIRD LEGISLATIVE DAY
THURSDAY, MARCH 4, 2021

Senate Chamber

President McGeachin called the Senate to order at 10 a.m.

Roll call showed all members present except Senators Guthrie and Rice, absent and excused.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Grace Kuhn, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 3, 2021, was read and approved as corrected.

LAKEY, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 4, 2021

The JUDICIARY AND RULES Committee reports that [S 1161](#), [SJM 103](#), and [SP 101](#) have been correctly printed.

LAKEY, Chairman

[S 1161](#) was referred to the Commerce and Human Resources Committee.

On request by Senator Bayer, granted by unanimous consent, [SJM 103](#) was referred to the Resources and Environment Committee.

[SP 101](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 3, 2021

The RESOURCES AND ENVIRONMENT Committee reports out [H 91](#), [H 99](#), and [S 1123](#) with the recommendation that they do pass.

VICK, Chairman

[H 91](#), [H 99](#), and [S 1123](#) were filed for second reading.

March 3, 2021

The FINANCE Committee reports out [S 1155](#), [S 1156](#), [S 1157](#), [S 1158](#), [S 1159](#), and [S 1160](#) with the recommendation that they do pass.

BAIR, Chairman

[S 1155](#), [S 1156](#), [S 1157](#), [S 1158](#), [S 1159](#), and [S 1160](#) were filed for second reading.

March 3, 2021

The EDUCATION Committee reports out [H 111](#) with the recommendation that it do pass.

THAYN, Chairman

[H 111](#) was filed for second reading.

Senators Guthrie and Rice were recorded present at this order of business.

March 3, 2021

The LOCAL GOVERNMENT AND TAXATION Committee reports out [H 73](#) with the recommendation that it do pass.

RICE, Chairman

[H 73](#) was filed for second reading.

March 4, 2021

The JUDICIARY AND RULES Committee reports out [H 149](#) with the recommendation that it do pass.

LAKEY, Chairman

[H 149](#) was filed for second reading.

March 4, 2021

The LOCAL GOVERNMENT AND TAXATION Committee reports out [H 154](#) with the recommendation that it be re-referred.

RICE, Chairman

There being no objection, [H 154](#) was re-referred to the Transportation Committee.

March 4, 2021

The TRANSPORTATION Committee reports it has had under consideration the Gubernatorial appointments listed below and the Committee recommends that said appointments be confirmed by the Senate:

Chris Pomeroy to the Aeronautics Advisory Board, term to expire January 31, 2026.

Julie DeLorenzo to the Idaho Transportation Board, term to expire January 31, 2027.

DEN HARTOG, Chair

The Gubernatorial appointments were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

March 3, 2021

Dear Madam President:

I transmit herewith [H 203](#), [H 241](#), [H 246](#), [H 182](#), [H 184](#), [H 185](#), [H 186](#), [H 152](#), [H 259](#), [H 261](#), [H 233](#), and [HCR 8](#), which have passed the House.

MAULIN, Chief Clerk

[H 203](#), [H 241](#), [H 246](#), [H 182](#), [H 184](#), [H 185](#), [H 186](#), [H 152](#), [H 259](#), [H 261](#), [H 233](#), and [HCR 8](#) were filed for first reading.

March 3, 2021

Dear Madam President:

I return herewith [S 1081](#), which has failed to pass the House.

MAULIN, Chief Clerk

[S 1081](#) was ordered filed in the office of the Secretary of the Senate.

March 3, 2021

Dear Madam President:

I return herewith [S 1080](#), which has passed the House.

MAULIN, Chief Clerk

[S 1080](#) was referred to the Judiciary and Rules Committee for enrolling.

March 3, 2021

Dear Madam President:

I return herewith Enrolled [S 1016](#), [S 1038](#), and [S 1033](#), which have been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [S 1016](#), [S 1038](#), and [S 1033](#) were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

On request by Senator Anthon, granted by unanimous consent, the Senate went at ease and resolved itself into the Committee for the Idaho Day Service. The Idaho Day Service was presented to the members of the Senate with Co-chairman Senator Cook providing opening remarks.

The colors of the flag were presented by the Mountain Home Airforce Honor Guard. Stephanie Thompson performed "America the Beautiful." Remarks were provided by Linden Bateman. Stephanie Thompson performed "Here We Have Idaho."

Closing remarks were provided by Co-chairman Senator Wintrow. She extended gratitude to all who helped with the program and the Idaho Day Service was dissolved.

President McGeachin returned to the chair.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials**S 1162****BY FINANCE COMMITTEE**

AN ACT

RELATING TO THE APPROPRIATION TO THE IDAHO COMMISSION FOR LIBRARIES FOR FISCAL YEAR 2022; APPROPRIATING MONEYS TO THE IDAHO COMMISSION FOR LIBRARIES FOR FISCAL YEAR 2022; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

S 1163**BY FINANCE COMMITTEE**

AN ACT

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF HEALTH AND WELFARE FOR FISCAL YEAR 2022; APPROPRIATING MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE WELFARE DIVISION FOR FISCAL YEAR 2022; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING FOR GENERAL FUND TRANSFERS TO THE COOPERATIVE WELFARE FUND; PROHIBITING TRANSFERS FOR TRUSTEE AND BENEFIT PAYMENTS; AND PROVIDING REQUIREMENTS FOR PROGRAM INTEGRITY.

S 1164**BY FINANCE COMMITTEE**

AN ACT

RELATING TO THE APPROPRIATION TO THE DIVISION OF HUMAN RESOURCES FOR FISCAL YEAR 2022; APPROPRIATING MONEYS TO THE DIVISION OF HUMAN RESOURCES FOR FISCAL YEAR 2022; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AND PROVIDING REQUIREMENTS FOR THE IMPLEMENTATION OF EMPLOYEE COMPENSATION.

S 1165**BY FINANCE COMMITTEE**

AN ACT

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF HEALTH AND WELFARE FOR FISCAL YEAR 2022; APPROPRIATING MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE DIVISIONS OF MENTAL HEALTH SERVICES, PSYCHIATRIC HOSPITALIZATION, AND SUBSTANCE ABUSE TREATMENT AND PREVENTION FOR FISCAL YEAR 2022; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING FOR GENERAL FUND TRANSFERS TO THE COOPERATIVE WELFARE FUND; DIRECTING EXPENDITURES FOR TRUSTEE AND BENEFIT PAYMENTS; PROVIDING REQUIREMENTS FOR PROGRAM INTEGRITY; LIMITING THE TRANSFER OF LEGISLATIVE APPROPRIATIONS; CLARIFYING RESPONSIBILITY FOR EDUCATION OF CERTAIN CHILDREN IN STATE CARE; DIRECTING AN INTERAGENCY PAYMENT FOR A JUVENILE DETENTION CLINICIANS CONTRACT; PROVIDING REQUIREMENTS REGARDING FUNDING FOR BEHAVIORAL HEALTH COMMUNITY CRISIS CENTERS; AND EXEMPTING THE APPROPRIATION FROM PROGRAM TRANSFER LIMITATIONS.

[S 1162](#), [S 1163](#), [S 1164](#), and [S 1165](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 203](#), by Education Committee, was introduced, read the first time at length, and referred to the Education Committee.

[H 241](#) and [H 246](#), by Judiciary, Rules and Administration Committee, were introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

[H 182](#), [H 184](#), [H 185](#), and [H 186](#), by Resources and Conservation Committee, were introduced, read the first time at length, and referred to the Resources and Environment Committee.

[H 152](#), by Judiciary, Rules and Administration Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

[H 259](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

[H 261](#), by Appropriations Committee, was introduced, read the first time at length, and referred to the Finance Committee.

[H 233](#), by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Health and Welfare Committee.

[HCR 8](#), by Resources and Conservation Committee, was introduced, read at length, and referred to the State Affairs Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[S 1150](#), by State Affairs Committee, was read the second time at length and filed for third reading.

[H 136](#), by State Affairs Committee, was read the second time at length and filed for third reading.

[H 22](#), as amended in the Senate, by Education Committee, was read the second time at length and filed for third reading.

[S 1092](#), as amended, by Health and Welfare Committee, was read the second time at length and filed for third reading.

[S 1133](#), as amended, by State Affairs Committee, was read the second time at length and filed for third reading.

[S 1046](#), as amended, as amended, by Education Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

On request by Senator Anthon, granted by unanimous consent, [H 216](#) was before the Senate for final consideration.

[H 216](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Riggs arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Riggs, Souza, Stennett, Ward-Engelking, Winder, Wintrow. Total - 29.

NAYS—Bayer, Ricks, Thayn, Vick, Zito. Total - 5.

Absent and excused—Woodward. Total - 1.

Total - 35.

Whereupon the President declared [H 216](#) passed, title was approved, and the bill ordered returned to the House.

[H 74](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bayer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Zito. Total - 34.

NAYS—None.

Absent and excused—Woodward. Total - 1.

Total - 35.

Whereupon the President declared [H 74](#) passed, title was approved, and the bill ordered returned to the House.

On request by President Pro Tempore Winder, granted by unanimous consent, [S 1112](#) was referred to the Fourteenth Order of Business, General Calendar.

On request by President Pro Tempore Winder, granted by unanimous consent, [HJR 1](#) was referred to the State Affairs Committee.

[S 1137](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lakey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senators Anthon, Lakey, Lee, Nye, Rabe, and Rice disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Zito. Total - 33.

NAYS—None.

Absent and excused—Heider, Woodward. Total - 2.

Total - 35.

Whereupon the President declared [S 1137](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1138](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Crabtree arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senator Rice disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Zito. Total - 34.

NAYS—None.

Absent and excused—Woodward. Total - 1.

Total - 35.

Whereupon the President declared [S 1138](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1105](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ricks arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Zito. Total - 34.

NAYS—None.

Absent and excused—Woodward. Total - 1.

Total - 35.

Whereupon the President declared [S 1105](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1134](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Harris arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Zito. Total - 34.

NAYS—None.

Absent and excused—Woodward. Total - 1.

Total - 35.

Whereupon the President declared [S 1134](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1140](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Crabtree arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Zito. Total - 32.

NAYS—None.

Absent and excused—Heider, Souza, Woodward. Total - 3.

Total - 35.

Whereupon the President declared [S 1140](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Anthon, granted by unanimous consent, [S 1141](#) retained its place on the Third Reading Calendar.

[S 1142](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lent arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Zito. Total - 34.

NAYS—None.

Absent and excused—Woodward. Total - 1.

Total - 35.

Whereupon the President declared [S 1142](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Anthon, granted by unanimous consent, [S 1144](#) retained its place on the Third Reading Calendar.

[S 1145](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Crabtree arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow. Total - 31.

NAYS—Bayer, Zito. Total - 2.

Absent and excused—Heider, Woodward. Total - 2.

Total - 35.

Whereupon the President declared [S 1145](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1146](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Cook arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Zito. Total - 34.

NAYS—None.

Absent and excused—Woodward. Total - 1.

Total - 35.

Whereupon the President declared [S 1146](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1147](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ward-Engelking arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Zito. Total - 34.

NAYS—None.

Absent and excused—Woodward. Total - 1.

Total - 35.

Whereupon the President declared [S 1147](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1148](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Cook arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Zito. Total - 34.

NAYS—None.

Absent and excused—Woodward. Total - 1.

Total - 35.

Whereupon the President declared [S 1148](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1139](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Riggs arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Zito. Total - 33.

NAYS—None.

Absent and excused—Heider, Woodward. Total - 2.

Total - 35.

Whereupon the President declared [S 1139](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Anthon, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills.

On request by Senator Anthon, granted by unanimous consent, the Senate returned to the Fourth Order of Business.

Reading of Communications

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote the Senate recessed at 12:07 p.m. until the hour of 4 p.m. of this day.

RECESS AFTERNOON SESSION

The Senate reconvened at 4 p.m., pursuant to recess, President McGeachin presiding.

Roll call showed all members present except Senators Burgoyne and Lodge, absent and excused.

Prior to recess the Senate was at the Fifth Order of Business, Petitions, Resolutions, and Memorials.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 4, 2021

The JUDICIARY AND RULES Committee reports that [S 1080](#) has been correctly enrolled.

LAKEY, Chairman

The President signed Enrolled [S 1080](#) and ordered it transmitted to the House for the signature of the Speaker.

March 4, 2021

The JUDICIARY AND RULES Committee reports that Enrolled [S 1016](#), [S 1038](#), and [S 1033](#) were delivered to the Office of the Governor at 2:20 p.m., March 4, 2021.

LAKEY, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

March 4, 2021

The AGRICULTURAL AFFAIRS Committee reports out [H 167](#) with the recommendation that it do pass.

BURTENSHAW, Chairman

[H 167](#) was filed for second reading.

March 4, 2021

The FINANCE Committee reports out [H 261](#) with the recommendation that it do pass.

BAIR, Chairman

[H 261](#) was filed for second reading.

March 4, 2021

The COMMERCE AND HUMAN RESOURCES Committee reports out [S 1143](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

PATRICK, Chairman

There being no objection, [S 1143](#) was referred to the Fourteenth Order of Business, General Calendar.

March 4, 2021

The COMMERCE AND HUMAN RESOURCES Committee reports out [S 1128](#) with the recommendation that it be re-referred.

PATRICK, Chairman

There being no objection, [S 1128](#) was re-referred to the Health and Welfare Committee.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

[S 1141](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Woodward arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Winder, Wintrow, Woodward, Zito. Total - 32.

NAYS—None.

Absent and excused—Burgoyne, Lodge, Ward-Engelking. Total - 3.

Total - 35.

Whereupon the President declared [S 1141](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1144](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Woodward arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS—None.

Absent and excused—Ward-Engelking. Total - 1.

Total - 35.

Whereupon the President declared [S 1144](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Anthon, granted by unanimous consent, [S 1151](#) retained its place on the Third Reading Calendar for Friday, March 5, 2021.

[S 1152](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lent arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senator Vick disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS—None.

Absent and excused—Ward-Engelking. Total - 1.

Total - 35.

Whereupon the President declared [S 1152](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1153](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Agenbroad arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senator Grow disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS—None.

Absent and excused—Ward-Engelking. Total - 1.

Total - 35.

Whereupon the President declared [S 1153](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1154](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lent arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS—None.

Absent and excused—Ward-Engelking. Total - 1.

Total - 35.

Whereupon the President declared [S 1154](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1103](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Burgoyne, Burtenshaw, Den Hartog, Guthrie, Heider, Johnson, Lee, Lodge, Martin, Nelson, Nye, Rabe, Ricks, Stennett, Winder, Wintrow. Total - 18.

NAYS—Bair, Bayer, Cook, Crabtree, Grow, Harris, Lakey, Lent, Patrick, Rice, Riggs, Souza, Thayn, Vick, Woodward, Zito. Total - 16.

Absent and excused—Ward-Engelking. Total - 1.

Total - 35.

Whereupon the President declared [S 1103](#) passed, title was approved, and the bill ordered transmitted to the House.

[H 29](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Thayn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS—None.

Absent and excused—Ward-Engelking. Total - 1.

Total - 35.

Whereupon the President declared [H 29](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Anthon, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills amended in the Senate, followed by House bills.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the Senate adjourned at 5:13 p.m. until the hour of 10:30 a.m., Friday, March 5, 2021.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

FIFTY-FOURTH LEGISLATIVE DAY
FRIDAY, MARCH 5, 2021

Senate Chamber

President McGeachin called the Senate to order at 10:30 a.m.

Roll call showed all members present except Senator Rice, absent and excused.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Ella Luekenga, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 4, 2021, was read and approved as corrected.

LAKEY, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 5, 2021

The JUDICIARY AND RULES Committee reports that [S 1162](#), [S 1163](#), [S 1164](#), and [S 1165](#) have been correctly printed.

LAKEY, Chairman

[S 1162](#), [S 1163](#), [S 1164](#), and [S 1165](#) were referred to the Finance Committee.

March 4, 2021

The EDUCATION Committee reports out [H 172](#) and [H 173](#) with the recommendation that they do pass.

THAYN, Chairman

[H 172](#) and [H 173](#) were filed for second reading.

March 4, 2021

The LOCAL GOVERNMENT AND TAXATION Committee reports out [H 110](#), [H 124](#), and [H 214](#) with the recommendation that they do pass.

RICE, Chairman

[H 110](#), [H 124](#), and [H 214](#) were filed for second reading.

March 5, 2021

The STATE AFFAIRS Committee reports out [H 47](#), [H 48](#), and [H 70](#) with the recommendation that they do pass.

LODGE, Chair

[H 47](#), [H 48](#), and [H 70](#) were filed for second reading.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

March 4, 2021

Dear Madam President:

I transmit herewith [HCR 10](#), [H 221](#), [H 262](#), [H 263](#), [H 267](#), [H 268](#), [H 222](#), [H 248](#), [H 239](#), [H 59](#), and [H 191](#), which have passed the House.

MAULIN, Chief Clerk

[HCR 10](#), [H 221](#), [H 262](#), [H 263](#), [H 267](#), [H 268](#), [H 222](#), [H 248](#), [H 239](#), [H 59](#), and [H 191](#) were filed for first reading.

March 4, 2021

Dear Madam President:

I transmit herewith Enrolled [H 5](#) for the signature of the President.

MAULIN, Chief Clerk

The President signed Enrolled [H 5](#) and ordered it returned to the House.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1166

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO ELECTIONS; AMENDING SECTION 34-408A, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING ELECTION DAY REGISTRATION AT CERTAIN POLLING PLACES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING CHAPTER 11, TITLE 34, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 34-1115, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING PROVISIONAL BALLOTS; AND AMENDING CHAPTER 11, TITLE 34, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 34-1116, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING THE REVIEW AND DISPOSITION OF PROVISIONAL BALLOT ENVELOPES.

S 1167

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO ELECTIONS; AMENDING CHAPTER 10, TITLE 34, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 34-1002B, IDAHO CODE, TO PROVIDE FOR ABSENTEE BALLOT ASSISTANCE AT CERTAIN FACILITIES AND TO PROHIBIT CERTAIN ACTIONS.

S 1168
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO ELECTIONS; AMENDING CHAPTER 2, TITLE 34, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 34-218, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING FUNDING FOR THE ADMINISTRATION OF ELECTIONS.

S 1169
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO HIGHWAYS AND BRIDGES; AMENDING SECTION 40-511, IDAHO CODE, TO PROVIDE AN EXEMPTION FROM STOPPING AND INSPECTION FOR NONCOMMERCIAL VEHICLES AND TO MAKE TECHNICAL CORRECTIONS.

S 1170
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO TAXING DISTRICTS; AMENDING SECTION 63-802, IDAHO CODE, AS AMENDED IN SECTION 1 OF SENATE BILL NO. 1108, AS AMENDED, AS ENACTED BY THE FIRST REGULAR SESSION OF THE SIXTY-SIXTH IDAHO LEGISLATURE, TO REVISE PROVISIONS REGARDING THE LIMITATION ON TAXING DISTRICT BUDGETS.

S 1171
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO ALCOHOLIC BEVERAGES; AMENDING SECTION 23-902, IDAHO CODE, TO DEFINE A TERM AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 23-944, IDAHO CODE, TO PROVIDE AN EXCEPTION FROM RESTRICTION ON ENTERING OR REMAINING UPON THE PREMISES OF A RETAIL WINE ESTABLISHMENT; AND AMENDING SECTION 23-217, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE.

[S 1166](#), [S 1167](#), [S 1168](#), [S 1169](#), [S 1170](#), and [S 1171](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[HCR 10](#), by State Affairs Committee, was introduced, read at length, and referred to the State Affairs Committee.

[H 221](#), by Education Committee, was introduced, read the first time at length, and referred to the Education Committee.

[H 262](#) and [H 263](#), by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

[H 267](#) and [H 268](#), by Resources and Conservation Committee, were introduced, read the first time at length, and referred to the Resources and Environment Committee.

[H 222](#) and [H 248](#), by Education Committee, were introduced, read the first time at length, and referred to the Education Committee.

[H 239](#), by Resources and Conservation Committee, was introduced, read the first time at length, and referred to the Resources and Environment Committee.

[H 59](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

[H 191](#), by Judiciary, Rules and Administration Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[H 91](#), by Resources and Conservation Committee, was read the second time at length and filed for third reading.

[H 99](#), by Environment, Energy and Technology Committee, was read the second time at length and filed for third reading.

[S 1123](#), by Resources and Environment Committee, was read the second time at length and filed for third reading.

[S 1155](#), [S 1156](#), [S 1157](#), [S 1158](#), [S 1159](#), and [S 1160](#), by Finance Committee, were read the second time at length and filed for third reading.

[H 111](#), by Education Committee, was read the second time at length and filed for third reading.

[H 73](#), by Revenue and Taxation Committee, was read the second time at length and filed for third reading.

[H 149](#), by Judiciary, Rules and Administration Committee, was read the second time at length and filed for third reading.

[H 167](#), by Agricultural Affairs Committee, was read the second time at length and filed for third reading.

[H 261](#), by Appropriations Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

On request by Senator Anthon, granted by unanimous consent, [S 1108](#), as amended, retained its place on the Third Reading Calendar for Monday, March 8, 2021.

Having been held, [S 1151](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ward-Engelking arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS—None.

Absent and excused—Rice. Total - 1.

Total - 35.

Whereupon the President declared [S 1151](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1150](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lodge arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Patrick, Rice, Ricks, Riggs, Souza, Thayn, Vick, Winder, Woodward, Zito. Total - 28.

NAYS—Burgoyne, Nelson, Nye, Rabe, Stennett, Wintrow. Total - 6.

Absent and excused—Ward-Engelking. Total - 1.

Total - 35.

Whereupon the President declared [S 1150](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1092](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Riggs arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Winder, Wintrow, Woodward, Zito. Total - 33.

NAYS—None.

Absent and excused—Lent, Ward-Engelking. Total - 2.

Total - 35.

Whereupon the President declared [S 1092](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

[S 1133](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lee arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Winder, Wintrow, Woodward, Zito. Total - 33.

NAYS—None.

Absent and excused—Lent, Ward-Engelking. Total - 2.

Total - 35.

Whereupon the President declared [S 1133](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

[S 1046](#), as amended, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Thayn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lodge, Martin, Patrick, Rice, Ricks, Riggs, Souza, Thayn, Vick, Winder, Woodward, Zito. Total - 26.

NAYS—Agenbroad, Burgoyne, Nelson, Nye, Rabe, Stennett, Wintrow. Total - 7.

Absent and excused—Lent, Ward-Engelking. Total - 2.

Total - 35.

Whereupon the President declared [S 1046](#), as amended, as amended, passed, title was approved, and the bill ordered transmitted to the House.

[H 22](#), as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Thayn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Johnson, Lakey, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Riggs, Souza, Thayn, Vick, Winder, Wintrow, Woodward, Zito. Total - 29.

NAYS—Lee, Stennett. Total - 2.

Absent and excused—Heider, Lent, Ricks, Ward-Engelking. Total - 4.

Total - 35.

Whereupon the President declared [H 22](#), as amended in the Senate, passed, title was approved, and the bill ordered returned to the House for possible concurrence.

[H 35](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Stennett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Johnson, Lakey, Lee, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Riggs, Souza, Stennett, Thayn, Vick, Winder, Wintrow, Woodward, Zito. Total - 31.

NAYS—None.

Absent and excused—Heider, Lent, Ricks, Ward-Engelking. Total - 4.

Total - 35.

Whereupon the President declared [H 35](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Anthon, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:51 a.m. until the hour of 10 a.m., Monday, March 8, 2021.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

FIFTY-SEVENTH LEGISLATIVE DAY
MONDAY, MARCH 8, 2021

Senate Chamber

President McGeachin called the Senate to order at 10 a.m.

Roll call showed all members present except Senator Johnson, absent and formally excused by the Chair; and Senator Den Hartog, absent and excused.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Julissa Melendez, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 5, 2021, was read and approved as corrected.

LAKEY, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 8, 2021

The JUDICIARY AND RULES Committee reports that [S 1166](#), [S 1167](#), [S 1168](#), [S 1169](#), [S 1170](#), and [S 1171](#) have been correctly printed.

LAKEY, Chairman

[S 1166](#), [S 1167](#), and [S 1168](#) were referred to the State Affairs Committee.

[S 1169](#) was referred to the Transportation Committee.

[S 1170](#) was referred to the Local Government and Taxation Committee.

[S 1171](#) was referred to the State Affairs Committee.

March 5, 2021

The FINANCE Committee reports out [H 262](#), [H 263](#), [S 1162](#), [S 1163](#), [S 1164](#), and [S 1165](#) with the recommendation that they do pass.

BAIR, Chairman

[H 262](#), [H 263](#), [S 1162](#), [S 1163](#), [S 1164](#), and [S 1165](#) were filed for second reading.

March 8, 2021

The STATE AFFAIRS Committee reports out [H 104](#), [H 107](#), [H 127](#), and [H 141](#), as amended, with the recommendation that they do pass.

LODGE, Chair

[H 104](#), [H 107](#), [H 127](#), and [H 141](#), as amended, were filed for second reading.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

March 5, 2021

Dear Madam President:

I transmit herewith [H 269](#), [H 270](#), [H 272](#), [H 249](#), [H 162](#), [H 155](#), and [H 156](#), which have passed the House.

MAULIN, Chief Clerk

[H 269](#), [H 270](#), [H 272](#), [H 249](#), [H 162](#), [H 155](#), and [H 156](#) were filed for first reading.

March 5, 2021

Dear Madam President:

I return herewith Enrolled [S 1080](#), which has been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [S 1080](#) was referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1172

BY FINANCE COMMITTEE

AN ACT

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF ADMINISTRATION FOR THE DIVISION OF PUBLIC WORKS FOR FISCAL YEAR 2022; APPROPRIATING MONEYS TO THE DEPARTMENT OF ADMINISTRATION FOR THE DIVISION OF PUBLIC WORKS FOR FISCAL YEAR 2022; AUTHORIZING AND DIRECTING THE ALLOCATION OF FUNDS FOR SPECIFIC PROJECTS FOR FISCAL YEAR 2022; PROVIDING REQUIREMENTS FOR UTILIZATION OF MATCHING FUNDS; PROVIDING REQUIREMENTS REGARDING REALLOCATION OF PROJECT SAVINGS; PROVIDING REAPPROPRIATION AUTHORITY; PROVIDING REQUIREMENTS FOR THE USE OF PERMANENT BUILDING FUNDS FOR SPECIFIC PROJECTS; AND APPROPRIATING AND TRANSFERRING MONEYS FROM THE GENERAL FUND TO THE PERMANENT BUILDING FUND.

S 1173

BY FINANCE COMMITTEE

AN ACT

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF HEALTH AND WELFARE FOR FISCAL YEAR 2022; APPROPRIATING MONEYS TO THE

DEPARTMENT OF HEALTH AND WELFARE FOR THE PUBLIC HEALTH SERVICES DIVISION FOR FISCAL YEAR 2022; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING FOR GENERAL FUND TRANSFERS TO THE COOPERATIVE WELFARE FUND; DIRECTING EXPENDITURES FOR TRUSTEE AND BENEFIT PAYMENTS; PROVIDING REQUIREMENTS FOR PROGRAM INTEGRITY; DIRECTING THE USE OF MONEYS FOR SUICIDE PREVENTION AND AWARENESS; APPROPRIATING AND TRANSFERRING MONEYS FROM THE COOPERATIVE WELFARE FUND TO THE RURAL PHYSICIAN INCENTIVE FUND; DIRECTING THE USE OF MONEYS FOR PROJECT ECHO; AND ALLOCATING FUNDING FOR THE HOME VISITATION PROGRAM.

S 1174
BY FINANCE COMMITTEE
AN ACT

RELATING TO THE APPROPRIATION TO THE OFFICE OF THE LIEUTENANT GOVERNOR FOR FISCAL YEAR 2022; APPROPRIATING MONEYS TO THE OFFICE OF THE LIEUTENANT GOVERNOR FOR FISCAL YEAR 2022; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AND EXEMPTING THE APPROPRIATION FROM OBJECT TRANSFER LIMITATIONS.

[S 1172](#), [S 1173](#), and [S 1174](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 269](#), [H 270](#), and [H 272](#), by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

[H 249](#), by Education Committee, was introduced, read the first time at length, and referred to the Education Committee.

[H 162](#), by Transportation and Defense Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

[H 155](#), by Local Government Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

[H 156](#), by Local Government Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[H 172](#) and [H 173](#), by Education Committee, were read the second time at length and filed for third reading.

[H 110](#) and [H 124](#), by Local Government Committee, were read the second time at length and filed for third reading.

[H 214](#), by Revenue and Taxation Committee, was read the second time at length and filed for third reading.

[H 47](#) and [H 48](#), by Transportation and Defense Committee, were read the second time at length and filed for third reading.

[H 70](#), by State Affairs Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

On request by Senator Anthon, granted by unanimous consent, [S 1108](#), as amended, retained its place on the Third Reading Calendar for Thursday, March 11, 2021.

[S 1123](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Burtenshaw arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS—None.

Absent and excused—Johnson. Total - 1.

Total - 35.

Whereupon the President declared [S 1123](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1155](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Cook arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS—None.

Absent and excused—Johnson. Total - 1.

Total - 35.

Whereupon the President declared [S 1155](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1156](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Grow arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS—None.

Absent and excused—Johnson. Total - 1.

Total - 35.

Whereupon the President declared [S 1156](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1157](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Grow arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS—None.

Absent and excused—Johnson. Total - 1.

Total - 35.

Whereupon the President declared [S 1157](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1158](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nye arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS—None.

Absent and excused—Johnson. Total - 1.

Total - 35.

Whereupon the President declared [S 1158](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1159](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Cook arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS—None.

Absent and excused—Johnson. Total - 1.

Total - 35.

Whereupon the President declared [S 1159](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1160](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Crabtree arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared [S 1160](#) passed, title was approved, and the bill ordered transmitted to the House.

[H 36](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Wintrow arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared [H 36](#) passed, title was approved, and the bill ordered returned to the House.

[H 83](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Agenbroad arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared [H 83](#) passed, title was approved, and the bill ordered returned to the House.

[H 15](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Rabe arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared [H 15](#) passed, title was approved, and the bill ordered returned to the House.

[H 32](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lakey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared [H 32](#) passed, title was approved, and the bill ordered returned to the House.

H 27 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lakey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared **H 27** passed, title was approved, and the bill ordered returned to the House.

H 37 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Wintrow arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared **H 37** passed, title was approved, and the bill ordered returned to the House.

H 38 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Stennett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared **H 38** passed, title was approved, and the bill ordered returned to the House.

H 39 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Riggs arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared **H 39** passed, title was approved, and the bill ordered returned to the House.

H 40 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Harris arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared **H 40** passed, title was approved, and the bill ordered returned to the House.

H 50 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nelson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared **H 50** passed, title was approved, and the bill ordered returned to the House.

H 114 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Agenbroad arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared **H 114** passed, title was approved, and the bill ordered returned to the House.

H 109 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Woodward arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared **H 109** passed, title was approved, and the bill ordered returned to the House.

H 117 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lent arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared **H 117** passed, title was approved, and the bill ordered returned to the House.

H 23 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Vick arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared **H 23** passed, title was approved, and the bill ordered returned to the House.

H 24 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Patrick arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared **H 24** passed, title was approved, and the bill ordered returned to the House.

H 78 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Burgoyne arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared **H 78** passed, title was approved, and the bill ordered returned to the House.

H 49 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Crabtree arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared **H 49** passed, title was approved, and the bill ordered returned to the House.

H 123 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ward-Engelking arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris,

Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared **H 123** passed, title was approved, and the bill ordered returned to the House.

H 134 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Crabtree arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared **H 134** passed, title was approved, and the bill ordered returned to the House.

H 79 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Guthrie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Burgoyne, Burtenshaw, Cook, Grow, Guthrie, Harris, Heider, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Ward-Engelking, Winder, Wintrow, Woodward. Total - 29.

NAYS—Bayer, Crabtree, Den Hartog, Johnson, Vick, Zito. Total - 6.

Total - 35.

Whereupon the President declared **H 79** passed, title was approved, and the bill ordered returned to the House.

On request by Senator Anthon, granted by unanimous consent, the Senate returned to the Fourth Order of Business.

Reading of Communications

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote the Senate recessed at 12:06 p.m. until the hour of 4 p.m. of this day.

RECESS AFTERNOON SESSION

The Senate reconvened at 4 p.m., pursuant to recess, President McGeachin presiding.

Roll call showed all members present except Senators Burgoyne, Crabtree, and Ward-Engelking, absent and excused.

Prior to recess the Senate was at the Fifth Order of Business, Petitions, Resolutions, and Memorials.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 8, 2021

The JUDICIARY AND RULES Committee reports that Enrolled [S 1080](#) was delivered to the Office of the Governor at 1:23 p.m., March 8, 2021.

LAKEY, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

March 8, 2021

The STATE AFFAIRS Committee reports it has had under consideration the Gubernatorial appointment listed below and the Committee recommends that said appointment be confirmed by the Senate:

Valisa Say to the Bingo-Raffle Advisory Board, term to expire January 7, 2024.

LODGE, Chair

The Gubernatorial appointment was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

Senators Crabtree and Ward-Engelking were recorded present at this order of business.

March 8, 2021

The FINANCE Committee reports out [H 269](#), [H 270](#), and [H 272](#) with the recommendation that they do pass.

BAIR, Chairman

[H 269](#), [H 270](#), and [H 272](#) were filed for second reading.

March 8, 2021

The RESOURCES AND ENVIRONMENT Committee reports out [SJM 103](#) with the recommendation that it do pass.

VICK, Chairman

[SJM 103](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 8, 2021

The RESOURCES AND ENVIRONMENT Committee reports it has had under consideration the Gubernatorial appointment listed below and the Committee recommends that said appointment be confirmed by the Senate:

James Yost to the Northwest Power and Conservation Council, term to expire January 15, 2024.

VICK, Chairman

The Gubernatorial appointment was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

March 8, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho Legislature

Dear Madam President:

I have the honor to inform you that I have signed on March 5, 2021 and am transmitting to the Secretary of State the following Senate Bill, to wit:

[S 1027](#)

Sincerely,
/s/ Brad Little
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

March 8, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho Legislature

Dear Madam President:

I have the honor to inform you that I have signed on March 8, 2021 and am transmitting to the Secretary of State the following Senate Bills, to wit:

[S 1016](#) and [S 1038](#)

Sincerely,
/s/ Brad Little
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

**Introduction, First Reading, and Reference of Bills,
House Petitions, Resolutions, and Memorials****S 1175
BY FINANCE COMMITTEE
AN ACT**

RELATING TO THE APPROPRIATION TO THE STATE BOARD OF EDUCATION AND THE BOARD OF REGENTS OF THE UNIVERSITY OF IDAHO FOR HEALTH EDUCATION PROGRAMS FOR FISCAL YEAR 2022; APPROPRIATING MONEYS TO THE STATE BOARD OF EDUCATION AND THE BOARD OF REGENTS OF THE UNIVERSITY OF IDAHO FOR HEALTH EDUCATION PROGRAMS FOR FISCAL YEAR 2022; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; EXEMPTING THE APPROPRIATION FROM OBJECT TRANSFER LIMITATIONS; PROVIDING REAPPROPRIATION AUTHORITY; AND DIRECTING AN ADJUSTMENT FOR STUDENT TUITION AND FEES FOR FISCAL YEAR 2022.

S 1176
BY FINANCE COMMITTEE
AN ACT

RELATING TO THE APPROPRIATION TO THE WOLF DEPREDATION CONTROL BOARD FOR FISCAL YEAR 2022; APPROPRIATING MONEYS TO THE WOLF DEPREDATION CONTROL BOARD FOR FISCAL YEAR 2022.

S 1177
BY FINANCE COMMITTEE
AN ACT

RELATING TO THE APPROPRIATION TO THE OFFICE OF INFORMATION TECHNOLOGY SERVICES FOR FISCAL YEAR 2022; APPROPRIATING MONEYS TO THE OFFICE OF INFORMATION TECHNOLOGY SERVICES FOR FISCAL YEAR 2022; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

[S 1175](#), [S 1176](#), and [S 1177](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

[H 115](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lee arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS—None.

Absent and excused—Burgoyne. Total - 1.

Total - 35.

Whereupon the President declared [H 115](#) passed, title was approved, and the bill ordered returned to the House.

[H 43](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared [H 43](#) passed, title was approved, and the bill ordered returned to the House.

[H 64](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Rabe arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared [H 64](#) passed, title was approved, and the bill ordered returned to the House.

[H 200](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Riggs arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Bair, Burgoyne, Burtenshaw, Cook, Crabtree, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Ricks, Riggs, Stennett, Ward-Engelking, Winder, Wintrow, Woodward. Total - 27.

NAYS—Anthon, Bayer, Den Hartog, Rice, Souza, Thayn, Vick, Zito. Total - 8.

Total - 35.

Whereupon the President declared [H 200](#) passed, title was approved, and the bill ordered returned to the House.

[H 204](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lent arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Burgoyne, Burtenshaw, Cook, Crabtree, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Ward-Engelking, Winder, Wintrow, Woodward. Total - 31.

NAYS—Bayer, Den Hartog, Vick, Zito. Total - 4.

Total - 35.

Whereupon the President declared [H 204](#) passed, title was approved, and the bill ordered returned to the House.

[H 205](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Agenbroad arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward. Total - 34.

NAYS—Zito. Total - 1.

Total - 35.

Whereupon the President declared [H 205](#) passed, title was approved, and the bill ordered returned to the House.

[H 206](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Grow arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared [H 206](#) passed, title was approved, and the bill ordered returned to the House.

[H 207](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Agenbroad arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nye, Patrick, Rice, Ricks, Riggs, Souza, Thayn, Vick, Ward-Engelking, Winder, Zito. Total - 29.

NAYS—Burgoyne, Nelson, Rabe, Stennett, Wintrow. Total - 5.

Absent and excused—Woodward. Total - 1.

Total - 35.

Whereupon the President declared [H 207](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Anthon, granted by unanimous consent, [H 73](#) was placed at the head of the Third Reading Calendar, followed by House bills.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the Senate adjourned at 5:16 p.m. until the hour of 10 a.m., Tuesday, March 9, 2021.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

FIFTY-EIGHTH LEGISLATIVE DAY
TUESDAY, MARCH 9, 2021

Senate Chamber

President McGeachin called the Senate to order at 10 a.m.

Roll call showed all members present except Senator Anthon, absent and formally excused by the Chair; and Senators Bair, Lodge, Stennett, and Vick, absent and excused.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Josh Nelson, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 8, 2021, was read and approved as corrected.

LAKEY, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Lee, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 9, 2021

The JUDICIARY AND RULES Committee reports that [S 1172](#), [S 1173](#), [S 1174](#), [S 1175](#), [S 1176](#), and [S 1177](#) have been correctly printed.

LAKEY, Chairman

[S 1172](#), [S 1173](#), [S 1174](#), [S 1175](#), [S 1176](#), and [S 1177](#) were referred to the Finance Committee.

Senator Vick was recorded present at this order of business.

March 8, 2021

The HEALTH AND WELFARE Committee reports out [H 233](#) with the recommendation that it do pass.

MARTIN, Chairman

[H 233](#) was filed for second reading.

March 8, 2021

The EDUCATION Committee reports out [H 175](#) and [H 203](#) with the recommendation that they do pass.

THAYN, Chairman

[H 175](#) and [H 203](#) were filed for second reading.

On request by Senator Lee, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

March 9, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that I have signed on March 9, 2021 and am transmitting to the Secretary of State the following Senate Bill, to wit:

[S 1033](#)

Sincerely,
/s/ Brad Little
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Senate advanced to the Ninth Order of Business.

Messages from the House

March 8, 2021

Dear Madam President:

I transmit herewith [H 118](#), [H 126](#), [H 252](#), [H 279](#), [H 169](#), [H 231](#), [H 243](#), [H 174](#), [H 266](#), [H 234](#), [H 264](#), [H 265](#), [H 282](#), [H 283](#), [H 276](#), [H 277](#), [H 198](#), and [HCR 11](#), which have passed the House.

MAULIN, Chief Clerk

[H 118](#), [H 126](#), [H 252](#), [H 279](#), [H 169](#), [H 231](#), [H 243](#), [H 174](#), [H 266](#), [H 234](#), [H 264](#), [H 265](#), [H 282](#), [H 283](#), [H 276](#), [H 277](#), [H 198](#), and [HCR 11](#) were filed for first reading.

Senators Bair and Lodge were recorded present at this order of business.

March 8, 2021

Dear Madam President:

I transmit herewith Enrolled [H 216](#), [H 74](#), and [H 29](#) for the signature of the President.

MAULIN, Chief Clerk

The President signed Enrolled [H 216](#), [H 74](#), and [H 29](#) and ordered them returned to the House.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President announced that the Judiciary and Rules Committee report relative to the Gubernatorial appointment of Melissa Hultberg was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Lee, seconded by Senator Wintrow, the Gubernatorial appointment of Melissa Hultberg as a member of the Sexual Offender Management Board was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for her signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

Senator Stennett was recorded present at this order of business.

The President announced that the State Affairs Committee report relative to the Gubernatorial appointment of Evelyn Johnson was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Lodge, seconded by Senator Burgoyne, the Gubernatorial appointment of Evelyn Johnson as a member of the Idaho Commission on Human Rights was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for her signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the Judiciary and Rules Committee report relative to the Gubernatorial appointment of John Dinger was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Lee, seconded by Senator Wintrow, the Gubernatorial appointment of John Dinger as a member of the Sexual Offender Management Board was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for her signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the Judiciary and Rules Committee report relative to the Gubernatorial reappointment of Moira Lynch was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Wintrow, seconded by Senator Lee, the Gubernatorial reappointment of Moira Lynch as a member of the Sexual Offender Management Board was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for her signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

On request by Senator Lee, granted by unanimous consent, the committee report of the Gubernatorial appointment confirmation of Chris Pomeroy retained its place on the calendar for Wednesday, March 10, 2021.

The President announced that the Transportation Committee report relative to the Gubernatorial reappointment of Julie DeLorenzo was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Den Hartog, seconded by Senator Ward-Engelking, the Gubernatorial reappointment of Julie DeLorenzo as a member of the Idaho Transportation Board was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for her signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the State Affairs Committee report relative to the Gubernatorial reappointment of Valisa Say was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Lent, seconded by Senator Stennett, the Gubernatorial reappointment of Valisa Say as a member of the Bingo-Raffle Advisory Board was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for her signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the Resources and Environment Committee report relative to the Gubernatorial reappointment of James Yost was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Johnson, seconded by Senator Nye, the Gubernatorial reappointment of James Yost as a member of the Northwest Power and Conservation Council was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for her signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that [HCR 7](#) was before the Senate for final consideration.

Moved by Senator Bair, seconded by Senator Ward-Engelking, that [HCR 7](#) be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES—Agenbroad, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President declared [HCR 7](#) adopted, title was approved, and the resolution ordered returned to the House.

On request by Senator Lee, granted by unanimous consent, [SP 101](#) retained its place on the calendar for Friday, March 12, 2021.

The President announced that [SJM 103](#) was before the Senate for final consideration.

Moved by Senator Bayer, seconded by Senator Johnson, that [SJM 103](#) be adopted. The question being, "Shall the memorial be adopted?"

Pursuant to Rule 39(C), a roll call vote was requested by Senator Vick.

Senators Bair and Patrick supported the request for a roll call vote.

Roll call resulted as follows:

AYES—Agenbroad, Bair, Bayer, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Patrick, Rice, Ricks, Riggs, Souza, Thayn, Vick, Winder, Woodward, Zito. Total - 28.

NAYS—Burgoyne, Nye, Rabe, Stennett, Ward-Engelking, Wintrow. Total - 6.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President declared [SJM 103](#) adopted, title was approved, and the memorial ordered transmitted to the House.

The Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

[H 118](#), by Resources and Conservation Committee, was introduced, read the first time at length, and referred to the Resources and Environment Committee.

[H 126](#), by Agricultural Affairs Committee, was introduced, read the first time at length, and referred to the Agricultural Affairs Committee.

[H 252](#), by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

[H 279](#), [H 169](#), [H 231](#), and [H 243](#), by State Affairs Committee, were introduced, read the first time at length, and referred to the State Affairs Committee.

[H 174](#), by Education Committee, was introduced, read the first time at length, and referred to the Education Committee.

[H 266](#), by Resources and Conservation Committee, was introduced, read the first time at length, and referred to the Resources and Environment Committee.

[H 234](#), by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Health and Welfare Committee.

[H 264](#) and [H 265](#), by Education Committee, were introduced, read the first time at length, and referred to the Education Committee.

[H 282](#) and [H 283](#), by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

[H 276](#) and [H 277](#), by Revenue and Taxation Committee, were introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

[H 198](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

[HCR 11](#), by Health and Welfare Committee, was introduced, read at length, and referred to the Health and Welfare Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[H 262](#) and [H 263](#), by Appropriations Committee, were read the second time at length and filed for third reading.

[S 1162](#), [S 1163](#), [S 1164](#), and [S 1165](#), by Finance Committee, were read the second time at length and filed for third reading.

[H 104](#) and [H 107](#), by State Affairs Committee, were read the second time at length and filed for third reading.

[H 127](#), by Environment, Energy and Technology Committee, was read the second time at length and filed for third reading.

[H 141](#), as amended, by Commerce and Human Resources Committee, was read the second time at length and filed for third reading.

[H 269](#), [H 270](#), and [H 272](#), by Appropriations Committee, were read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

On request by Senator Lee, granted by unanimous consent, [H 73](#) was placed at the head of the Third Reading Calendar, followed by Senate bills, followed by House Appropriations bills, followed by House bills as amended, followed by House bills.

On request by Senator Lee, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Lee, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:54 a.m. until the hour of 10 a.m., Wednesday, March 10, 2021.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

FIFTY-NINTH LEGISLATIVE DAY
WEDNESDAY, MARCH 10, 2021

Senate Chamber

President McGeachin called the Senate to order at 10 a.m.

Roll call showed all members present.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Colton Rietema, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 9, 2021, was read and approved as corrected.

LAKEY, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 9, 2021

The FINANCE Committee reports out [H 282](#), [H 283](#), [S 1172](#), [S 1173](#), [S 1174](#), [S 1175](#), [S 1176](#), and [S 1177](#) with the recommendation that they do pass.

BAIR, Chairman

[H 282](#), [H 283](#), [S 1172](#), [S 1173](#), [S 1174](#), [S 1175](#), [S 1176](#), and [S 1177](#) were filed for second reading.

March 9, 2021

The TRANSPORTATION Committee reports out [H 85](#), [H 86](#), [H 129](#), [H 132](#), as amended, and [H 229](#) with the recommendation that they do pass.

DEN HARTOG, Chair

[H 85](#), [H 86](#), [H 129](#), [H 132](#), as amended, and [H 229](#) were filed for second reading.

March 9, 2021

The COMMERCE AND HUMAN RESOURCES Committee reports out [H 81](#) with the recommendation that it do pass.

PATRICK, Chairman

[H 81](#) was filed for second reading.

March 9, 2021

The COMMERCE AND HUMAN RESOURCES Committee reports out [S 1057](#) and [S 1161](#) with the recommendation that they be referred to the Fourteenth Order of Business for amendment.

PATRICK, Chairman

There being no objection, [S 1057](#) and [S 1161](#) were referred to the Fourteenth Order of Business, General Calendar.

March 9, 2021

The HEALTH AND WELFARE Committee reports it has had under consideration the Gubernatorial appointment listed below and the Committee recommends that said appointment be confirmed by the Senate:

Chad Henggeler to the State Board of Health and Welfare, term to expire January 1, 2023.

MARTIN, Chairman

The Gubernatorial appointment was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 10, 2021

The LOCAL GOVERNMENT AND TAXATION Committee reports out [H 251](#) with the recommendation that it do pass.

RICE, Chairman

[H 251](#) was filed for second reading.

March 10, 2021

The LOCAL GOVERNMENT AND TAXATION Committee reports out [S 1107](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

RICE, Chairman

There being no objection, [S 1107](#) was referred to the Fourteenth Order of Business, General Calendar.

March 10, 2021

The STATE AFFAIRS Committee reports out [HCR 10](#) and [S 1171](#) with the recommendation that they do pass.

LODGE, Chair

[HCR 10](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

[S 1171](#) was filed for second reading.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

March 9, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that I have signed on March 9, 2021 and am transmitting to the Secretary of State the following Senate Bill, to wit:

S 1080

Sincerely,
/s/ Brad Little
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Senate advanced to the Ninth Order of Business.

Messages from the House

March 9, 2021

Dear Madam President:

I transmit herewith [H 294](#), [H 280](#), and [H 245](#), which have passed the House.

MAULIN, Chief Clerk

[H 294](#), [H 280](#), and [H 245](#) were filed for first reading.

March 9, 2021

Dear Madam President:

I transmit herewith Enrolled [H 35](#) for the signature of the President.

MAULIN, Chief Clerk

The President signed Enrolled [H 35](#) and ordered it returned to the House.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

**Introduction, First Reading, and Reference of Bills,
House Petitions, Resolutions, and Memorials****S 1178****BY STATE AFFAIRS COMMITTEE****AN ACT**

RELATING TO PARI-MUTUEL BETTING; AMENDING SECTION 54-2512, IDAHO CODE, TO PROVIDE FOR THE RETENTION OF A PERCENTAGE OF ADVANCE DEPOSIT WAGERING MONEYS BY THE IDAHO STATE RACING COMMISSION FOR RACING ADMINISTRATION; AND DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

[S 1178](#) was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 294](#) and [H 280](#), by Education Committee, were introduced, read the first time at length, and referred to the Education Committee.

[H 245](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[H 233](#), by Health and Welfare Committee, was read the second time at length and filed for third reading.

[H 175](#) and [H 203](#), by Education Committee, were read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

[H 73](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Rice arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senators Anthon, Lakey, and Nye disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burtenshaw, Cook, Den Hartog, Grow, Guthrie, Harris, Heider, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rice, Ricks, Riggs, Souza, Thayn, Vick, Winder, Woodward. Total - 26.

NAYS—Burgoyne, Crabtree, Lakey, Rabe, Stennett, Ward-Engelking, Wintrow, Zito. Total - 8.

Absent and excused—Johnson. Total - 1.

Total - 35.

Whereupon the President declared [H 73](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Anthon, granted by unanimous consent, the Senate returned to the Fourth Order of Business.

Reading of Communications

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote the Senate recessed at 12:08 p.m. until the hour of 3:45 p.m. of this day.

RECESS**AFTERNOON SESSION**

The Senate reconvened at 3:45 p.m., pursuant to recess, President McGeachin presiding.

Roll call showed all members present except Senators Bair, Den Hartog, Lodge, and Vick, absent and excused.

Prior to recess the Senate was at the Fifth Order of Business, Petitions, Resolutions, and Memorials.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 10, 2021

The RESOURCES AND ENVIRONMENT Committee reports out [H 182](#), [H 184](#), [H 185](#), [H 186](#), [H 267](#), and [H 268](#) with the recommendation that they do pass.

VICK, Chairman

[H 182](#), [H 184](#), [H 185](#), [H 186](#), [H 267](#), and [H 268](#) were filed for second reading.

March 10, 2021

The EDUCATION Committee reports out [H 222](#) with the recommendation that it do pass.

THAYN, Chairman

[H 222](#) was filed for second reading.

Senator Vick was recorded present at this order of business.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

March 10, 2021

Dear Madam President:

I transmit herewith Enrolled [H 36](#), [H 83](#), [H 15](#), [H 32](#), [H 27](#), [H 37](#), [H 38](#), [H 39](#), [H 40](#), [H 50](#), [H 114](#), [H 109](#), [H 117](#), [H 23](#), [H 24](#), [H 78](#), [H 49](#), [H 123](#), [H 134](#), [H 79](#), [H 115](#), [H 43](#), [H 64](#), [H 200](#), [H 204](#), [H 205](#), [H 206](#), and [H 207](#) for the signature of the President.

MAULIN, Chief Clerk

The President signed Enrolled [H 36](#), [H 83](#), [H 15](#), [H 32](#), [H 27](#), [H 37](#), [H 38](#), [H 39](#), [H 40](#), [H 50](#), [H 114](#), [H 109](#), [H 117](#), [H 23](#), [H 24](#), [H 78](#), [H 49](#), [H 123](#), [H 134](#), [H 79](#), [H 115](#), [H 43](#), [H 64](#), [H 200](#), [H 204](#), [H 205](#), [H 206](#), and [H 207](#) and ordered them returned to the House.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Fourteenth Order of Business.

General Calendar

The President declared the Senate resolved into the Committee of the Whole and called Senator Lee to the Chair to preside during the sitting of the Committee of the Whole.

Following the adjournment of the Committee of the Whole, the President called the Senate to order.

Senator Lodge was recorded present at this order of business.

Report of the Committee of the Whole

Senator Lee, Chairman of the Committee of the Whole, reported out [S 1136](#) and [S 1143](#), without recommendation, amended as follows:

SENATE AMENDMENT TO S 1136

AMENDMENT TO THE BILL

On page 1 of the printed bill, delete lines 13 through 42; delete page 2; on page 3, delete lines 1 through 39, and insert:

"SECTION 1. LEGISLATIVE INTENT. Idaho Code grants the Governor the power to proclaim a state of extreme peril and provide the initial response thereto. As a co-equal branch of the government, the Legislature should assist the Governor during such times of extreme peril as a proper check and balance of power when restrictions are placed on Idahoans. When exercising such powers during a state of extreme peril, the government should:

(1) Recognize that all Idahoans who work, provide for families, and pay taxes are essential to Idaho;

(2) Assure that the Idaho Legislature exercises its constitutional powers to appropriate funds;

(3) Prohibit the quarantine or isolation of healthy individuals;

(4) Protect Idahoans' respective constitutional rights, including the right to keep and bear arms and the right to free exercise of religion; and

(5) Prevent the delegation of government power to nonelected officials.

SECTION 2. That Section 46-601, Idaho Code, be, and the same is hereby amended to read as follows:

46-601. AUTHORITY OF GOVERNOR.

(1)(a) The governor ~~shall have the power in the event of~~ may proclaim a state of extreme ~~emergency to peril and then~~ order into the active service of the state, the national guard, or any part thereof, ~~and or the organized~~ militia, or any part thereof, or both as he may deem proper.

(b) "State of extreme ~~emergency peril~~" means: (a) ~~the~~

(i) ~~The~~ duly proclaimed existence of conditions of ~~extreme peril to threatening~~ the safety of persons ~~and or~~ property within the state, or any part thereof, caused by an enemy attack or ~~threatened~~ imminent enemy attack; or (b) ~~the~~

(ii) ~~The~~ duly proclaimed existence of conditions of ~~extreme peril to threatening~~ the safety of persons ~~and or~~ property within the state, or any part thereof, caused by ~~such conditions as air pollution, fire, flood, storm, epidemic, riot or earthquake, violent insurrection, breach of the peace, which~~ violent revolt, explosion, cyber attack on critical infrastructure, or other conditions that by reason of their magnitude are or are likely to be beyond the control of the services, personnel, equipment, and facilities of any county, any city, or any city and county or result in mass casualties.

(c) "Enemy attack" means an actual attack by terrorists or a foreign nation by terrorism, hostile air raids, or other forms of warfare upon this state or any other state or territory of the United States.

(d) "Violent insurrection" means a violent movement or violent actions by persons intending to overthrow the lawful government.

(e) "Terrorism" is as defined in section 18-8102, Idaho Code.

(2)(a) During a ~~period of a declared~~ state of extreme ~~emergency peril~~, the governor shall have ~~complete~~ authority over all executive agencies and departments of the state government, including all separate boards and commissions, and the right to exercise within the area or regions wherein the state of extreme ~~emergency peril~~ exists ~~all~~, subject to the provisions of this section, police power vested in the state by the constitution and the laws of the state of Idaho. ~~In the; provided, however, that the governor's exercise thereof he is authorized to promulgate, issue and enforce must be limited to promulgation, issuance, and enforcement of~~

~~written rules, regulations and orders which he considers necessary for the protection of necessary to support the national guard or militia and that are essential to protect life and or property from violent destruction. Such rules, regulations and orders shall must be essential to protect life or property from the existence of conditions threatening the safety of persons or property within the state and must be narrowly tailored to effectively protect life or property without placing unnecessary restrictions on the ability for a person or persons, regardless of job type or classification, to work, provide for their families, or otherwise contribute to the economy of the state of Idaho. Such rules and orders must, whenever practicable, be prepared in advance of extreme emergency peril, and the governor shall cause widespread publicity and notice to be given of such rules, regulations and orders. Rules, regulations and orders issued under the authority of this section and prepared in advance of a state of extreme emergency shall must not become operative until the governor proclaims a state of extreme emergency peril. Such rules, regulations and orders shall be in writing and shall take effect upon their issuance. They shall be filed in the office of the secretary of state as soon as possible after their issuance. A copy of such rules, regulations and orders shall likewise be filed in the office of the county clerk of each county, any portion of which is included within the area wherein a state of extreme emergency peril has been proclaimed. Whenever the~~

~~(b) The state of extreme emergency has been ended by either peril must terminate by the expiration of the period for which it was proclaimed or when the need for said state of extreme emergency has ceased, the governor shall declare the period of the state of extreme emergency to be at an end. peril has ceased, whichever is sooner. Any state of extreme peril in no event shall exceed sixty (60) days without concurrence of the legislature; provided, however, if the governor must maintain the proclamation of the state of extreme peril solely for the purpose of receiving federal funding, benefits, or resources as a result of a declared disaster emergency and if the receipt of such funding, benefits, or resources does not require the imposition of any conditions or restrictions prescribed in the proclamation, then the governor's proclamation shall continue in effect solely for the purpose of receipt of federal funding, benefits, or resources, and any conditions or restrictions contained in the proclamation shall no longer be in effect. All other provisions of the proclamation shall expire unless the legislature by concurrent resolution extends the duration of the state of extreme peril. The governor may not circumvent the sixty (60) day limitation by redeclaring successive states of extreme peril for the same conditions threatening the safety of persons or property within the state in the absence of an extension by the legislature.~~

~~(c) If the legislature is in a regular session during a state of extreme peril or in an extraordinary session to address the state of extreme peril, the legislature may consider any legislation to terminate or modify emergency orders of general applicability or to respond to the extreme peril, including appropriating necessary emergency funds. The legislature may terminate the state of extreme peril, in whole or in part. Such termination will be binding on the governor, state agencies, governmental entities, and political subdivisions; provided that nothing in this section prohibits a city's ability to pass ordinances for the preservation of public health pursuant to section 50-304, Idaho Code.~~

~~(d) Upon passage of legislation under paragraph (c) of this subsection, the governor must then immediately notify the public that the state of extreme peril has been modified or terminated. Such notice must be filed and publicized in the same manner that the rules or orders were filed and publicized under paragraph (a) of this subsection.~~

~~(3) During the continuance of any proclaimed state of extreme emergency, insurrection, peril or martial law, neither the governor nor any agency of any governmental entity or political subdivision of the state shall impose or enforce additional restrictions prohibited under Idaho law on the lawful manufacturing, possession, transfer, sale, transport, storage, display, or use of firearms or ammunition or otherwise limit or suspend any rights guaranteed by the United States constitution or the constitution of the state of Idaho, including but not limited to the right to peaceable assembly and free exercise of religion.~~

~~(4) During any state of extreme peril, the governor may not alter, adjust, or suspend any provision of the Idaho Code but for good cause may temporarily suspend enforcement of particular provisions that prevent, hinder, or delay necessary action to respond to the state of extreme peril. The governor shall file a notice describing the temporary suspension of enforcement of any particular provision with the office of the secretary of state as soon as possible after such suspension, and copies thereof shall be delivered to the speaker of the Idaho house of representatives, the president pro tempore of the Idaho senate, and the chief justice of the Idaho supreme court.~~

~~(5) Nothing in this section shall prohibit the governor from deploying the national guard, or any part thereof, or the militia, or any part thereof, or both as he may deem proper.~~

~~(6) The provisions of this section are hereby declared to be severable. If any provision of this section or the application of such provision to any person or circumstance is declared invalid by a court of competent jurisdiction for any reason, such declaration shall not affect the validity of the remaining portions of this section."~~

and renumber subsequent sections accordingly.

CORRECTION TO TITLE

On page 1, in line 2, following "LAW;" insert: "PROVIDING LEGISLATIVE INTENT;"

SENATE AMENDMENT TO S 1143

AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 41, delete "December 31, 2021" and insert: "February 28, 2022".

SENATE AMENDMENT TO S 1143

AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 30, following "other" insert: "comparable or lesser".

The Committee also has [H 66](#) and [S 1112](#) under consideration, reports progress, and begs leave to sit again.

LEE, Chairman

On motion by Senator Lee, seconded by Senator Stennett, the report was adopted by voice vote.

[S 1136](#), as amended, and [S 1143](#), as amended, were referred to the Judiciary and Rules Committee for engrossing and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

On request by Senator Anthon, granted by unanimous consent, the Senate returned to the Thirteenth Order of Business.

Third Reading of Bills

S 1162 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nye arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Zito. Total - 33.

NAYS—None.

Absent and excused—Bair, Woodward. Total - 2.

Total - 35.

Whereupon the President declared **S 1162** passed, title was approved, and the bill ordered transmitted to the House.

S 1163 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Agenbroad arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Burgoyne, Burtenshaw, Cook, Crabtree, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Riggs, Stennett, Ward-Engelking, Winder, Wintrow. Total - 24.

NAYS—Anthon, Bayer, Den Hartog, Rice, Ricks, Souza, Thayn, Vick, Zito. Total - 9.

Absent and excused—Bair, Woodward. Total - 2.

Total - 35.

Whereupon the President declared **S 1163** passed, title was approved, and the bill ordered transmitted to the House.

S 1164 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Cook arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Zito. Total - 34.

NAYS—None.

Absent and excused—Woodward. Total - 1.

Total - 35.

Whereupon the President declared **S 1164** passed, title was approved, and the bill ordered transmitted to the House.

S 1165 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Agenbroad arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Burgoyne, Burtenshaw, Cook, Crabtree, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Ward-Engelking, Winder, Wintrow. Total - 29.

NAYS—Bayer, Den Hartog, Thayn, Vick, Zito. Total - 5.

Absent and excused—Woodward. Total - 1.

Total - 35.

Whereupon the President declared **S 1165** passed, title was approved, and the bill ordered transmitted to the House.

H 224 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ward-Engelking arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Ricks, Riggs, Souza, Stennett, Thayn, Ward-Engelking, Winder, Wintrow. Total - 30.

NAYS—Bayer, Rice, Vick, Zito. Total - 4.

Absent and excused—Woodward. Total - 1.

Total - 35.

Whereupon the President declared **H 224** passed, title was approved, and the bill ordered returned to the House.

H 225 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Cook arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Zito. Total - 34.

NAYS—None.

Absent and excused—Woodward. Total - 1.

Total - 35.

Whereupon the President declared **H 225** passed, title was approved, and the bill ordered returned to the House.

On request by Senator Anthon, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

Reports of Standing Committees

March 10, 2021

The JUDICIARY AND RULES Committee reports that Senate amendments to **S 1136** and **S 1143** have been correctly printed.

LAKEY, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

March 10, 2021

The JUDICIARY AND RULES Committee reports that [S 1136](#), as amended, and [S 1143](#), as amended, have been correctly engrossed.

LAKEY, Chairman

[S 1136](#), as amended, and [S 1143](#), as amended, were filed for first reading.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

**Introduction, First Reading, and Reference of Bills,
House Petitions, Resolutions, and Memorials**

[S 1136](#), as amended, and [S 1143](#), as amended, by State Affairs Committee, were read the first time at length and filed for second reading.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the Senate adjourned at 5 p.m. until the hour of 10 a.m., Thursday, March 11, 2021.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

SIXTIETH LEGISLATIVE DAY
THURSDAY, MARCH 11, 2021

Senate Chamber

President McGeachin called the Senate to order at 10 a.m.

Roll call showed all members present except Senators Grow, Johnson, and Stennett, absent and excused.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Tyler Tippetts, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 10, 2021, was read and approved as corrected.

LAKEY, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

SJM 104 BY JUDICIARY AND RULES COMMITTEE A JOINT MEMORIAL

TO THE PRESIDENT OF THE UNITED STATES,
TO GOVERNOR BRAD LITTLE, AND TO THE
CONGRESSIONAL DELEGATION REPRESENTING THE
STATE OF IDAHO IN THE CONGRESS OF THE UNITED
STATES.

We, your Memorialists, the Senate and the House of Representatives of the State of Idaho assembled in the First Regular Session of the Sixty-sixth Idaho Legislature, do hereby respectfully represent that:

WHEREAS, it is the policy of the state of Idaho and its local governments to advance and defend a balanced, dynamic criminal justice partnership with the federal government; and

WHEREAS, Congress and the Biden Administration should avoid federalizing crime policy and substituting national laws for state and local policy decisions affecting criminal and juvenile justice, and federal jurisdiction should be reserved for areas where a national problem has been identified and states are unable to adequately provide solutions due to scope or where it is required to protect federal constitutional rights; and

WHEREAS, Congress and the Biden Administration must recognize that states and local governments have the predominant

responsibility to ensure public safety and the administration of justice and must adhere to fundamental principles of federalism in all areas of criminal justice; and

WHEREAS, states diligently strive to improve criminal justice systems and policies and recognize that federal funding is sometimes necessary to implement state reforms in this area, and funding levels for Department of Justice grants and reimbursements to states should be maintained; and

WHEREAS, the state of Idaho joins the National Conference of State Legislatures in opposing congressional proposals or federal regulations that would withhold a portion of state criminal justice grants or other funding as a penalty for noncompliance with federal criminal justice policies and opposes the withholding of any federal criminal justice funding as a penalty for state policy choices; and

WHEREAS, the state of Idaho urges the federal government to respect state criminal justice priorities and pursue partnerships rather than mandates.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-sixth Idaho Legislature, the Senate and the House of Representatives concurring therein, that the state of Idaho affirms its commitment to the Tenth Amendment of the United States Constitution that is the cornerstone of constitutional federalism and reserves broad powers to the states and to the people and that Congress and the Biden Administration must allow states their authority to shape public policy in all areas of criminal justice.

BE IT FURTHER RESOLVED that the Secretary of the Senate be, and she is hereby authorized and directed to forward a copy of this Memorial to the President of the United States, to Governor Brad Little, and to the congressional delegation representing the State of Idaho in the Congress of the United States.

[SJM 104](#) was introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 11, 2021

The JUDICIARY AND RULES Committee reports that [S 1178](#) has been correctly printed.

LAKEY, Chairman

[S 1178](#) was referred to the State Affairs Committee.

March 10, 2021

The LOCAL GOVERNMENT AND TAXATION Committee reports out [H 210](#) and [H 217](#) with the recommendation that they do pass.

RICE, Chairman

[H 210](#) and [H 217](#) were filed for second reading.

March 10, 2021

The LOCAL GOVERNMENT AND TAXATION Committee reports out [H 171](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

RICE, Chairman

There being no objection, [H 171](#) was referred to the Fourteenth Order of Business, General Calendar.

March 10, 2021

The LOCAL GOVERNMENT AND TAXATION Committee reports it has had under consideration the Gubernatorial appointment listed below and the Committee recommends that said appointment be confirmed by the Senate:

Jefferson McCray to the State Tax Commission, term to expire April 26, 2025.

RICE, Chairman

The Gubernatorial appointment was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 10, 2021

The JUDICIARY AND RULES Committee reports out [H 59](#) and [H 191](#) with the recommendation that they be referred to the Fourteenth Order of Business for amendment.

LAKEY, Chairman

There being no objection, [H 59](#) and [H 191](#) were referred to the Fourteenth Order of Business, General Calendar.

March 11, 2021

The AGRICULTURAL AFFAIRS Committee reports out [H 126](#) with the recommendation that it do pass.

BURTENSHAW, Chairman

[H 126](#) was filed for second reading.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

March 10, 2021

Dear Madam President:

I transmit herewith [H 232](#), [H 299](#), [H 303](#), [H 304](#), [H 305](#), [H 306](#), [H 308](#), [H 250](#), as amended, [H 240](#), as amended, [H 161](#), as amended, [H 317](#), and [H 293](#), which have passed the House.

MAULIN, Chief Clerk

[H 232](#), [H 299](#), [H 303](#), [H 304](#), [H 305](#), [H 306](#), [H 308](#), [H 250](#), as amended, [H 240](#), as amended, [H 161](#), as amended, [H 317](#), and [H 293](#) were filed for first reading.

March 10, 2021

Dear Madam President:

The House had under consideration the recommendations of the Joint Printing Committee, and report them adopted.

MAULIN, Chief Clerk

The report was ordered filed in the office of the Secretary of the Senate.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1179

BY FINANCE COMMITTEE AN ACT

RELATING TO THE APPROPRIATION TO THE STATE BOARD OF EDUCATION AND THE BOARD OF REGENTS OF THE UNIVERSITY OF IDAHO; APPROPRIATING MONEYS TO THE STATE BOARD OF EDUCATION AND THE BOARD OF REGENTS OF THE UNIVERSITY OF IDAHO FOR COLLEGE AND UNIVERSITIES AND THE OFFICE OF THE STATE BOARD OF EDUCATION FOR FISCAL YEAR 2022; PROVIDING REAPPROPRIATION AUTHORITY; EXEMPTING THE APPROPRIATION FROM OBJECT AND PROGRAM TRANSFER LIMITATIONS; PROVIDING REQUIREMENTS FOR SYSTEMWIDE NEEDS; DIRECTING AN ADJUSTMENT FOR STUDENT TUITION AND FEES FOR FISCAL YEAR 2022; DIRECTING THE USE OF APPROPRIATED FUNDS; PROVIDING REPORTING REQUIREMENTS; APPROPRIATING ADDITIONAL MONEYS TO THE STATE BOARD OF EDUCATION AND THE BOARD OF REGENTS OF THE UNIVERSITY OF IDAHO FOR COLLEGE AND UNIVERSITIES AND THE OFFICE OF THE STATE BOARD OF EDUCATION FOR FISCAL YEAR 2021; AND DECLARING AN EMERGENCY.

S 1180

BY FINANCE COMMITTEE AN ACT

RELATING TO THE APPROPRIATION TO THE IDAHO STATE HISTORICAL SOCIETY FOR FISCAL YEAR 2022; APPROPRIATING MONEYS TO THE IDAHO STATE HISTORICAL SOCIETY FOR FISCAL YEAR 2022; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

S 1181

BY FINANCE COMMITTEE AN ACT

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF HEALTH AND WELFARE FOR FISCAL YEAR 2022; APPROPRIATING MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE DIVISIONS OF INDEPENDENT COUNCILS, INDIRECT SUPPORT SERVICES, AND LICENSING AND CERTIFICATION FOR FISCAL YEAR 2022; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING FOR GENERAL FUND TRANSFERS TO THE COOPERATIVE WELFARE FUND; DIRECTING EXPENDITURES FOR TRUSTEE AND BENEFIT PAYMENTS; PROVIDING REQUIREMENTS FOR PROGRAM INTEGRITY; REQUIRING MEDICAID TRACKING REPORTS; AND REQUIRING REPORTS ON FACILITY LICENSING AND CERTIFICATION.

S 1182

BY JUDICIARY AND RULES COMMITTEE AN ACT

RELATING TO EMPLOYMENT SECURITY LAW; AMENDING SECTION 72-1367, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE UNEMPLOYMENT BENEFIT FORMULA.

[S 1179](#), [S 1180](#), [S 1181](#), and [S 1182](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

Senator Stennett was recorded present at this order of business.

[H 232](#) and [H 299](#), by State Affairs Committee, were introduced, read the first time at length, and referred to the State Affairs Committee.

[H 303](#), [H 304](#), [H 305](#), [H 306](#), and [H 308](#), by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

[H 250](#), as amended, by Education Committee, was introduced, read the first time at length, and referred to the Education Committee.

[H 240](#), as amended, by Judiciary, Rules and Administration Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

[H 161](#), as amended, by Transportation and Defense Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

[H 317](#), by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

[H 293](#), by Education Committee, was introduced, read the first time at length, and referred to the Education Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

On request by Senator Bair, granted by unanimous consent, [S 1174](#) was referred to the Finance Committee.

[H 282](#) and [H 283](#), by Appropriations Committee, were read the second time at length and filed for third reading.

[S 1172](#), [S 1173](#), [S 1175](#), [S 1176](#), and [S 1177](#), by Finance Committee, were read the second time at length and filed for third reading.

[H 85](#), [H 86](#), [H 129](#), [H 132](#), as amended, and [H 229](#), by Transportation and Defense Committee, were read the second time at length and filed for third reading.

[H 81](#), by Business Committee, was read the second time at length and filed for third reading.

[H 251](#), by Revenue and Taxation Committee, was read the second time at length and filed for third reading.

[S 1171](#), by State Affairs Committee, was read the second time at length and filed for third reading.

[H 182](#), [H 184](#), [H 185](#), [H 186](#), [H 267](#), and [H 268](#), by Resources and Conservation Committee, were read the second time at length and filed for third reading.

[H 222](#), by Education Committee, was read the second time at length and filed for third reading.

[S 1136](#), as amended, and [S 1143](#), as amended, by State Affairs Committee, were read the second time at length and filed for third reading.

Senator Johnson was recorded present at this order of business.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

On request by Senator Anthon, granted by unanimous consent, [S 1108](#), as amended, was referred to the Fourteenth Order of Business, General Calendar.

[H 228](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Riggs arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS—None.

Absent and excused—Grow. Total - 1.

Total - 35.

Whereupon the President declared [H 228](#) passed, title was approved, and the bill ordered returned to the House.

[H 230](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nye arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS—None.

Absent and excused—Grow. Total - 1.

Total - 35.

Whereupon the President declared [H 230](#) passed, title was approved, and the bill ordered returned to the House.

[H 261](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Grow arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared [H 261](#) passed, title was approved, and the bill ordered returned to the House.

[H 262](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Grow arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward. Total - 33.

NAYS—Bayer, Zito. Total - 2.

Total - 35.

Whereupon the President declared [H 262](#) passed, title was approved, and the bill ordered returned to the House.

[H 263](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lent arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared [H 263](#) passed, title was approved, and the bill ordered returned to the House.

[H 269](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nye arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared [H 269](#) passed, title was approved, and the bill ordered returned to the House.

[H 270](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ward-Engelking arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Burgoyne, Burtenshaw, Cook, Crabtree, Grow, Guthrie, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Ricks, Souza, Stennett, Thayn, Ward-Engelking, Winder, Wintrow, Woodward. Total - 28.

NAYS—Bayer, Den Hartog, Harris, Rice, Riggs, Vick, Zito. Total - 7.

Total - 35.

Whereupon the President declared [H 270](#) passed, title was approved, and the bill ordered returned to the House.

[H 272](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nye arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senators Lee and Nye disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared [H 272](#) passed, title was approved, and the bill ordered returned to the House.

[H 141](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Patrick arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared [H 141](#), as amended, passed, title was approved, and the bill ordered returned to the House.

[H 128](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nelson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared [H 128](#) passed, title was approved, and the bill ordered returned to the House.

[H 75](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Guthrie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared [H 75](#) passed, title was approved, and the bill ordered returned to the House.

[H 80](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lakey

arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared [H 80](#) passed, title was approved, and the bill ordered returned to the House.

[H 120](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ricks arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared [H 120](#) passed, title was approved, and the bill ordered returned to the House.

[H 170](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Grow arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared [H 170](#) passed, title was approved, and the bill ordered returned to the House.

[H 25](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared [H 25](#) passed, title was approved, and the bill ordered returned to the House.

[H 57](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bair arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye,

Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared [H 57](#) passed, title was approved, and the bill ordered returned to the House.

[H 93](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Vick arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared [H 93](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Anthon, granted by unanimous consent, the Senate returned to the Fourth Order of Business.

Reading of Communications

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote the Senate recessed at 11:56 a.m. until the hour of 4 p.m. of this day.

RECESS AFTERNOON SESSION

The Senate reconvened at 4 p.m., pursuant to recess, President McGeachin presiding.

Roll call showed all members present except Senators Crabtree, Den Hartog, Johnson, Lodge, Nelson, Ward-Engelking, and Woodward, absent and excused.

Prior to recess the Senate was at the Fifth Order of Business, Petitions, Resolutions, and Memorials.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 11, 2021

The FINANCE Committee reports out [H 303](#), [H 304](#), [H 305](#), [H 306](#), and [H 308](#) with the recommendation that they do pass.

BAIR, Chairman

[H 303](#), [H 304](#), [H 305](#), [H 306](#), and [H 308](#) were filed for second reading.

Senators Crabtree, Nelson, and Woodward were recorded present at this order of business.

March 11, 2021

The COMMERCE AND HUMAN RESOURCES Committee reports out [H 103](#), [H 138](#), [H 139](#), and [H 142](#) with the recommendation that they do pass.

PATRICK, Chairman

[H 103](#), [H 138](#), [H 139](#), and [H 142](#) were filed for second reading.

March 11, 2021

The COMMERCE AND HUMAN RESOURCES Committee reports out [H 102](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

PATRICK, Chairman

There being no objection, [H 102](#) was referred to the Fourteenth Order of Business, General Calendar.

March 11, 2021

The TRANSPORTATION Committee reports out [H 131](#) and [H 165](#) with the recommendation that they do pass.

DEN HARTOG, Chair

[H 131](#) and [H 165](#) were filed for second reading.

Senators Den Hartog and Johnson were recorded present at this order of business.

March 11, 2021

The TRANSPORTATION Committee reports out [S 1169](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

DEN HARTOG, Chair

There being no objection, [S 1169](#) was referred to the Fourteenth Order of Business, General Calendar.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

[H 94](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ricks arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Winder, Wintrow, Woodward, Zito. Total - 33.

NAYS—None.

Absent and excused—Lodge, Ward-Engelking. Total - 2.

Total - 35.

Whereupon the President declared [H 94](#) passed, title was approved, and the bill ordered returned to the House.

[H 95](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lee arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared [H 95](#) passed, title was approved, and the bill ordered returned to the House.

[H 96](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Zito arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Lakey, Lee, Lent, Lodge, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Thayn, Vick, Ward-Engelking, Winder, Woodward, Zito. Total - 29.

NAYS—Burgoyne, Johnson, Martin, Nelson, Stennett, Wintrow. Total - 6.

Total - 35.

Whereupon the President declared [H 96](#) passed, title was approved, and the bill ordered returned to the House.

[H 208](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Riggs arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared [H 208](#) passed, title was approved, and the bill ordered returned to the House.

[H 51](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Zito arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Thayn, Vick, Ward-Engelking, Winder, Woodward, Zito. Total - 31.

NAYS—Burgoyne, Nye, Stennett, Wintrow. Total - 4.

Total - 35.

Whereupon the President declared [H 51](#) passed, title was approved, and the bill ordered returned to the House.

[H 46](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Heider arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS—Burgoyne. Total - 1.

Total - 35.

Whereupon the President declared [H 46](#) passed, title was approved, and the bill ordered returned to the House.

[H 136](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Harris arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared [H 136](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Anthon, granted by unanimous consent, [H 127](#) was placed at the head of the Third Reading Calendar, followed by [S 1136aa](#), followed by Senate bills, followed by House bills.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the Senate adjourned at 4:55 p.m. until the hour of 10 a.m., Friday, March 12, 2021.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

SIXTY-FIRST LEGISLATIVE DAY
FRIDAY, MARCH 12, 2021

Senate Chamber

President Pro Tempore Winder called the Senate to order at 10 a.m.

Roll call showed all members present except Senators Agenbroad, Bair, Cook, Crabtree, Grow, Lent, Nye, Rabe, Riggs, Ward-Engelking, and Woodward, absent and excused.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Charlotte Brockman, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 11, 2021, was read and approved as corrected.

LAKEY, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 12, 2021

The JUDICIARY AND RULES Committee reports that [SJM 104](#), [S 1179](#), [S 1180](#), [S 1181](#), and [S 1182](#) have been correctly printed.

LAKEY, Chairman

[SJM 104](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

[S 1179](#), [S 1180](#), and [S 1181](#) were referred to the Finance Committee.

[S 1182](#) was referred to the Commerce and Human Resources Committee.

March 11, 2021

The LOCAL GOVERNMENT AND TAXATION Committee reports out [H 156](#), [H 276](#), and [H 277](#) with the recommendation that they do pass.

RICE, Chairman

[H 156](#), [H 276](#), and [H 277](#) were filed for second reading.

March 11, 2021

The LOCAL GOVERNMENT AND TAXATION Committee reports out [H 252](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

RICE, Chairman

There being no objection, [H 252](#) was referred to the Fourteenth Order of Business, General Calendar.

March 12, 2021

The EDUCATION Committee reports it has had under consideration the Gubernatorial appointment listed below and the Committee recommends that said appointment be confirmed by the Senate:

Linda Clark to the State Board of Education, term to expire July 1, 2025.

RICE, Chairman

The Gubernatorial appointment was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

March 11, 2021

Dear Mr. President:

I transmit herewith [H 275](#), [H 312](#), [H 313](#), and [H 122](#), which have passed the House.

MAULIN, Chief Clerk

[H 275](#), [H 312](#), [H 313](#), and [H 122](#) were filed for first reading.

March 11, 2021

Dear Mr. President:

I transmit herewith Enrolled [HCR 7](#) for the signature of the President.

MAULIN, Chief Clerk

The President Pro Tempore signed Enrolled [HCR 7](#) and ordered it returned to the House.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1183

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO THE FETAL HEARTBEAT PREBORN CHILD PROTECTION ACT; AMENDING TITLE 18, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 87, TITLE 18, IDAHO CODE, TO DEFINE TERMS, TO PROVIDE LEGISLATIVE FINDINGS AND INTENT, TO PROVIDE FOR THE DETERMINATION OF A FETAL HEARTBEAT, TO PROHIBIT AN ABORTION FOLLOWING DETECTION OF A FETAL HEARTBEAT, TO PROVIDE EXCEPTIONS

IN CERTAIN INSTANCES, TO PROVIDE PENALTIES, TO PROVIDE AN EFFECTIVE DATE UPON A CERTAIN OCCURRENCE, TO PROVIDE THAT A PREGNANT WOMAN MAY BRING A CIVIL ACTION IN CERTAIN INSTANCES, AND TO PROVIDE SEVERABILITY.

S 1183 was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

Senator Rabe was recorded present at this order of business.

H 275, by Business Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

H 312 and H 313, by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

H 122, by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

H 210 and H 217, by Revenue and Taxation Committee, were read the second time at length and filed for third reading.

H 126, by Agricultural Affairs Committee, was read the second time at length and filed for third reading.

H 303, H 304, H 305, H 306, and H 308, by Appropriations Committee, were read the second time at length and filed for third reading.

H 103, by Business Committee, was read the second time at length and filed for third reading.

H 138, H 139, and H 142, by Commerce and Human Resources Committee, were read the second time at length and filed for third reading.

H 131 and H 165, by Transportation and Defense Committee, were read the second time at length and filed for third reading.

Senators Agenbroad, Bair, Cook, Crabtree, Grow, Lent, Nye, Riggs, Ward-Engelking, and Woodward were recorded present at this order of business.

On request by Senator Anthon, granted by unanimous consent, the Senate returned to the Tenth Order of Business.

Motions and Resolutions

On request by Senator Anthon, granted by unanimous consent, SP 101 was placed at the top of the calendar.

The President Pro Tempore announced that SP 101 was before the Senate for final consideration, the question being, "Shall the proclamation be adopted?"

On motion by Senator Ricks, seconded by Senator Burgoyne, SP 101 was adopted by voice vote, title was approved, and the proclamation ordered transmitted to the House.

On request by Senator Anthon, granted by unanimous consent, HCR 10 was placed before the Senate for final consideration.

The President Pro Tempore announced that HCR 10 was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Lodge, seconded by Senator Stennett, HCR 10 was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

H 127 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Crabtree arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

On request by Senator Anthon, granted by unanimous consent, H 127 retained its place on the Third Reading Calendar for Monday, March 15, 2021.

On request by Senator Anthon, granted by unanimous consent, H 251 was placed before the Senate for final consideration at this time.

H 251 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Rice arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared H 251 passed, title was approved, and the bill ordered returned to the House.

S 1136, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Anthon arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Patrick, Rice, Riggs, Souza, Thayn, Vick, Winder, Woodward, Zito. Total - 27.

NAYS—Burgoyne, Nelson, Nye, Rabe, Stennett, Ward-Engelking, Wintrow. Total - 7.

Absent and excused—Ricks. Total - 1.

Paired and voting included in roll call:
AYE - Johnson NAY - Ward-Engelking

Total - 35.

Whereupon the President Pro Tempore declared S 1136, as amended, passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Anthon, granted by unanimous consent, H 308 was placed at the head of the Third Reading Calendar, followed by Senate bills, followed by House bills.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12:44 p.m. until the hour of 10 a.m., Monday, March 15, 2021.

CHUCK WINDER, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

SIXTY-FOURTH LEGISLATIVE DAY
MONDAY, MARCH 15, 2021

Senate Chamber

President McGeachin called the Senate to order at 10 a.m.

Roll call showed all members present.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Grace Kuhn, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 12, 2021, was read and approved as corrected.

LAKEY, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 15, 2021

The JUDICIARY AND RULES Committee reports that [S 1183](#) has been correctly printed.

LAKEY, Chairman

[S 1183](#) was referred to the State Affairs Committee.

March 12, 2021

The STATE AFFAIRS Committee reports out [H 198](#) and [S 1178](#) with the recommendation that they do pass.

LODGE, Chair

[H 198](#) and [S 1178](#) were filed for second reading.

March 15, 2021

The FINANCE Committee reports out [H 312](#), [H 313](#), [S 1179](#), [S 1180](#), and [S 1181](#) with the recommendation that they do pass.

BAIR, Chairman

[H 312](#), [H 313](#), [S 1179](#), [S 1180](#), and [S 1181](#) were filed for second reading.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

March 12, 2021

Dear Madam President:

I transmit herewith [H 286](#), [H 307](#), [H 298](#), and [HCR 13](#), which have passed the House.

MAULIN, Chief Clerk

[H 286](#), [H 307](#), [H 298](#), and [HCR 13](#) were filed for first reading.

March 12, 2021

Dear Madam President:

I return herewith [S 1091](#), [S 1094](#), [S 1044](#), [S 1055](#), [S 1060](#), [S 1121](#), [S 1041](#), [S 1010](#), [S 1049](#), [S 1093](#), and [S 1009](#), which have passed the House.

MAULIN, Chief Clerk

[S 1091](#), [S 1094](#), [S 1044](#), [S 1055](#), [S 1060](#), [S 1121](#), [S 1041](#), [S 1010](#), [S 1049](#), [S 1093](#), and [S 1009](#) were referred to the Judiciary and Rules Committee for enrolling.

March 12, 2021

Dear Madam President:

I transmit herewith Enrolled [H 73](#), [H 224](#), and [H 225](#) for the signature of the President.

MAULIN, Chief Clerk

The President signed Enrolled [H 73](#), [H 224](#), and [H 225](#) and ordered them returned to the House.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

[H 308](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Woodward arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared [H 308](#) passed, title was approved, and the bill ordered returned to the House.

[S 1172](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Cook arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared [S 1172](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1173](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Riggs arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Ricks, Riggs, Souza, Stennett, Ward-Engelking, Winder, Wintrow, Woodward. Total - 30.

NAYS—Bayer, Rice, Thayn, Vick, Zito. Total - 5.

Total - 35.

Whereupon the President declared [S 1173](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1175](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ward-Engelking arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward. Total - 33.

NAYS—Bayer, Zito. Total - 2.

Total - 35.

Whereupon the President declared [S 1175](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1176](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Crabtree arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Thayn, Vick, Ward-Engelking, Winder, Woodward, Zito. Total - 32.

NAYS—Burgoyne, Stennett, Wintrow. Total - 3.

Total - 35.

Whereupon the President declared [S 1176](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1177](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Cook arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared [S 1177](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1171](#) was read the third time at length, section by section, and placed before the Senate for final consideration. President Pro Tempore Winder arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 33.

NAYS—Grow. Total - 1.

Absent and excused—Agenbroad. Total - 1.

Total - 35.

Whereupon the President declared [S 1171](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1143](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Souza arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared [S 1143](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

[H 127](#), having been held, having previously been read the third time at length and debate having previously been opened, was before the Senate for final consideration. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Harris, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Souza, Stennett, Ward-Engelking, Wintrow, Woodward. Total - 25.

NAYS—Bair, Bayer, Guthrie, Heider, Johnson, Riggs, Thayn, Vick, Winder, Zito. Total - 10.

Total - 35.

Whereupon the President declared [H 127](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Anthon, granted by unanimous consent, the Senate returned to the Eleventh Order of Business.

**Introduction, First Reading, and Reference of Bills,
House Petitions, Resolutions, and Memorials**

S 1184

**BY FINANCE COMMITTEE
AN ACT**

RELATING TO THE APPROPRIATION TO THE OFFICE OF THE SECRETARY OF STATE FOR FISCAL YEAR 2022; APPROPRIATING MONEYS TO THE OFFICE OF THE SECRETARY OF STATE FOR FISCAL YEAR 2022; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

S 1185

**BY FINANCE COMMITTEE
AN ACT**

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF HEALTH AND WELFARE FOR FISCAL YEAR 2022; APPROPRIATING MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE DIVISION OF MEDICAID FOR FISCAL YEAR 2022; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING FOR GENERAL FUND TRANSFERS TO THE COOPERATIVE WELFARE FUND; DIRECTING EXPENDITURES FOR TRUSTEE AND BENEFIT PAYMENTS; PROVIDING REQUIREMENTS FOR PROGRAM INTEGRITY; REQUIRING MONTHLY MEDICAID TRACKING REPORTS; ALLOWING FOR TRANSFER OF APPROPRIATIONS BETWEEN PROGRAMS; REQUIRING A REPORT ON MEDICAID MANAGED CARE IMPLEMENTATION; REQUIRING COST-SHARING FOR SERVICES; AND PROVIDING REQUIREMENTS FOR BUDGET INTEGRITY.

S 1186

**BY FINANCE COMMITTEE
AN ACT**

RELATING TO THE APPROPRIATION TO THE OFFICE OF THE STATE TREASURER; APPROPRIATING MONEYS TO THE OFFICE OF THE STATE TREASURER FOR FISCAL YEAR 2022; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING REQUIREMENTS REGARDING PAYMENT OF BANK SERVICE FEES; REDUCING THE APPROPRIATION TO THE OFFICE OF THE STATE TREASURER FOR FISCAL YEAR 2021; APPROPRIATING ADDITIONAL MONEYS TO THE OFFICE OF THE STATE TREASURER FOR FISCAL YEAR 2021; PROVIDING REQUIREMENTS REGARDING CAPITOL FURNITURE; AND DECLARING AN EMERGENCY.

S 1187

**BY FINANCE COMMITTEE
AN ACT**

RELATING TO THE APPROPRIATION TO THE STATE BOARD OF EDUCATION AND THE BOARD OF REGENTS OF THE UNIVERSITY OF IDAHO FOR SPECIAL PROGRAMS FOR FISCAL YEAR 2022; APPROPRIATING MONEYS TO THE STATE BOARD OF EDUCATION AND THE BOARD OF REGENTS OF THE UNIVERSITY OF IDAHO FOR SPECIAL PROGRAMS FOR FISCAL YEAR 2022; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; APPROPRIATING AND TRANSFERRING MONEYS FROM THE GENERAL FUND TO THE OPPORTUNITY SCHOLARSHIP

PROGRAM ACCOUNT; AND REQUIRING OPPORTUNITY SCHOLARSHIP PROGRAM ACCOUNT REPORTING.

[S 1184](#), [S 1185](#), [S 1186](#), and [S 1187](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 286](#), by Resources and Conservation Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

[H 307](#), by Ways and Means Committee, was introduced, read the first time at length, and referred to the Resources and Environment Committee.

[H 298](#), by Education Committee, was introduced, read the first time at length, and referred to the Education Committee.

[HCR 13](#), by State Affairs Committee, was introduced, read at length, and referred to the State Affairs Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[H 156](#), by Local Government Committee, was read the second time at length and filed for third reading.

[H 276](#) and [H 277](#), by Revenue and Taxation Committee, were read the second time at length and filed for third reading.

On request by Senator Anthon, granted by unanimous consent, the Senate returned to the Fourth Order of Business.

Reading of Communications

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote the Senate recessed at 11:25 a.m. until the hour of 4 p.m. of this day.

RECESS

AFTERNOON SESSION

The Senate reconvened at 4 p.m., pursuant to recess, President McGeachin presiding.

Roll call showed all members present except Senators Agenbroad, Bair, Cook, Crabtree, Den Hartog, Lent, Rice, Thayne, Ward-Engelking, and Woodward, absent and excused.

Prior to recess the Senate was at the Fifth Order of Business, Petitions, Resolutions, and Memorials.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 15, 2021

The JUDICIARY AND RULES Committee reports that [S 1091](#), [S 1094](#), [S 1044](#), [S 1055](#), [S 1060](#), [S 1121](#), [S 1041](#), [S 1010](#), [S 1049](#), [S 1093](#), and [S 1009](#) have been correctly enrolled.

LAKEY, Chairman

The President signed Enrolled [S 1091](#), [S 1094](#), [S 1044](#), [S 1055](#), [S 1060](#), [S 1121](#), [S 1041](#), [S 1010](#), [S 1049](#), [S 1093](#), and [S 1009](#) and ordered them transmitted to the House for the signature of the Speaker.

March 15, 2021

The STATE AFFAIRS Committee reports out [H 155](#), [H 231](#), [H 243](#), [H 279](#), and [HCR 8](#) with the recommendation that they do pass.

LODGE, Chair

[H 155](#), [H 231](#), [H 243](#), and [H 279](#) were filed for second reading.

[HCR 8](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

Senators Crabtree, Thayne, and Woodward were recorded present at this order of business.

March 15, 2021

The STATE AFFAIRS Committee reports out [S 1168](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

LODGE, Chair

There being no objection, [S 1168](#) was referred to the Fourteenth Order of Business, General Calendar.

March 15, 2021

The RESOURCES AND ENVIRONMENT Committee reports out [H 187](#), [H 235](#), and [H 239](#) with the recommendation that they do pass.

VICK, Chairman

[H 187](#), [H 235](#), and [H 239](#) were filed for second reading.

Senators Cook, Lent, and Ward-Engelking were recorded present at this order of business.

March 15, 2021

The JUDICIARY AND RULES Committee reports out [H 150](#) and [H 152](#) with the recommendation that they do pass.

LAKEY, Chairman

[H 150](#) and [H 152](#) were filed for second reading.

March 15, 2021

The JUDICIARY AND RULES Committee reports out [H 246](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

LAKEY, Chairman

There being no objection, [H 246](#) was referred to the Fourteenth Order of Business, General Calendar.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

March 15, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that Marianne King of Boise, Idaho, was appointed as the Administrator of the Office of Drug Policy to serve a term commencing March 8, 2021, and continuing at the pleasure of the Governor.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

Sincerely,
/s/ Brad Little
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the Judiciary and Rules Committee.

The Senate advanced to the Ninth Order of Business.

Messages from the House

March 15, 2021

Dear Madam President:

I return herewith [S 1096](#), [S 1005](#), [S 1020](#), [S 1015](#), [S 1072](#), and [S 1073](#), which have passed the House.

MAULIN, Chief Clerk

[S 1096](#), [S 1005](#), [S 1020](#), [S 1015](#), [S 1072](#), and [S 1073](#) were referred to the Judiciary and Rules Committee for enrolling.

March 15, 2021

Dear Madam President:

I transmit herewith Enrolled [H 228](#), [H 230](#), [H 261](#), [H 262](#), [H 263](#), [H 269](#), [H 270](#), [H 272](#), [H 141](#), as amended, [H 128](#), [H 75](#), [H 80](#), [H 120](#), [H 170](#), [H 25](#), [H 57](#), [H 93](#), [H 94](#), [H 95](#), [H 96](#), [H 208](#), [H 51](#), [H 46](#), and [H 136](#) for the signature of the President.

MAULIN, Chief Clerk

The President signed Enrolled [H 228](#), [H 230](#), [H 261](#), [H 262](#), [H 263](#), [H 269](#), [H 270](#), [H 272](#), [H 141](#), as amended, [H 128](#), [H 75](#), [H 80](#), [H 120](#), [H 170](#), [H 25](#), [H 57](#), [H 93](#), [H 94](#), [H 95](#), [H 96](#), [H 208](#), [H 51](#), [H 46](#), and [H 136](#) and ordered them returned to the House.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Fourteenth Order of Business.

General Calendar

The President declared the Senate resolved into the Committee of the Whole and called Senator Lee to the Chair to preside during the sitting of the Committee of the Whole.

Following the adjournment of the Committee of the Whole, the President called the Senate to order.

Senators Agenbroad, Bair, and Den Hartog were recorded present at this order of business.

Report of the Committee of the Whole

Senator Lee, Chairman of the Committee of the Whole, reported out [S 1112](#), [H 171](#), and [H 102](#), without recommendation, amended as follows:

SENATE AMENDMENT TO S 1112

AMENDMENT TO SECTION 1

On page 1 of the printed bill, delete lines 9 through 42; and on page 2, delete line 1 through 25, and insert:

"67-465. SPECIAL SESSION CONVENED BY THE LEGISLATURE. (1) In order to convene a special session of the legislature, the members of the house of representatives and the members of the senate must deliver, by either hand delivery or certified letter, return receipt requested, to the speaker of the house of representatives and the president pro tempore of the senate a single, joint petition signed by at least sixty percent (60%) of the members of the house of representatives and sixty percent (60%) of the members of the senate. The petition must include:

- (a) The name and legislative district of each petitioner;
- (b) The handwritten or electronic signature of each petitioner, including signatures on any number of counterparts, and such counterparts shall constitute one and the same petition;
- (c) The specific subject or subjects to be considered during the special session; and
- (d) The identified need for the special session.

(2) The speaker of the house of representatives shall be responsible for verifying the petitioners from the house of representatives, and the president pro tempore of the senate shall be responsible for verifying the petitioners from the senate. Upon verification of the requisite percentages of signatories and elements of a petition established by this section, the speaker of the house of representatives and the president pro tempore of the senate will notify all members of the legislature that the petition has met the legal requirements to convene a special session, shall publish a copy of the petition upon which the special session is based on the legislature's website, and shall declare the location, time, and date for the convocation of the session. Such session must convene no sooner than forty-eight (48) hours or later than fifteen (15) days after the petition is delivered to the speaker of the house of representatives and the president pro tempore of the senate; provided, however, if a demonstrable emergency exists that requires immediate action by the legislature, the speaker of the house of representatives and the president pro tempore of the senate may agree to waive the requirement to convene the legislature sooner than forty-eight (48) hours from the date of the delivery of the petition.

(3) In the event either or both the speaker of the house of representatives and the president pro tempore of the senate is deceased, has resigned, or is incapacitated, the next highest-ranking member of the leadership of that officer's party must fulfill that officer's duties under this section.

(4) If the speaker of the house of representatives or the president pro tempore of the senate determines the petition lacks the requisite percentages of signatories or elements of a petition established by this section, they shall notify the members of the legislature that the petition is deficient and the reasons for the deficiency, and no special session shall be convened. Said petition shall not be used at any future time for the convening of a special session.

(5) At a special session convened pursuant to this section, the legislature shall have no power to consider or pass any bills or resolutions on any subjects other than those specified in the

petition and those necessary to provide for the expenses of the special session.

(6) A special session convened pursuant to this section takes precedence over an extraordinary session convened by the governor, pursuant to the governor's authority under section 8, article III, of the constitution of the state of Idaho, during any part of the special session.

(7) A special session must convene in the capitol unless the speaker of the house of representatives and the president pro tempore of the senate jointly deem it unsafe or unwise to do so, in which case the session may be convened at any location in the state as jointly designated by the speaker of the house of representatives and the president pro tempore of the senate.

(8) The legislature sitting in special session shall determine the length of the session."

SENATE AMENDMENT TO H 171

AMENDMENT TO SECTION 1

On page 1 of the printed bill, delete lines 7 through 42; and on page 2, delete lines 1 through 25, and insert:

"63-3622. EXEMPTIONS – EXEMPTION CERTIFICATES AND RESALE CERTIFICATES – PENALTIES. (a) To prevent evasion of the sales and use tax, it shall be presumed that all sales are subject to the taxes imposed by the provisions of this chapter and the retailer shall have the burden of establishing the facts giving rise to such exemption unless the purchaser delivers to the retailer, or has on file with the retailer, an exemption certificate or resale certificate, in which case the purchaser shall bear the burden of establishing the facts giving rise to the exemption.

(b) An exemption certificate shall show the purchaser's name, business name ~~and address (if any),~~ address, a federal employer identification number or driver's license number and state of issue, and signature, date, and the reason for and nature of the claimed exemption.

(c) A resale certificate shall be signed and dated by, and bear the name and address of, the purchaser or his agent, shall show the federal employer identification number or driver's license number and state of issue, shall indicate the number of the permit issued to the purchaser or that the purchaser is an out-of-state retailer, and shall indicate the general character of the tangible personal property sold or rented by the purchaser in the regular course of business. ~~A resale certificate relieves the seller from the burden of proof only if taken from a person who is engaged in the business of selling or renting tangible personal property and who holds a permit provided for in this section, or who is a retailer not engaged in business in this state, and who, at the time of purchasing the tangible personal property, intends to sell or rent it in the regular course of business or is unable to ascertain at the time of purchase whether the property will be sold or will be used for some other purpose.~~ If a purchaser who gives a resale certificate makes any use of the property other than retention, demonstration or display while holding it for sale or rent in the regular course of business, the use shall be taxable to the purchaser as of the time the property is first used by him, and the sales price of the property to him shall be deemed the measure of the tax.

(d) A seller may accept an exemption certificate or resale certificate from a purchaser prior to the time of sale, at the time of the sale, or at any reasonable time after the sale when necessary to establish the privilege of the exemption. Other than as provided elsewhere in this section, when an exemption certificate or resale certificate, properly executed, is presented to or is on file with the seller, the seller has no duty or obligation to collect sales or use taxes in regard to any sales transaction

so documented regardless of whether the purchaser properly or improperly claimed an exemption. A seller so relieved of the obligation to collect tax is also relieved of any liability to the purchaser for failure to collect tax or for making any report or disclosure of information required or permitted under this chapter. The purchaser providing an exemption certificate or resale certificate to a seller shall bear all responsibility and liability for any subsequent audit of the transaction and the seller shall be held harmless. A seller need not accept an exemption certificate or resale certificate that is not readable, legible or copyable.

(e) Any person who gives an exemption certificate or resale certificate with the intention of evading payment of the amount of the tax applicable to the transaction is guilty of a misdemeanor and punishable by a fine not exceeding one thousand dollars (\$1,000) or imprisonment for not more than one (1) year, or by both such fine and imprisonment.

(f) An exemption certificate or resale certificate shall be substantially in such form as the state tax commission may prescribe. The claim for the exemption may be a part of the documentation on a sales invoice, purchase order, or other documentation retained by the retailer with regard to the sale. Unless the purchaser has an exemption certificate or resale certificate on file with the seller, the purchaser or his agent must sign the exemption claim, which shall be in addition to any other signature which the seller normally requires on sales invoices, purchase orders, or other sales documentation.

(g) It shall be presumed that sales made to a person who has completed an exemption certificate or resale certificate for the seller's records are not taxable and the seller need not collect sales or use taxes unless the tangible personal property or services purchased are taxable to the purchaser as a matter of law in the particular instance claimed on the exemption certificate."

CORRECTION TO TITLE

On page 1, in line 3, following "EXEMPTION" insert: "CERTIFICATES".

SENATE AMENDMENT TO H 102

AMENDMENT TO SECTION 1

On page 2 of the printed bill, in line 10, following "therein," insert: "other than a lease,"; and in line 11, delete "an interest in" and insert: "~~an interest in~~".

The Committee also has [H 66](#), [S 1057](#), [S 1161](#), [S 1107](#), [H 59](#), [H 191](#), [S 1108](#), as amended, [S 1169](#), and [H 252](#) under consideration, reports progress, and begs leave to sit again.

LEE, Chairman

On motion by Senator Lee, seconded by Senator Stennett, the report was adopted by voice vote.

[S 1112](#), as amended, was referred to the Judiciary and Rules Committee for engrossing and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

[H 171](#), as amended in the Senate, and [H 102](#), as amended in the Senate, were filed for first reading as amended, and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

On request by Senator Anthon, granted by unanimous consent, the Senate returned to the Thirteenth Order of Business.

Third Reading of Bills

[H 91](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bair

arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 33.

NAYS—None.

Absent and excused—Lakey, Rice. Total - 2.

Total - 35.

Whereupon the President declared [H 91](#) passed, title was approved, and the bill ordered returned to the House.

[H 99](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Patrick arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 33.

NAYS—None.

Absent and excused—Lakey, Rice. Total - 2.

Total - 35.

Whereupon the President declared [H 99](#) passed, title was approved, and the bill ordered returned to the House.

[H 111](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Woodward arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 33.

NAYS—None.

Absent and excused—Lakey, Rice. Total - 2.

Total - 35.

Whereupon the President declared [H 111](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Anthon, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House Appropriations bills, followed by House bills.

On request by Senator Anthon, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

Reports of Standing Committees

March 15, 2021

The JUDICIARY AND RULES Committee reports that Senate amendments to [S 1112](#), [H 171](#), and [H 102](#) have been correctly printed.

LAKEY, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

March 15, 2021

The JUDICIARY AND RULES Committee reports that [S 1112](#), as amended, has been correctly engrossed.

LAKEY, Chairman

[S 1112](#), as amended, was filed for first reading.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

**Introduction, First Reading, and Reference of Bills,
House Petitions, Resolutions, and Memorials**

[H 171](#), as amended in the Senate, by Revenue and Taxation Committee, was read the first time at length and filed for second reading.

[H 102](#), as amended in the Senate, by Business Committee, was read the first time at length and filed for second reading.

[S 1112](#), as amended, by State Affairs Committee, was read the first time at length and filed for second reading.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the Senate adjourned at 5:06 p.m. until the hour of 10 a.m., Tuesday, March 16, 2021.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

SIXTY-FIFTH LEGISLATIVE DAY
TUESDAY, MARCH 16, 2021

Senate Chamber

President McGeachin called the Senate to order at 10 a.m.

Roll call showed all members present.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Ella Luekenga, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 15, 2021, was read and approved as corrected.

LAKEY, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 16, 2021

The JUDICIARY AND RULES Committee reports that [S 1184](#), [S 1185](#), [S 1186](#), and [S 1187](#) have been correctly printed.

LAKEY, Chairman

[S 1184](#), [S 1185](#), [S 1186](#), and [S 1187](#) were referred to the Finance Committee.

March 16, 2021

The JUDICIARY AND RULES Committee reports that [S 1096](#), [S 1005](#), [S 1020](#), [S 1015](#), [S 1072](#), and [S 1073](#) have been correctly enrolled.

LAKEY, Chairman

The President signed Enrolled [S 1096](#), [S 1005](#), [S 1020](#), [S 1015](#), [S 1072](#), and [S 1073](#) and ordered them transmitted to the House for the signature of the Speaker.

March 15, 2021

The HEALTH AND WELFARE Committee reports out [HCR 11](#) with the recommendation that it do pass.

MARTIN, Chairman

[HCR 11](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

March 15, 2021

Dear Madam President:

I transmit herewith [H 318](#), [H 309](#), [H 315](#), [H 316](#), [HCR 14](#), [H 291](#), [H 292](#), [H 324](#), [H 325](#), and [H 326](#), which have passed the House.

MAULIN, Chief Clerk

[H 318](#), [H 309](#), [H 315](#), [H 316](#), [HCR 14](#), [H 291](#), [H 292](#), [H 324](#), [H 325](#), and [H 326](#) were filed for first reading.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President announced that the Transportation Committee report relative to the Gubernatorial appointment of Chris Pomeroy was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Woodward, seconded by Senator Nelson, the Gubernatorial appointment of Chris Pomeroy as a member of the Aeronautics Advisory Board was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for her signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the Health and Welfare Committee report relative to the Gubernatorial appointment of Chad Henggeler was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Lee, seconded by Senator Wintrow, the Gubernatorial appointment of Chad Henggeler as a member of the State Board of Health and Welfare was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for her signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the Local Government and Taxation Committee report relative to the Gubernatorial appointment of Jefferson McCray was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Nye, seconded by Senator Lakey, the Gubernatorial appointment of Jefferson McCray as a member of the State Tax Commission was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for her signature, attested to by the

Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the Education Committee report relative to the Gubernatorial reappointment of Linda Clark was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Crabtree, seconded by Senator Ward-Engelking, the Gubernatorial reappointment of Linda Clark as a member of the State Board of Education was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for her signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that [SJM 104](#) was before the Senate for final consideration, the question being, "Shall the memorial be adopted?"

On motion by Senator Riggs, seconded by President Pro Tempore Winder, [SJM 104](#) was adopted by voice vote, title was approved, and the memorial ordered transmitted to the House.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1188

BY FINANCE COMMITTEE AN ACT

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY FOR FISCAL YEAR 2022; APPROPRIATING MONEYS TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY FOR FISCAL YEAR 2022; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; APPROPRIATING AND TRANSFERRING MONEYS FROM THE WATER POLLUTION CONTROL FUND TO THE ENVIRONMENTAL REMEDIATION TRIUMPH MINE FUND; PROVIDING REPORTING REQUIREMENTS; PROVIDING REQUIREMENTS FOR THE WATER POLLUTION CONTROL FUND; APPROPRIATING AND TRANSFERRING MONEYS FROM THE DEPARTMENT OF ENVIRONMENTAL QUALITY GENERAL FUND TO THE AGRICULTURAL BEST MANAGEMENT PRACTICES FUND; APPROPRIATING AND TRANSFERRING MONEYS FROM THE GENERAL FUND TO THE AGRICULTURAL BEST MANAGEMENT PRACTICES FUND; APPROPRIATING AND TRANSFERRING MONEYS FROM THE GENERAL FUND TO THE WATER POLLUTION CONTROL FUND; APPROPRIATING AND TRANSFERRING MONEYS FROM THE DEPARTMENT OF ENVIRONMENTAL QUALITY GENERAL FUND TO THE AGRICULTURAL BEST MANAGEMENT PRACTICES FUND; AND DECLARING AN EMERGENCY.

[S 1188](#) was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 318](#), by Appropriations Committee, was introduced, read the first time at length, and referred to the Finance Committee.

[H 309](#), by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

[H 315](#) and [H 316](#), by Health and Welfare Committee, were introduced, read the first time at length, and referred to the Health and Welfare Committee.

[HCR 14](#), by Health and Welfare Committee, was introduced, read at length, and referred to the Health and Welfare Committee.

[H 291](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

[H 292](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

[H 324](#), [H 325](#), and [H 326](#), by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[H 198](#), by State Affairs Committee, was read the second time at length and filed for third reading.

[S 1178](#), by State Affairs Committee, was read the second time at length and filed for third reading.

[H 312](#) and [H 313](#), by Appropriations Committee, were read the second time at length and filed for third reading.

[S 1179](#), [S 1180](#), and [S 1181](#), by Finance Committee, were read the second time at length and filed for third reading.

[H 155](#), by Local Government Committee, was read the second time at length and filed for third reading.

[H 231](#), [H 243](#), and [H 279](#), by State Affairs Committee, were read the second time at length and filed for third reading.

[H 187](#), [H 235](#), and [H 239](#), by Resources and Conservation Committee, were read the second time at length and filed for third reading.

[H 150](#) and [H 152](#), by Judiciary, Rules and Administration Committee, were read the second time at length and filed for third reading.

[H 171](#), as amended in the Senate, by Revenue and Taxation Committee, was read the second time at length and filed for third reading.

[H 102](#), as amended in the Senate, by Business Committee, was read the second time at length and filed for third reading.

[S 1112](#), as amended, by State Affairs Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

The President announced that Senator Stennett requested and has received an excused absence for the remainder of the legislative day.

[H 282](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nye arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS—None.

Absent and excused—Stennett. Total - 1.

Total - 35.

Whereupon the President declared [H 282](#) passed, title was approved, and the bill ordered returned to the House.

[H 283](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ward-Engelking arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Burgoyne, Burtenshaw, Cook, Crabtree, Grow, Guthrie, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Riggs, Souza, Thayn, Ward-Engelking, Winder, Wintrow, Woodward. Total - 28.

NAYS—Bayer, Den Hartog, Harris, Ricks, Vick, Zito. Total - 6.

Absent and excused—Stennett. Total - 1.

Total - 35.

Whereupon the President declared [H 283](#) passed, title was approved, and the bill ordered returned to the House.

[H 303](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Agenbroad arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senator Agenbroad disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Guthrie, Harris, Johnson, Lakey, Lee, Lodge, Nelson, Nye, Patrick, Rabe, Rice, Riggs, Souza, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward. Total - 27.

NAYS—Bayer, Grow, Heider, Lent, Martin, Ricks, Zito. Total - 7.

Absent and excused—Stennett. Total - 1.

Total - 35.

Whereupon the President declared [H 303](#) passed, title was approved, and the bill ordered returned to the House.

[H 304](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Agenbroad arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Burgoyne, Burtenshaw, Cook, Crabtree, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lodge, Nelson, Nye, Patrick, Rabe, Rice, Riggs, Souza, Ward-Engelking, Winder, Wintrow, Woodward. Total - 25.

NAYS—Bayer, Den Hartog, Grow, Lent, Martin, Ricks, Thayn, Vick, Zito. Total - 9.

Absent and excused—Stennett. Total - 1.

Total - 35.

Whereupon the President declared [H 304](#) passed, title was approved, and the bill ordered returned to the House.

[H 305](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Agenbroad arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS—None.

Absent and excused—Stennett. Total - 1.

Total - 35.

Whereupon the President declared [H 305](#) passed, title was approved, and the bill ordered returned to the House.

[H 306](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Crabtree arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS—None.

Absent and excused—Stennett. Total - 1.

Total - 35.

Whereupon the President declared [H 306](#) passed, title was approved, and the bill ordered returned to the House.

[H 149](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lakey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 32.

NAYS—Burgoyne, Nelson. Total - 2.

Absent and excused—Stennett. Total - 1.

Total - 35.

Whereupon the President declared [H 149](#) passed, title was approved, and the bill ordered returned to the House.

[H 167](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Patrick arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Lakey, Lee, Lent, Lodge, Martin, Patrick, Rice, Ricks, Riggs, Souza, Thayne, Vick, Winder, Woodward, Zito. Total - 27.

NAYS—Burgoyne, Johnson, Nelson, Nye, Rabe, Ward-Engelking, Wintrow. Total - 7.

Absent and excused—Stennett. Total - 1.

Total - 35.

Whereupon the President declared [H 167](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Anthon, granted by unanimous consent, the Senate returned to the Fourth Order of Business.

Reading of Communications

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

On motion by Senator Anthon, seconded by President Pro Tempore Winder, by voice vote the Senate recessed at 12:07 p.m. until the hour of 4 p.m. of this day.

RECESS AFTERNOON SESSION

The Senate reconvened at 4 p.m., pursuant to recess, President McGeachin presiding.

Roll call showed all members present except Senator Stennett, absent and formally excused by the Chair; and Senator Vick, absent and excused.

Prior to recess the Senate was at the Fifth Order of Business, Petitions, Resolutions, and Memorials.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 16, 2021

The STATE AFFAIRS Committee reports out [H 135](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

LODGE, Chair

There being no objection, [H 135](#) was referred to the Fourteenth Order of Business, General Calendar.

March 16, 2021

The FINANCE Committee reports out [H 318](#), [H 324](#), [H 325](#), [H 326](#), [S 1184](#), [S 1185](#), [S 1186](#), and [S 1187](#) with the recommendation that they do pass.

BAIR, Chairman

[H 318](#), [H 324](#), [H 325](#), [H 326](#), [S 1184](#), [S 1185](#), [S 1186](#), and [S 1187](#) were filed for second reading.

March 16, 2021

The COMMERCE AND HUMAN RESOURCES Committee reports out [H 143](#) and [H 178](#) with the recommendation that they do pass.

PATRICK, Chairman

[H 143](#) and [H 178](#) were filed for second reading.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

March 16, 2021

Dear Madam President:

I return herewith [S 1122](#), which has failed to pass the House.

MAULIN, Chief Clerk

[S 1122](#) was ordered filed in the office of the Secretary of the Senate.

March 16, 2021

Dear Madam President:

I return herewith [S 1138](#), [S 1140](#), [S 1142](#), [S 1145](#), [S 1146](#), [S 1147](#), [S 1148](#), [S 1149](#), [S 1150](#), [S 1151](#), [S 1152](#), [S 1153](#), [S 1154](#), [S 1155](#), [S 1156](#), and [S 1157](#), which have passed the House.

MAULIN, Chief Clerk

[S 1138](#), [S 1140](#), [S 1142](#), [S 1145](#), [S 1146](#), [S 1147](#), [S 1148](#), [S 1149](#), [S 1150](#), [S 1151](#), [S 1152](#), [S 1153](#), [S 1154](#), [S 1155](#), [S 1156](#), and [S 1157](#) were referred to the Judiciary and Rules Committee for enrolling.

March 16, 2021

Dear Madam President:

I transmit herewith Enrolled [H 22](#), as amended in the Senate, [HCR 10](#), and [H 251](#) for the signature of the President.

MAULIN, Chief Clerk

The President signed Enrolled [H 22](#), as amended in the Senate, [HCR 10](#), and [H 251](#) and ordered them returned to the House.

March 16, 2021

Dear Madam President:

I return herewith Enrolled [S 1091](#), [S 1094](#), [S 1044](#), [S 1055](#), [S 1060](#), [S 1121](#), [S 1041](#), [S 1010](#), [S 1049](#), [S 1093](#), and [S 1009](#), which have been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [S 1091](#), [S 1094](#), [S 1044](#), [S 1055](#), [S 1060](#), [S 1121](#), [S 1041](#), [S 1010](#), [S 1049](#), [S 1093](#), and [S 1009](#) were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Fourteenth Order of Business.

General Calendar

The President declared the Senate resolved into the Committee of the Whole and called Senator Lee to the Chair to preside during the sitting of the Committee of the Whole.

Following the adjournment of the Committee of the Whole, the President called the Senate to order.

Senator Vick was recorded present at this order of business.

Report of the Committee of the Whole

Senator Lee, Chairman of the Committee of the Whole, reported out [S 1057](#), [S 1108](#), as amended, and [S 1168](#), without recommendation, amended as follows:

SENATE AMENDMENT TO S 1057 AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 22, following "chapter" insert: ", unless a property owner and the property owner's insurer have agreed otherwise"; and delete lines 29 through 37, and insert:

"(2)(a) "Residential contractor" means a person in the business of contracting or offering to contract with an owner or a possessor of residential real estate to:

- (i) Repair or perform replacement, construction, or reconstruction work on residential real estate;
- (ii) Perform interior or exterior cleanup services, including but not limited to mitigation, demolition, structural drying, or any other reasonably necessary remediation services, on residential real estate; or
- (iii) Direct, manage, or process the work referred to in subparagraph (i) or (ii) of this paragraph.

(b) The term "residential contractor" does not include an insurer or a third-party adjuster or public adjuster working on behalf of a property owner.

(3) "Residential real estate" means a new or existing building, including a detached garage or any outbuilding, constructed for habitation by at least one (1) but no more than four (4) families, excluding multiple building properties."

On page 2, delete lines 1 through 3; in line 38, following "services" insert: "or ordered unreturnable materials"; in line 40, following "services" insert: "or verifiable return charges for returned ordered materials"; in line 46, delete "rebate" and insert: "discount or rebate any or all of"; and delete lines 47 and 48, and insert: "goods or services. A violation of this section is hereby deemed to be a violation of chapter 13, title 41, Idaho Code."

On page 3, delete lines 1 through 4; delete lines 17 and 18, and insert: "ANCE POLICY. PLEASE READ"; and in line 44, delete "Before" and insert: "Unless the property owner and the property owner's insurer have agreed otherwise, before".

On page 4, in line 22, delete "A" and insert: "Unless the property owner and the property owner's insurer have agreed otherwise, a".

SENATE AMENDMENT TO S 1108, As Amended AMENDMENT TO SECTION 1

On page 1 of the engrossed bill, delete lines 24 through 41, and insert:

"(ii) The taxing district shall determine what portion of the three percent (3%) increase permitted under subparagraph (i) of this paragraph it requires and then calculate the preliminary levy rate based on the percentage chosen. In calculating the preliminary levy rate, the most current valuation data shall be used, except that for centrally assessed operating property the prior year's valuation may be used instead of the current year's valuation.

(iii) The preliminary levy rate shall be multiplied:

1. By eighty percent (80%) of the value shown on the new construction roll compiled pursuant to section 63-301A, Idaho Code; and by
2. By eighty percent (80%) of the value of annexation during the previous calendar year, as certified by the state tax commission for market taxable values of operating property of public utilities and by the county assessor; except for a fire protection district annexing property prior to July 1, 2021, pursuant to section 31-1429, Idaho Code, the preliminary levy rate shall be multiplied by one hundred percent".

On page 2, in line 10, following "the" insert: "property tax".

On page 3, delete lines 38 through 40, and insert:

"(k) The amount of money received in the twelve (12) months immediately preceding June 30 of the current tax year as a result of distributions of the tax provided in section 63-3502B(2), Idaho Code."

On page 4, in line 17, delete "The amount of"; and delete lines 18 through 21.

SENATE AMENDMENT TO S 1168 AMENDMENT TO SECTION 1

On page 1 of the printed bill, delete lines 14 through 17, and insert: "istering or conducting an election may accept or expend moneys in any amount or accept any items or goods with a total value in excess of one hundred dollars (\$100) from any private persons, corporations, organizations, business entities, political parties, or any other private entity. This section does not apply to the collection of fees authorized by law or to the donation of a facility or space for the use of election officials in holding an election."

The Committee also has [H 66](#), [S 1161](#), [S 1107](#), [H 59](#), [H 191](#), [S 1169](#), [H 252](#), and [H 246](#) under consideration, reports progress, and begs leave to sit again.

LEE, Chairman

On motion by Senator Anthon, seconded by Senator Burgoyne, the report was adopted by voice vote.

[S 1057](#), as amended, [S 1108](#), as amended, as amended, and [S 1168](#), as amended, were referred to the Judiciary and Rules Committee for engrossing and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

On request by Senator Anthon, granted by unanimous consent, the Senate returned to the Thirteenth Order of Business.

Third Reading of Bills

[H 172](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Thayn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS—None.

Absent and excused—Stennett. Total - 1.

Total - 35.

Whereupon the President declared [H 172](#) passed, title was approved, and the bill ordered returned to the House.

[H 173](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Den Hartog arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS—None.

Absent and excused—Stennett. Total - 1.

Total - 35.

Whereupon the President declared [H 173](#) passed, title was approved, and the bill ordered returned to the House.

[H 110](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Souza arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS—None.

Absent and excused—Stennett. Total - 1.

Total - 35.

Whereupon the President declared [H 110](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Anthon, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills as amended in the Senate, followed by House Appropriations bills, followed by House bills.

On request by Senator Anthon, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

Reports of Standing Committees

March 16, 2021

The JUDICIARY AND RULES Committee reports that Senate amendments to [S 1057](#), [S 1108](#), as amended, and [S 1168](#) have been correctly printed.

LAKEY, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

March 16, 2021

The JUDICIARY AND RULES Committee reports that [S 1057](#), as amended, [S 1108](#), as amended, as amended, and [S 1168](#), as amended, have been correctly engrossed.

LAKEY, Chairman

[S 1057](#), as amended, [S 1108](#), as amended, as amended, and [S 1168](#), as amended, were filed for first reading.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1189

BY FINANCE COMMITTEE

AN ACT

RELATING TO THE APPROPRIATION TO THE OFFICE OF DRUG POLICY FOR FISCAL YEAR 2022; APPROPRIATING MONEYS TO THE OFFICE OF DRUG POLICY FOR FISCAL YEAR 2022; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

S 1190

BY FINANCE COMMITTEE

AN ACT

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF WATER RESOURCES FOR FISCAL YEAR 2022; APPROPRIATING MONEYS TO THE DEPARTMENT OF WATER RESOURCES FOR FISCAL YEAR 2022; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; APPROPRIATING AND TRANSFERRING MONEYS FROM THE REVOLVING DEVELOPMENT FUND TO THE AQUIFER PLANNING AND MANAGEMENT FUND; APPROPRIATING AND TRANSFERRING MONEYS FROM THE GENERAL FUND TO THE SECONDARY AQUIFER PLANNING, MANAGEMENT, AND IMPLEMENTATION FUND; APPROPRIATING AND TRANSFERRING MONEYS FROM THE GENERAL FUND TO THE WATER MANAGEMENT ACCOUNT; PROVIDING REQUIREMENTS FOR WATER QUALITY MONITORING; AND PROVIDING REQUIREMENTS FOR RIRIE RESERVOIR FLOOD CONTROL RULES.

[S 1189](#) and [S 1190](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[S 1057](#), as amended, by Commerce and Human Resources Committee, was read the first time at length and filed for second reading.

[S 1108](#), as amended, as amended, by Local Government and Taxation Committee, was read the first time at length and filed for second reading.

[S 1168](#), as amended, by State Affairs Committee, was read the first time at length and filed for second reading.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Anthon, seconded by Senator Burgoyne, by voice vote, the Senate adjourned at 5:03 p.m. until the hour of 9:30 a.m., Wednesday, March 17, 2021.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

SIXTY-SIXTH LEGISLATIVE DAY
WEDNESDAY, MARCH 17, 2021

Senate Chamber

President McGeachin called the Senate to order at 9:30 a.m.

Roll call showed all members present except Senators Stennett and Thayn, absent and formally excused by the Chair; and Senators Anthon, Cook, and Riggs, absent and excused.

Prayer was offered by Senator Lee Heider.

The Pledge of Allegiance was led by Julissa Melendez, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 16, 2021, was read and approved as corrected.

LAKEY, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Lee, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 17, 2021

The JUDICIARY AND RULES Committee reports that [S 1188](#), [S 1189](#), and [S 1190](#) have been correctly printed.

LAKEY, Chairman

[S 1188](#), [S 1189](#), and [S 1190](#) were referred to the Finance Committee.

March 17, 2021

The JUDICIARY AND RULES Committee reports that [S 1138](#), [S 1140](#), [S 1142](#), [S 1145](#), [S 1146](#), [S 1147](#), [S 1148](#), [S 1141](#), [S 1144](#), [S 1152](#), [S 1153](#), [S 1151](#), [S 1155](#), [S 1156](#), and [S 1157](#) have been correctly enrolled.

LAKEY, Chairman

The President signed Enrolled [S 1138](#), [S 1140](#), [S 1142](#), [S 1145](#), [S 1146](#), [S 1147](#), [S 1148](#), [S 1141](#), [S 1144](#), [S 1152](#), [S 1153](#), [S 1151](#), [S 1155](#), [S 1156](#), and [S 1157](#) and ordered them transmitted to the House for the signature of the Speaker.

March 16, 2021

The EDUCATION Committee reports out [H 294](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

THAYN, Chairman

There being no objection, [H 294](#) was referred to the Fourteenth Order of Business, General Calendar.

On request by Senator Lee, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

March 16, 2021

Dear Madam President:

I transmit herewith [H 302](#) and [H 260](#), which have passed the House.

MAULIN, Chief Clerk

[H 302](#) and [H 260](#) were filed for first reading.

On request by Senator Lee, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1191 BY FINANCE COMMITTEE AN ACT

RELATING TO THE APPROPRIATION TO THE SUPREME COURT FOR FISCAL YEAR 2022; APPROPRIATING ADDITIONAL MONEYS TO THE SUPREME COURT FOR FISCAL YEAR 2022; AND EXEMPTING THE APPROPRIATION FROM OBJECT AND PROGRAM TRANSFER LIMITATIONS.

[S 1191](#) was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 302](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

[H 260](#), by Appropriations Committee, was introduced, read the first time at length, and referred to the Finance Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

Senator Cook was recorded present at this order of business.

[H 318](#), [H 324](#), [H 325](#), and [H 326](#), by Appropriations Committee, were read the second time at length and filed for third reading.

[S 1184](#), [S 1185](#), [S 1186](#), and [S 1187](#), by Finance Committee, were read the second time at length and filed for third reading.

[H 143](#) and [H 178](#), by Business Committee, were read the second time at length and filed for third reading.

[S 1057](#), as amended, by Commerce and Human Resources Committee, was read the second time at length and filed for third reading.

[S 1108](#), as amended, as amended, by Local Government and Taxation Committee, was read the second time at length and filed for third reading.

[S 1168](#), as amended, by State Affairs Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

[S 1178](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Guthrie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Bair, Bayer, Burgoyne, Crabtree, Den Hartog, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Souza, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 26.

NAYS—Burtenshaw, Cook, Grow, Lent, Ricks. Total - 5.

Absent and excused—Anthon, Riggs, Stennett, Thayn. Total - 4.

Total - 35.

Whereupon the President declared [S 1178](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1179](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Crabtree arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senators Anthon and Burgoyne disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Burgoyne, Burtenshaw, Crabtree, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Riggs, Souza, Ward-Engelking, Winder, Wintrow, Woodward. Total - 27.

NAYS—Bayer, Cook, Den Hartog, Ricks, Vick, Zito. Total - 6.

Absent and excused—Stennett, Thayn. Total - 2.

Total - 35.

Whereupon the President declared [S 1179](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1180](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nye arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 33.

NAYS—None.

Absent and excused—Stennett, Thayn. Total - 2.

Total - 35.

Whereupon the President declared [S 1180](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1181](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Riggs arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Burgoyne, Burtenshaw, Cook, Crabtree, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Ricks, Riggs, Souza, Vick, Ward-Engelking, Winder, Wintrow, Woodward. Total - 29.

NAYS—Bayer, Zito. Total - 2.

Absent and excused—Den Hartog, Rice, Stennett, Thayn. Total - 4.

Total - 35.

Whereupon the President declared [S 1181](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1112](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. President Pro Tempore Winder arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Harris, Heider, Lakey, Lee, Lent, Lodge, Patrick, Rice, Ricks, Riggs, Souza, Vick, Winder, Zito. Total - 23.

NAYS—Burgoyne, Guthrie, Johnson, Martin, Nelson, Nye, Rabe, Ward-Engelking, Wintrow, Woodward. Total - 10.

Absent and excused—Stennett, Thayn. Total - 2.

Total - 35.

Whereupon the President declared [S 1112](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

[H 171](#), as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Harris arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rice, Ricks, Riggs, Souza, Vick, Ward-Engelking, Winder, Woodward, Zito. Total - 30.

NAYS—Burgoyne, Rabe, Wintrow. Total - 3.

Absent and excused—Stennett, Thayn. Total - 2.

Total - 35.

Whereupon the President declared [H 171](#), as amended in the Senate, passed, title was approved, and the bill ordered returned to the House for possible concurrence.

[H 102](#), as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lakey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 33.

NAYS—None.

Absent and excused—Stennett, Thayn. Total - 2.

Total - 35.

Whereupon the President declared [H 102](#), as amended in the Senate, passed, title was approved, and the bill ordered returned to the House for possible concurrence.

[H 312](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lent arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Vick, Ward-Engelking, Winder, Wintrow, Woodward. Total - 31.

NAYS—Bayer, Zito. Total - 2.

Absent and excused—Stennett, Thayn. Total - 2.

Total - 35.

Whereupon the President declared [H 312](#) passed, title was approved, and the bill ordered returned to the House.

[H 313](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Crabtree arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Vick, Ward-Engelking, Winder, Wintrow, Woodward. Total - 31.

NAYS—Bayer, Zito. Total - 2.

Absent and excused—Stennett, Thayn. Total - 2.

Total - 35.

Whereupon the President declared [H 313](#) passed, title was approved, and the bill ordered returned to the House.

[H 124](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lakey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 33.

NAYS—None.

Absent and excused—Stennett, Thayn. Total - 2.

Total - 35.

Whereupon the President declared [H 124](#) passed, title was approved, and the bill ordered returned to the House.

[H 214](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Rice arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Burtenshaw, Den Hartog, Grow, Guthrie, Harris, Heider, Lakey, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Vick, Ward-Engelking, Winder, Zito. Total - 23.

NAYS—Agenbroad, Burgoyne, Cook, Crabtree, Johnson, Lent, Lodge, Wintrow, Woodward. Total - 9.

Absent and excused—Lee, Stennett, Thayn. Total - 3.

Total - 35.

Whereupon the President declared [H 214](#) passed, title was approved, and the bill ordered returned to the House.

[H 47](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Heider arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 33.

NAYS—None.

Absent and excused—Stennett, Thayn. Total - 2.

Total - 35.

Whereupon the President declared [H 47](#) passed, title was approved, and the bill ordered returned to the House.

[H 48](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Heider arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 33.

NAYS—None.

Absent and excused—Stennett, Thayn. Total - 2.

Total - 35.

Whereupon the President declared [H 48](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Anthon, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills amended in the Senate, followed by House Appropriations bills, followed by House bills.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Anthon, seconded by Senator Burgoyne, by voice vote, the Senate adjourned at 11:59 a.m. until the hour of 9:30 a.m., Thursday, March 18, 2021.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

SIXTY-SEVENTH LEGISLATIVE DAY
THURSDAY, MARCH 18, 2021

Senate Chamber

President McGeachin called the Senate to order at 9:30 a.m.

Roll call showed all members present except Senator Stennett, absent and formally excused by the Chair; and Senators Den Hartog and Woodward, absent and excused.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Josh Nelson, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 17, 2021, was read and approved as corrected.

LAKEY, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 18, 2021

The JUDICIARY AND RULES Committee reports that [S 1191](#) has been correctly printed.

LAKEY, Chairman

[S 1191](#) was referred to the Finance Committee.

March 17, 2021

The JUDICIARY AND RULES Committee reports that Enrolled [S 1091](#), [S 1094](#), [S 1044](#), [S 1055](#), [S 1060](#), [S 1121](#), [S 1041](#), [S 1010](#), [S 1049](#), [S 1093](#), and [S 1009](#) were delivered to the Office of the Governor at 4:50 p.m., March 16, 2021.

LAKEY, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

March 17, 2021

The STATE AFFAIRS Committee reports out [H 232](#), [HJM 1](#), and [S 1183](#) with the recommendation that they do pass.

LODGE, Chair

[H 232](#) and [S 1183](#) were filed for second reading.

[HJM 1](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 17, 2021

The TRANSPORTATION Committee reports out [H 161](#), as amended, and [H 162](#) with the recommendation that they do pass.

DEN HARTOG, Chair

[H 161](#), as amended, and [H 162](#) were filed for second reading.

March 17, 2021

The FINANCE Committee reports out [H 260](#), [S 1188](#), [S 1189](#), and [S 1190](#) with the recommendation that they do pass.

BAIR, Chairman

[H 260](#), [S 1188](#), [S 1189](#), and [S 1190](#) were filed for second reading.

March 17, 2021

The RESOURCES AND ENVIRONMENT Committee reports out [H 266](#) and [H 307](#) with the recommendation that they do pass.

VICK, Chairman

[H 266](#) and [H 307](#) were filed for second reading.

March 17, 2021

The LOCAL GOVERNMENT AND TAXATION Committee reports out [H 317](#) with the recommendation that it do pass.

RICE, Chairman

[H 317](#) was filed for second reading.

March 17, 2021

The JUDICIARY AND RULES Committee reports out [H 241](#) with the recommendation that it do pass.

LAKEY, Chairman

[H 241](#) was filed for second reading.

March 17, 2021

The JUDICIARY AND RULES Committee reports it has had under consideration the Gubernatorial appointment listed below and the Committee recommends that said appointment be confirmed by the Senate:

Marianne King as the Administrator of the Office of Drug Policy, term to continue at the pleasure of the Governor.

LAKEY, Chairman

The Gubernatorial appointment was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

Senator Woodward was recorded present at this order of business.

March 17, 2021

The JUDICIARY AND RULES Committee reports out [H 193](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

LAKEY, Chairman

There being no objection, [H 193](#) was referred to the Fourteenth Order of Business, General Calendar.

March 17, 2021

The EDUCATION Committee reports out [H 264](#), [H 265](#), and [H 280](#) with the recommendation that they do pass.

THAYN, Chairman

[H 264](#), [H 265](#), and [H 280](#) were filed for second reading.

March 18, 2021

The AGRICULTURAL AFFAIRS Committee reports out [H 166](#) with the recommendation that it do pass.

BURTENSCHAW, Chairman

[H 166](#) was filed for second reading.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

March 17, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that I have signed on March 17, 2021 and am transmitting to the Secretary of State the following Senate Bills, to wit:

[S 1010](#), [S 1041](#), [S 1049](#), [S 1091](#), [S 1093](#), and
[S 1094](#)

Sincerely,
/s/ Brad Little
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Senate advanced to the Ninth Order of Business.

Messages from the House

March 17, 2021

Dear Madam President:

I transmit herewith [H 332](#), [H 342](#), [H 336](#), [H 333](#), [H 334](#), [HCR 15](#), and [H 290](#), which have passed the House.

MAULIN, Chief Clerk

[H 332](#), [H 342](#), [H 336](#), [H 333](#), [H 334](#), [HCR 15](#), and [H 290](#) were filed for first reading.

March 17, 2021

Dear Madam President:

I transmit herewith Enrolled [H 308](#), [H 127](#), [H 91](#), [H 99](#), and [H 111](#) for the signature of the President.

MAULIN, Chief Clerk

The President signed Enrolled [H 308](#), [H 127](#), [H 91](#), [H 99](#), and [H 111](#) and ordered them returned to the House.

March 17, 2021

Dear Madam President:

I return herewith Enrolled [S 1096](#), [S 1005](#), [S 1020](#), [S 1015](#), [S 1072](#), and [S 1073](#), which have been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [S 1096](#), [S 1005](#), [S 1020](#), [S 1015](#), [S 1072](#), and [S 1073](#) were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

Senator Den Hartog was recorded present at this order of business.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

[H 332](#), by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

[H 342](#), by Ways and Means Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

[H 336](#), by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Health and Welfare Committee.

[H 333](#) and [H 334](#), by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

[HCR 15](#), by Revenue and Taxation Committee, was introduced, read at length, and referred to the Local Government and Taxation Committee.

[H 290](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

[S 1184](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Crabtree arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Thayne, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS—None.

Absent and excused—Stennett. Total - 1.

Total - 35.

Whereupon the President declared [S 1184](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1185](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Agenbroad arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senator Agenbroad disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Burgoyne, Burtenshaw, Cook, Crabtree, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Riggs, Souza, Stennett, Ward-Engelking, Winder, Wintrow, Woodward. Total - 29.

NAYS—Bayer, Den Hartog, Ricks, Thayn, Vick, Zito. Total - 6.

Total - 35.

Whereupon the President declared [S 1185](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1186](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Crabtree arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS—Lodge. Total - 1.

Total - 35.

Whereupon the President declared [S 1186](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1187](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Grow arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward. Total - 34.

NAYS—Zito. Total - 1.

Total - 35.

Whereupon the President declared [S 1187](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1057](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration.

Senator Burgoyne arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Burgoyne, Guthrie, Martin, Nelson, Nye, Patrick, Rabe, Stennett, Ward-Engelking, Wintrow. Total - 11.

NAYS—Anthon, Bair, Bayer, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Rice, Ricks, Riggs, Souza, Thayn, Vick, Winder, Woodward, Zito. Total - 24.

Total - 35.

Whereupon the President declared that [S 1057](#), as amended, had failed to pass the Senate and ordered the bill filed in the office of the Secretary of the Senate.

[S 1108](#), as amended, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Rice arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senators Lakey, Nye, and Rabe disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Anthon, Bayer, Burtenshaw, Cook, Den Hartog, Grow, Guthrie, Harris, Heider, Patrick, Rice, Ricks, Riggs, Souza, Thayn, Vick, Zito. Total - 17.

NAYS—Agenbroad, Bair, Burgoyne, Crabtree, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Rabe, Stennett, Ward-Engelking, Winder, Wintrow, Woodward. Total - 18.

Total - 35.

Whereupon the President declared that [S 1108](#), as amended, as amended, had failed to pass the Senate and ordered the bill filed in the office of the Secretary of the Senate.

Having voted on the prevailing side by which [S 1186](#) passed the Senate, Senator Lee served notice that she may on this or the next legislative day move for reconsideration of the vote.

[S 1186](#) was ordered held at the Secretary's desk.

On request by Senator Anthon, granted by unanimous consent, the Senate returned to the Fourth Order of Business.

Reading of Communications

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote the Senate recessed at 12:16 p.m. until the hour of 4 p.m. of this day.

RECESS AFTERNOON SESSION

The Senate reconvened at 4 p.m., pursuant to recess, President McGeachin presiding.

Roll call showed all members present except Senator Ricks, absent and excused.

Prior to recess the Senate was at the Fifth Order of Business, Petitions, Resolutions, and Memorials.

The Senate advanced to the Sixth Order of Business.

March 18, 2021

Reports of Standing Committees

March 18, 2021

The JUDICIARY AND RULES Committee reports that Enrolled [S 1096](#), [S 1005](#), [S 1020](#), [S 1015](#), [S 1072](#), and [S 1073](#) were delivered to the Office of the Governor at 10:50 a.m., March 18, 2021.

LAKEY, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

March 18, 2021

The FINANCE Committee reports out [H 333](#), [H 334](#), and [S 1191](#) with the recommendation that they do pass.

BAIR, Chairman

[H 333](#), [H 334](#), and [S 1191](#) were filed for second reading.

March 18, 2021

The COMMERCE AND HUMAN RESOURCES Committee reports out [H 292](#) with the recommendation that it do pass.

PATRICK, Chairman

[H 292](#) was filed for second reading.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

March 18, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that I have signed on March 18, 2021 and am transmitting to the Secretary of State the following Senate Bill, to wit:

[S 1009](#)

Sincerely,
/s/ Brad Little
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Senate advanced to the Ninth Order of Business.

Messages from the House

March 18, 2021

Dear Madam President:

I return herewith [S 1154](#), [S 1158](#), [S 1159](#), [S 1022](#), and [S 1162](#), which have passed the House.

MAULIN, Chief Clerk

[S 1154](#), [S 1158](#), [S 1159](#), [S 1022](#), and [S 1162](#) were referred to the Judiciary and Rules Committee for enrolling.

Dear Madam President:

I transmit herewith Enrolled [H 282](#), [H 283](#), [H 303](#), [H 304](#), [H 305](#), [H 306](#), [H 149](#), [H 167](#), [H 172](#), [H 173](#), and [H 110](#) for the signature of the President.

MAULIN, Chief Clerk

The President signed Enrolled [H 282](#), [H 283](#), [H 303](#), [H 304](#), [H 305](#), [H 306](#), [H 149](#), [H 167](#), [H 172](#), [H 173](#), and [H 110](#) and ordered them returned to the House.

March 18, 2021

Dear Madam President:

I return herewith Enrolled [S 1138](#), [S 1140](#), [S 1142](#), [S 1145](#), [S 1146](#), [S 1147](#), [S 1148](#), [S 1149](#), [S 1141](#), [S 1144](#), [S 1152](#), [S 1153](#), [S 1151](#), [S 1155](#), [S 1156](#), and [S 1157](#), which have been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [S 1138](#), [S 1140](#), [S 1142](#), [S 1145](#), [S 1146](#), [S 1147](#), [S 1148](#), [S 1149](#), [S 1141](#), [S 1144](#), [S 1152](#), [S 1153](#), [S 1151](#), [S 1155](#), [S 1156](#), and [S 1157](#) were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

Senator Ricks was recorded present at this order of business.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Fourteenth Order of Business.

General Calendar

The President declared the Senate resolved into the Committee of the Whole and called Senator Lee to the Chair to preside during the sitting of the Committee of the Whole.

Following the adjournment of the Committee of the Whole, the President called the Senate to order.

Report of the Committee of the Whole

Senator Lee, Chairman of the Committee of the Whole, reported out [S 1107](#), [H 191](#), and [H 294](#), without recommendation, amended as follows:

SENATE AMENDMENT TO S 1107 AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 38, delete "not"; and delete lines 40 through 42, and insert: "ties as provided by subsection (1) of this section. However, for the highway district to be responsible for the funding of the design and construction of the proposed urban renewal project, the city or the urban renewal agency, or both, and the highway district must enter into an agreement pursuant to section 50-2908(2)(a), Idaho Code. Agreements entered into by a city pursuant".

SENATE AMENDMENT TO H 191 AMENDMENT TO SECTION 1

On page 1 of the printed bill, following line 34, insert: "(4) A delegation of parental rights and responsibilities made pursuant to this section may last for up to six (6) months." On page 2, in line 38, following "welfare." insert: "The process must also include a criminal history and background check conducted by the department of health and welfare, which

may assess a fee to the temporary care assistance program to cover costs associated with the criminal history and background check."; and following line 40, insert:

"(3) The temporary care assistance program must disclose to any parent or guardian using its services that any delegation of parental rights and responsibilities shall be made to a temporary caregiver, not to the temporary care assistance program itself.

32-1806. STATUTORY CONSTRUCTION. (1) Nothing in this chapter shall be construed to affect any delegation of powers made pursuant to section 15-5-104, Idaho Code.

(2) Nothing in this chapter shall be construed as invalidating the provisions of the child protective act in chapter 16, title 16, Idaho Code, or shall modify the burden of proof at any stage of proceedings under the child protective act. Nothing in this chapter shall be construed to modify any existing, compelling governmental interest."

CORRECTION TO TITLE

On page 1, in line 7, delete "DISCLOSURE, AND" and insert: "DISCLOSURE,"; and in line 8, following "PROGRAMS" insert: ", AND TO PROVIDE FOR STATUTORY CONSTRUCTION".

SENATE AMENDMENT TO H 294

AMENDMENT TO SECTION 2

On page 1 of the printed bill, in line 32, delete "33-1036" and insert: "33-1034"; and in line 39, delete "or 33-1032".

On page 2, in line 20, delete "33-1033" and insert: "33-1032"; delete lines 21 through 30, and insert:

"(5) "Eligible student" means a person in kindergarten through grade 12, whether a public school or nonpublic school student.";

in line 31, delete "five hundred dollars (\$500)" and insert: "seven hundred fifty dollars (\$750)"; in line 34, delete "or student scholarship account funds"; and delete lines 38 through 48, and insert:

"(9) "Participant" means an eligible student for whom a grant is awarded under section 33-1031, Idaho Code.

(10) "Program" means the strong students grant program established pursuant to section 33-1031, Idaho Code."

AMENDMENT TO THE BILL

Delete page 4; on page 5, delete lines 1 through 9; and renumber subsequent sections accordingly.

AMENDMENT TO SECTION 5

On page 5, in line 12, delete "33-1033" and insert: "33-1032"; in line 13, delete "33-1033" and insert: "33-1032"; in line 17, delete "or 33-1032"; in line 22, delete "programs" and insert: "program"; and in line 23, delete "sections 33-1031 and 33-1032" and insert: "section 33-1031".

AMENDMENT TO THE BILL

On page 5, delete lines 40 through 46; and renumber subsequent sections accordingly.

AMENDMENT TO SECTION 7

On page 6, in line 3, delete "33-1035" and insert: "33-1033"; in line 4, delete "33-1035" and insert: "33-1033"; in line 8, delete "and the strong students scholarship program"; in line 10, delete "each" and insert: "the"; in line 12, delete "and scholarships"; in line 13, delete "and scholarship funds"; in line 15, delete "sections 33-1031 and 33-1032" and insert: "section 33-1031"; and in line 17, delete "either" and insert: "the".

AMENDMENT TO SECTION 8

On page 6, in line 23, delete "33-1036" and insert: "33-1034"; in line 24, delete "33-1036" and insert: "33-1034"; in line 25, delete "33-1034" and insert: "33-1032"; in line 28, delete "or the"; and in line 29, delete "strong students scholarship program".

CORRECTION TO TITLE

On page 1, in line 8, delete "AMENDING CHAPTER 10,"; delete lines 9 and 10; in line 11, delete "PROGRAM,"; in line 12, delete "33-1033" and insert: "33-1032"; delete lines 13 and 14; in line 15, delete "PATIION,"; in line 16, delete "33-1035" and insert: "33-1033"; and in line 18, delete "33-1036" and insert: "33-1034".

SENATE AMENDMENT TO H 294

AMENDMENT TO THE BILL

On page 6 of the printed bill, following line 42, insert:

"SECTION 11. The provisions of this act shall be null, void, and of no force and effect on and after July 1, 2026."

CORRECTION TO TITLE

On page 1, in line 19, delete "AND"; also in line 19, following "EMERGENCY" insert: "; AND PROVIDING A SUNSET DATE".

The Committee also has [H 66, S 1161, H 59, S 1169, H 252, H 246](#), and [H 135](#) under consideration, reports progress, and begs leave to sit again.

LEE, Chairman

On motion by Senator Lee, seconded by Senator Stennett, the report was adopted by voice vote.

[S 1107](#), as amended, was referred to the Judiciary and Rules Committee for engrossing and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

[H 191](#), as amended in the Senate, and [H 294](#), as amended in the Senate, were filed for first reading as amended, and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

On request by Senator Anthon, granted by unanimous consent, the Senate returned to the Thirteenth Order of Business.

Third Reading of Bills

[S 1168](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Souza arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Nye, Patrick, Rice, Ricks, Riggs, Souza, Thayne, Vick, Winder, Woodward, Zito. Total - 28.

NAYS—Burgoyne, Martin, Nelson, Rabe, Stennett, Ward-Engelking, Wintrow. Total - 7.

Total - 35.

Whereupon the President declared [S 1168](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

[H 318](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lent arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward. Total - 33.

NAYS—Bayer, Zito. Total - 2.

Total - 35.

Whereupon the President declared [H 318](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Anthon, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills amended in the Senate, followed by House Appropriations bills, followed by House bills.

On request by Senator Anthon, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

Reports of Standing Committees

March 18, 2021

The JUDICIARY AND RULES Committee reports that Senate amendments to [S 1107](#), [H 191](#), and [H 294](#) have been correctly printed.

LAKEY, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

March 18, 2021

The JUDICIARY AND RULES Committee reports that [S 1107](#), as amended, has been correctly engrossed.

LAKEY, Chairman

[S 1107](#), as amended, was filed for first reading.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1192

BY FINANCE COMMITTEE

AN ACT

RELATING TO THE APPROPRIATION TO THE PUBLIC CHARTER SCHOOL COMMISSION FOR FISCAL YEAR 2022; APPROPRIATING MONEYS TO THE PUBLIC CHARTER SCHOOL COMMISSION FOR FISCAL YEAR 2022; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

[S 1192](#) was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 191](#), as amended in the Senate, by Judiciary, Rules and Administration Committee, was read the first time at length and filed for second reading.

[H 294](#), as amended in the Senate, by Education Committee, was read the first time at length and filed for second reading.

[S 1107](#), as amended, by Local Government and Taxation Committee, was read the first time at length and filed for second reading.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the Senate adjourned at 5:43 p.m. until the hour of 9:30 a.m., Friday, March 19, 2021.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

SIXTY-EIGHTH LEGISLATIVE DAY
FRIDAY, MARCH 19, 2021

Senate Chamber

President McGeachin called the Senate to order at 9:30 a.m.

Roll call showed all members present.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Colton Rietema, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 18, 2021, was read and approved as corrected.

LAKEY, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

SCR 107

BY STATE AFFAIRS COMMITTEE

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND AUTHORIZING THE LEGISLATIVE COUNCIL TO APPOINT AN INTERIM COMMITTEE TO UNDERTAKE AND COMPLETE A STUDY OF DRIVER AUTHORIZATION CARDS.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the federal government is vested with sole constitutional authority to regulate and enforce the immigration and naturalization of persons within the United States but has not provided for, implemented, or enforced a system of immigration to meet the labor needs of commerce and industry in Idaho; and

WHEREAS, as a result, the State of Idaho and other states are faced with increasing populations of residents whose presence is not in accord with federal immigration law, but who have become integral, essential, and meaningful residents of the State of Idaho and whose skills and talents fill workforce needs not met by domestic workers within Idaho's most vital industries, including agriculture, food processing, construction trades, tourism, hospitality, lodging, and retail services; and

WHEREAS, federal mandates have resulted in the collection of personally identifiable information and other private information incident to issuance of REAL ID Cards, or STAR Cards, that many residents find objectionable and to which they desire alternative forms of identification for driving privileges that are not so invasive as to matters of personal privacy; and

WHEREAS, opportunity and economic participation for Idaho residents is limited when they have no driving privileges, and Idaho's road safety and financial responsibility for accidents and injuries is compromised and threatened by persons operating vehicles on Idaho's roads without driver training and education; and

WHEREAS, it is the goal of the Legislature to promote the common welfare of all Idaho residents, to secure their safety on highways, and to promote their economic independence and liberty.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-sixth Idaho Legislature, the Senate and the House of Representatives concurring therein, that the Legislative Council is authorized to appoint a committee to undertake and complete a study of driver authorization cards for the State of Idaho. The principal goal of the committee shall be to gather information and make recommendations regarding the adoption of a system for the authorization of driving privileges that would be available to all residents of Idaho, and the manner, method, and means for implementation of the same. The committee is expected to examine how such a system may be structured in light of the constitutional duties, oath, and obligations of elected officials and consistent with principles of federalism. The committee is further expected to examine how such a system may affect the welfare of Idahoans, road safety within Idaho, and economic participation and development. The Legislative Council shall determine the number of legislators and membership from each house appointed to the committee and shall authorize the committee to receive input, advice, and assistance from interested and affected parties who are not members of the Legislature.

BE IT FURTHER RESOLVED that nonlegislative members of the committee may be appointed by the cochairs of the committee who are appointed by the Legislative Council. Nonlegislative members of the advisory committee shall not be reimbursed from legislative funds for per diem, mileage, or other expenses and shall not have voting privileges regarding the committee's recommendations or proposed legislation.

BE IT FURTHER RESOLVED that the committee shall report its findings, recommendations, and proposed legislation, if any, to the Second Regular Session of the Sixty-sixth Idaho Legislature.

[SCR 107](#) was introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 19, 2021

The JUDICIARY AND RULES Committee reports that [S 1192](#) has been correctly printed.

LAKEY, Chairman

[S 1192](#) was referred to the Finance Committee.

March 19, 2021

The JUDICIARY AND RULES Committee reports that [S 1154](#), [S 1158](#), [S 1159](#), [S 1022](#), and [S 1162](#) have been correctly enrolled.

LAKEY, Chairman

The President signed Enrolled [S 1154](#), [S 1158](#), [S 1159](#), [S 1022](#), and [S 1162](#) and ordered them transmitted to the House for the signature of the Speaker.

March 19, 2021

The JUDICIARY AND RULES Committee reports that Enrolled [S 1138](#), [S 1140](#), [S 1142](#), [S 1145](#), [S 1146](#), [S 1147](#), [S 1148](#), [S 1141](#), [S 1144](#), [S 1152](#), [S 1153](#), [S 1151](#), [S 1155](#), [S 1156](#), and [S 1157](#) were delivered to the Office of the Governor at 8:25 a.m., March 19, 2021.

LAKEY, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

March 18, 2021

The LOCAL GOVERNMENT AND TAXATION Committee reports out [H 309](#) with the recommendation that it do pass.

RICE, Chairman

[H 309](#) was filed for second reading.

March 18, 2021

The EDUCATION Committee reports out [H 250](#), as amended, with the recommendation that it do pass.

THAYN, Chairman

[H 250](#), as amended, was filed for second reading.

March 19, 2021

The TRANSPORTATION Committee reports out [H 160](#) with the recommendation that it do pass.

DEN HARTOG, Chair

[H 160](#) was filed for second reading.

March 19, 2021

The STATE AFFAIRS Committee reports out [H 245](#) and [H 286](#) with the recommendation that they do pass.

LODGE, Chair

[H 245](#) and [H 286](#) were filed for second reading.

March 19, 2021

The STATE AFFAIRS Committee reports out [H 299](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

LODGE, Chair

There being no objection, [H 299](#) was referred to the Fourteenth Order of Business, General Calendar.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

March 18, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that I have signed on March 18, 2021 and am transmitting to the Secretary of State the following Senate Bills, to wit:

[S 1044](#) and [S 1121](#)

Sincerely,
/s/ Brad Little
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Senate advanced to the Ninth Order of Business.

Messages from the House

March 18, 2021

Dear Madam President:

I transmit herewith [H 337](#), [H 340](#), and [H 341](#), which have passed the House.

MAULIN, Chief Clerk

[H 337](#), [H 340](#), and [H 341](#) were filed for first reading.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

[H 337](#), [H 340](#), and [H 341](#), by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[H 232](#), by State Affairs Committee, was read the second time at length and filed for third reading.

[S 1183](#), by State Affairs Committee, was read the second time at length and filed for third reading.

[H 161](#), as amended, and [H 162](#), by Transportation and Defense Committee, were read the second time at length and filed for third reading.

[H 260](#), by Appropriations Committee, was read the second time at length and filed for third reading.

[S 1188](#), [S 1189](#), and [S 1190](#), by Finance Committee, were read the second time at length and filed for third reading.

[H 266](#), by Resources and Conservation Committee, was read the second time at length and filed for third reading.

[H 307](#), by Ways and Means Committee, was read the second time at length and filed for third reading.

[H 317](#), by Revenue and Taxation Committee, was read the second time at length and filed for third reading.

[H 241](#), by Judiciary, Rules and Administration Committee, was read the second time at length and filed for third reading.

[H 264](#), [H 265](#), and [H 280](#), by Education Committee, were read the second time at length and filed for third reading.

[H 166](#), by Agricultural Affairs Committee, was read the second time at length and filed for third reading.

[H 333](#) and [H 334](#), by Appropriations Committee, were read the second time at length and filed for third reading.

[S 1191](#), by Finance Committee, was read the second time at length and filed for third reading.

[H 292](#), by State Affairs Committee, was read the second time at length and filed for third reading.

[H 191](#), as amended in the Senate, by Judiciary, Rules and Administration Committee, was read the second time at length and filed for third reading.

[H 294](#), as amended in the Senate, by Education Committee, was read the second time at length and filed for third reading.

[S 1107](#), as amended, by Local Government and Taxation Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

On request by Senator Anthon, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills amended in the Senate, followed by House Appropriations bills, followed by House bills.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote the Senate recessed in concurrence with the House of Representatives at 11:18 a.m. until the hour of 12 noon, Tuesday, April 6, 2021.

[Note: The following is action recorded during RECESS].

March 19, 2021

Dear Madam President:

I return herewith Enrolled [S 1154](#), [S 1158](#), [S 1159](#), [S 1022](#), and [S 1162](#), which have been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [S 1154](#), [S 1158](#), [S 1159](#), [S 1022](#), and [S 1162](#) were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

March 22, 2021

The JUDICIARY AND RULES Committee reports that Enrolled [S 1154](#), [S 1158](#), [S 1159](#), [S 1022](#), and [S 1162](#) were delivered to the Office of the Governor at 10:18 a.m., March 22, 2021.

LAKEY, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

March 19, 2021

Dear Madam President:

I transmit herewith Enrolled [H 312](#), [H 313](#), [H 124](#), [H 214](#), [H 47](#), [H 48](#), and [H 318](#) for the signature of the President.

MAULIN, Chief Clerk

The President Pro Tempore signed Enrolled [H 312](#), [H 313](#), [H 124](#), [H 214](#), [H 47](#), [H 48](#), and [H 318](#) and ordered them returned to the House.

March 22, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that I have signed on March 19, 2021 and am transmitting to the Secretary of State the following Senate Bills, to wit:

[S 1005](#), [S 1015](#), [S 1020](#), [S 1055](#), [S 1072](#),
[S 1073](#), [S 1138](#), [S 1140](#), [S 1141](#), [S 1144](#),
[S 1145](#), [S 1146](#), [S 1147](#), [S 1148](#), [S 1151](#),
[S 1152](#), [S 1153](#), [S 1155](#), [S 1156](#), and [S 1157](#)

Sincerely,
/s/ Brad Little
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

March 22, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that I have signed on March 19, 2021 and am transmitting to the Secretary of State the following Senate Bill, to wit:

[S 1060](#)

I signed this legislation with reluctance. I agree that we can all use our experience from the COVID-19 pandemic as an opportunity to learn how we can strengthen our state's public health system and improve a statute that is fifty years old. However, I fear this legislation creates potential barriers for local public health and could impede their ability to quickly and appropriately act in the case of a public health emergency. Once this pandemic has ended, I respectfully request the legislature, public health district representatives, state public health officials, and representatives from the medical community to revisit this

issue and examine any unintended consequences this legislation may create.

Sincerely,
/s/ Brad Little
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

March 24, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that I have signed on March 23, 2021 and am transmitting to the Secretary of State the following Senate Bills, to wit:

[S 1142](#), [S 1154](#), [S 1158](#), [S 1159](#), and [S 1162](#)

Sincerely,
/s/ Brad Little
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

March 24, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that I have signed on March 24, 2021 and am transmitting to the Secretary of State the following Senate Bill, to wit:

[S 1096](#)

Sincerely,
/s/ Brad Little
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

March 26, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that I have signed on March 26, 2021 and am transmitting to the Secretary of State the following Senate Bill, to wit:

[S 1022](#)

Sincerely,
/s/ Brad Little
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

EIGHTY-SIXTH LEGISLATIVE DAY
TUESDAY, APRIL 6, 2021

Senate Chamber

President McGeachin called the Senate to order at 12 noon.

Roll call showed all members present except Senator Stennett, absent and formally excused by the Chair.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Tyler Tippets, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 19, 2021, was read and approved as corrected.

LAKEY, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

April 6, 2021

The JUDICIARY AND RULES Committee reports that [SCR 107](#) has been correctly printed.

LAKEY, Chairman

[SCR 107](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 19, 2021

The FINANCE Committee reports out [H 337](#), [H 340](#), [H 341](#), and [S 1192](#) with the recommendation that they do pass.

BAIR, Chairman

[H 337](#), [H 340](#), [H 341](#), and [S 1192](#) were filed for second reading.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1193 **BY FINANCE COMMITTEE** AN ACT

RELATING TO THE APPROPRIATION TO THE OFFICE OF THE STATE BOARD OF EDUCATION FOR FISCAL YEAR 2021; APPROPRIATING ADDITIONAL MONEYS TO THE OFFICE OF THE STATE BOARD OF EDUCATION FOR FISCAL YEAR 2021; INCREASING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; DIRECTING THE USE OF APPROPRIATED FUNDS; AND DECLARING AN EMERGENCY.

S 1194 **BY FINANCE COMMITTEE** AN ACT

RELATING TO THE APPROPRIATION TO THE DIVISION OF FINANCIAL MANAGEMENT FOR FISCAL YEAR 2022; APPROPRIATING MONEYS TO THE DIVISION OF FINANCIAL MANAGEMENT FOR FISCAL YEAR 2022; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AND PROVIDING REAPPROPRIATION AUTHORITY TO THE EXECUTIVE OFFICE OF THE GOVERNOR.

S 1195 **BY FINANCE COMMITTEE** AN ACT

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF COMMERCE FOR FISCAL YEAR 2022; APPROPRIATING MONEYS TO THE DEPARTMENT OF COMMERCE FOR FISCAL YEAR 2022; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

S 1196 **BY FINANCE COMMITTEE** AN ACT

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF LABOR FOR FISCAL YEAR 2022; APPROPRIATING MONEYS TO THE DEPARTMENT OF LABOR FOR FISCAL YEAR 2022; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AND EXEMPTING THE APPROPRIATION FROM PROGRAM TRANSFER LIMITATIONS.

S 1197 **BY FINANCE COMMITTEE** AN ACT

RELATING TO THE APPROPRIATION TO THE BOARD OF TAX APPEALS FOR FISCAL YEAR 2022; APPROPRIATING MONEYS TO THE BOARD OF TAX APPEALS FOR FISCAL YEAR 2022; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

S 1198 **BY FINANCE COMMITTEE** AN ACT

RELATING TO THE APPROPRIATION TO THE STATE TAX COMMISSION FOR FISCAL YEAR 2022; APPROPRIATING MONEYS TO THE STATE TAX COMMISSION FOR FISCAL YEAR 2022; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AND AMENDING

SECTION 63-102, IDAHO CODE, TO INCREASE THE SALARIES OF THE STATE TAX COMMISSIONERS.

[S 1193](#), [S 1194](#), [S 1195](#), [S 1196](#), [S 1197](#), and [S 1198](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[H 309](#), by Revenue and Taxation Committee, was read the second time at length and filed for third reading.

[H 250](#), as amended, by Education Committee, was read the second time at length and filed for third reading.

[H 160](#), by Transportation and Defense Committee, was read the second time at length and filed for third reading.

[H 245](#), by State Affairs Committee, was read the second time at length and filed for third reading.

[H 286](#), by Resources and Conservation Committee, was read the second time at length and filed for third reading.

On request by Senator Anthon, granted by unanimous consent, the Senate returned to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

On motion by Senator Anthon, seconded by Senator Lee, by voice vote the Senate recessed at 12:35 p.m. until the hour of 1:35 p.m. of this day.

RECESS AFTERNOON SESSION

The Senate reconvened at 1:35 p.m., pursuant to recess, President McGeachin presiding.

Roll call showed all members present except Senators Vick and Woodward, absent and excused.

Prior to recess the Senate was at the Sixth Order of Business, Reports of Standing Committees.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

[S 1183](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lodge arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Patrick, Rice, Ricks, Riggs, Souza, Thayn, Vick, Winder, Woodward, Zito. Total - 28.

NAYS—Burgoyne, Nelson, Nye, Rabe, Stennett, Ward-Engelking, Wintrow. Total - 7.

Total - 35.

Whereupon the President declared [S 1183](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1188](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ward-Engelking arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward. Total - 33.

NAYS—Bayer, Zito. Total - 2.

Total - 35.

Whereupon the President declared [S 1188](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1189](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Grow arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward. Total - 32.

NAYS—Bayer, Zito. Total - 2.

Absent and excused—Rice. Total - 1.

Total - 35.

Whereupon the President declared [S 1189](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1190](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Crabtree arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared [S 1190](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1191](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nye arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senators Lee and Nye disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared [S 1191](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1107](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Souza arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbrood, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared [S 1107](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

[H 191](#), as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lee arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbrood, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared [H 191](#), as amended in the Senate, passed, title was approved, and the bill ordered returned to the House for possible concurrence.

[H 294](#), as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Den Hartog arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bayer, Cook, Den Hartog, Grow, Lakey, Lent, Lodge, Martin, Patrick, Rice, Ricks, Souza, Thayn, Vick, Winder. Total - 16.

NAYS—Agenbrood, Bair, Burgoyne, Burtenshaw, Crabtree, Guthrie, Harris, Heider, Johnson, Lee, Nelson, Nye, Rabe, Stennett, Ward-Engelking, Wintrow, Woodward, Zito. Total - 18.

Absent and excused—Riggs. Total - 1.

Total - 35.

Whereupon the President declared that [H 294](#), as amended in the Senate, had failed to pass the Senate and ordered the bill returned to the House.

[H 324](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Cook arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), President Pro Tempore Winder disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Agenbrood, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris,

Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared [H 324](#) passed, title was approved, and the bill ordered returned to the House.

[H 325](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Riggs arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbrood, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared [H 325](#) passed, title was approved, and the bill ordered returned to the House.

[H 326](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Crabtree arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbrood, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared [H 326](#) passed, title was approved, and the bill ordered returned to the House.

[H 260](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bair arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

On request by Senator Bair, granted by unanimous consent, the following typographical correction was made to [H 260](#), pursuant to Senate Rule 9(F):

On Page 2, line 6, following "account" remove ",,".

Roll call resulted as follows:

AYES—Agenbrood, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared [H 260](#) passed, title was approved, and the bill ordered returned to the House.

[H 333](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lent arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbrood, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared [H 333](#) passed, title was approved, and the bill ordered returned to the House.

On motion by Senator Lee, seconded by Senator Stennett, by voice vote the Senate recessed at 4:54 p.m. until the hour of 6 p.m. of this day.

**RECESS
AFTERNOON SESSION**

The Senate reconvened at 6 p.m., pursuant to recess, President McGeachin presiding.

Roll call showed all members present.

Prior to recess the Senate was at the Thirteenth Order of Business, Third Reading of Bills.

Having voted on the prevailing side by which [H 294](#), as amended in the Senate, failed the Senate, Senator Zito served notice that she may on this or the next legislative day move for reconsideration of the vote.

[H 294](#), as amended in the Senate, was ordered held at the Secretary's desk.

[H 334](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nye arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS—None.

Absent and excused—Burtenshaw. Total - 1.

Total - 35.

Whereupon the President declared [H 334](#) passed, title was approved, and the bill ordered returned to the House.

[H 70](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Stennett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared [H 70](#) passed, title was approved, and the bill ordered returned to the House.

[H 104](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Stennett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye,

Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared [H 104](#) passed, title was approved, and the bill ordered returned to the House.

[H 107](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Burgoyne arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

On request by Senator Burgoyne, granted by unanimous consent, [H 107](#) was referred to the Fourteenth Order of Business, General Calendar.

[H 233](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Harris arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared [H 233](#) passed, title was approved, and the bill ordered returned to the House.

[H 175](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Den Hartog arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared [H 175](#) passed, title was approved, and the bill ordered returned to the House.

[H 203](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Souza arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared [H 203](#) passed, title was approved, and the bill ordered returned to the House.

[H 85](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lodge arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye,

Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared [H 85](#) passed, title was approved, and the bill ordered returned to the House.

[H 86](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Woodward arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared [H 86](#) passed, title was approved, and the bill ordered returned to the House.

[H 129](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Harris arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Ricks, Riggs, Souza, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 32.

NAYS—Burgoyne, Stennett. Total - 2.

Absent and excused—Rice. Total - 1.

Total - 35.

Whereupon the President declared [H 129](#) passed, title was approved, and the bill ordered returned to the House.

[H 132](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lodge arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared [H 132](#), as amended, passed, title was approved, and the bill ordered returned to the House.

On request by Senator Anthon, granted by unanimous consent, [H 229](#) retained its place on the Third Reading Calendar for Thursday, April 8, 2021.

[H 81](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Agenbroad arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared [H 81](#) passed, title was approved, and the bill ordered returned to the House.

[H 182](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Heider arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared [H 182](#) passed, title was approved, and the bill ordered returned to the House.

[H 184](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Stennett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared [H 184](#) passed, title was approved, and the bill ordered returned to the House.

[H 185](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared [H 185](#) passed, title was approved, and the bill ordered returned to the House.

[H 186](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Harris arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared [H 186](#) passed, title was approved, and the bill ordered returned to the House.

[H 267](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bair arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared [H 267](#) passed, title was approved, and the bill ordered returned to the House.

[H 268](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Vick arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared [H 268](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Lakey, granted by unanimous consent, [H 161](#), as amended, was referred to the Fourteenth Order of Business, General Calendar.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the Senate adjourned at 7:51 p.m. until the hour of 10 a.m., Wednesday, April 7, 2021.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

EIGHTY-SEVENTH LEGISLATIVE DAY
WEDNESDAY, APRIL 7, 2021

Senate Chamber

President McGeachin called the Senate to order at 10 a.m.

Roll call showed all members present except Senator Lodge, absent and excused.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Ella Luekenga, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of April 6, 2021, was read and approved as corrected.

LAKEY, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

April 7, 2021

The JUDICIARY AND RULES Committee reports that [S 1193](#), [S 1194](#), [S 1195](#), [S 1196](#), [S 1197](#), and [S 1198](#) have been correctly printed.

LAKEY, Chairman

[S 1193](#), [S 1194](#), [S 1195](#), [S 1196](#), [S 1197](#), and [S 1198](#) were referred to the Finance Committee.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

April 5, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that Peter Smith of Coeur d'Alene, Idaho, was appointed as a member of the Idaho Lottery Commission to serve a term commencing March 9, 2021, and expiring January 1, 2023.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

Sincerely,
/s/ Brad Little
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the State Affairs Committee.

The Senate advanced to the Ninth Order of Business.

Messages from the House

April 6, 2021

Dear Madam President:

I transmit herewith [H 258](#), which has passed the House.

MAULIN, Chief Clerk

[H 258](#) was filed for first reading.

Senator Lodge was recorded present at this order of business.

April 6, 2021

Dear Madam President:

I return herewith [S 1087](#), [S 1163](#), and [S 1088](#), as amended, which have failed to pass the House.

MAULIN, Chief Clerk

[S 1087](#), [S 1163](#), and [S 1088](#), as amended, were ordered filed in the office of the Secretary of the Senate.

April 6, 2021

Dear Madam President:

I return herewith [S 1079](#), as amended, [S 1058](#), [S 1160](#), [S 1124](#), as amended, [S 1024](#), [S 1026](#), [S 1056](#), [S 1076](#), [S 1119](#), [S 1137](#), [S 1116](#), as amended, [S 1102](#), [S 1104](#), [S 1164](#), [S 1165](#), [S 1123](#), [S 1042](#), as amended, [S 1035](#), [S 1078](#), and [S 1172](#), which have passed the House.

MAULIN, Chief Clerk

[S 1079](#), as amended, [S 1058](#), [S 1160](#), [S 1124](#), as amended, [S 1024](#), [S 1026](#), [S 1056](#), [S 1076](#), [S 1119](#), [S 1137](#), [S 1116](#), as amended, [S 1102](#), [S 1104](#), [S 1164](#), [S 1165](#), [S 1123](#), [S 1042](#), as amended, [S 1035](#), [S 1078](#), and [S 1172](#) were referred to the Judiciary and Rules Committee for enrolling.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

[S 1186](#) having been held at the desk for possible reconsideration of the vote by which it passed the Senate, and no motion for reconsideration having been received, [S 1186](#) was ordered transmitted to the House.

Having voted on the prevailing side and proper notice having been served, Senator Zito moved, seconded by Senator Rice, that the vote by which [H 294](#), as amended in the Senate, failed the Senate be now reconsidered. The question being, "Shall the motion prevail?"

Roll call vote was requested by Senator Johnson. Senators Burgoyne, Martin and Ward-Engelking stood in support.

Roll call resulted as follows:

AYES—Anthon, Bayer, Cook, Den Hartog, Grow, Lakey, Lent, Lodge, Rice, Ricks, Souza, Thayn, Vick, Winder, Zito. Total - 15.

NAYS—Agenbroad, Bair, Burgoyne, Burtenshaw, Crabtree, Guthrie, Harris, Heider, Johnson, Lee, Martin, Nelson, Nye, Patrick, Rabe, Riggs, Stennett, Ward-Engelking, Wintrow, Woodward. Total - 20.

Total - 35.

Whereupon the President declared the motion did not prevail and ordered [H 294](#), as amended in the Senate, returned to the House.

The President announced that [HCR 8](#) was before the Senate for final consideration.

Moved by Senator Harris, seconded by Senator Vick, that [HCR 8](#) be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Burtenshaw, Cook, Den Hartog, Grow, Harris, Heider, Lakey, Patrick, Rice, Ricks, Riggs, Souza, Thayn, Vick, Winder, Zito. Total - 19.

NAYS—Agenbroad, Burgoyne, Crabtree, Guthrie, Johnson, Lee, Lent, Lodge, Martin, Nelson, Nye, Rabe, Stennett, Ward-Engelking, Wintrow, Woodward. Total - 16.

Total - 35.

Whereupon the President declared [HCR 8](#) adopted, title was approved, and the resolution ordered returned to the House.

The President announced that [HCR 11](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Martin, seconded by Senator Wintrow, [HCR 11](#) was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The President announced that [HJM 1](#) was before the Senate for final consideration, the question being, "Shall the memorial be adopted?"

On motion by Senator Vick, seconded by Senator Johnson, [HJM 1](#) was adopted by voice vote, title was approved, and the memorial ordered returned to the House.

The President announced that [SCR 107](#) was before the Senate for final consideration.

Moved by Senator Guthrie, seconded by Senator Burgoyne, that [SCR 107](#) be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Burgoyne, Burtenshaw, Cook, Crabtree, Grow, Guthrie, Harris, Heider, Johnson, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Souza, Stennett, Ward-Engelking, Winder, Wintrow, Woodward. Total - 28.

NAYS—Bayer, Den Hartog, Lakey, Riggs, Thayn, Vick, Zito. Total - 7.

Total - 35.

Whereupon the President declared [SCR 107](#) adopted, title was approved, and the resolution ordered transmitted to the House.

On request by Senator Anthon, granted by unanimous consent, the Senate returned to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote the Senate recessed at 12:28 p.m. until the hour of 3 p.m. of this day.

RECESS AFTERNOON SESSION

The Senate reconvened at 3 p.m., pursuant to recess, President McGeachin presiding.

Roll call showed all members present except Senator Harris, absent and excused.

Prior to recess the Senate was at the Sixth Order of Business, Reports of Standing Committees.

April 7, 2021

The JUDICIARY AND RULES Committee reports that [S 1079](#), as amended, [S 1058](#), [S 1160](#), [S 1124](#), as amended, [S 1024](#), [S 1026](#), [S 1056](#), [S 1076](#), [S 1119](#), [S 1137](#), [S 1116](#), as amended, [S 1102](#), [S 1104](#), [S 1164](#), [S 1165](#), [S 1123](#), [S 1042](#), as amended, [S 1035](#), [S 1078](#), and [S 1172](#) have been correctly enrolled.

LAKEY, Chairman

The President signed Enrolled [S 1079](#), as amended, [S 1058](#), [S 1160](#), [S 1124](#), as amended, [S 1024](#), [S 1026](#), [S 1056](#), [S 1076](#), [S 1119](#), [S 1137](#), [S 1116](#), as amended, [S 1102](#), [S 1104](#), [S 1164](#), [S 1165](#), [S 1123](#), [S 1042](#), as amended, [S 1035](#), [S 1078](#), and [S 1172](#) and ordered them transmitted to the House for the signature of the Speaker.

April 7, 2021

The STATE AFFAIRS Committee reports out [H 302](#) and [HCR 13](#) with the recommendation that they do pass.

LODGE, Chair

[H 302](#) was filed for second reading.

[HCR 13](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

April 7, 2021

The STATE AFFAIRS Committee reports out [H 220](#) and [H 223](#) with the recommendation that they be referred to the Fourteenth Order of Business for amendment.

LODGE, Chair

There being no objection, [H 220](#) and [H 223](#) were referred to the Fourteenth Order of Business, General Calendar.

April 7, 2021

The FINANCE Committee reports out [S 1193](#), [S 1194](#), [S 1195](#), [S 1196](#), [S 1197](#), and [S 1198](#) with the recommendation that they do pass.

BAIR, Chairman

[S 1193](#), [S 1194](#), [S 1195](#), [S 1196](#), [S 1197](#), and [S 1198](#) were filed for second reading.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

April 7, 2021

Dear Madam President:

I transmit herewith Enrolled [H 324](#), [H 325](#), [H 326](#), [H 260](#), [H 333](#), [H 334](#), [H 70](#), [H 104](#), [H 233](#), [H 175](#), [H 203](#), [H 85](#), [H 86](#), [H 129](#), [H 132](#), as amended, [H 81](#), [H 182](#), [H 184](#), [H 185](#), [H 186](#), [H 267](#), and [H 268](#) for the signature of the President.

MAULIN, Chief Clerk

The President signed Enrolled [H 324](#), [H 325](#), [H 326](#), [H 260](#), [H 333](#), [H 334](#), [H 70](#), [H 104](#), [H 233](#), [H 175](#), [H 203](#), [H 85](#), [H 86](#), [H 129](#), [H 132](#), as amended, [H 81](#), [H 182](#), [H 184](#), [H 185](#), [H 186](#), [H 267](#), and [H 268](#) and ordered them returned to the House.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President announced that the Judiciary and Rules Committee report relative to the Gubernatorial appointment of Marianne King was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Wintrow, seconded by Senator Lodge, the Gubernatorial appointment of Marianne King as the Administrator of the Office of Drug Policy was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for her signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1199

BY FINANCE COMMITTEE

AN ACT

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF COMMERCE; APPROPRIATING AND TRANSFERRING MONEYS FROM THE GENERAL FUND TO THE IDAHO BROADBAND FUND; APPROPRIATING AND TRANSFERRING MONEYS FROM THE GENERAL FUND TO THE IDAHO OPPORTUNITY FUND; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF COMMERCE FROM THE IDAHO BROADBAND FUND FOR FISCAL YEAR 2021; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF COMMERCE FROM THE FEDERAL COVID-19 RELIEF FUND FOR THE IDAHO FOODBANK FOR FISCAL YEAR 2021; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF COMMERCE FROM THE FEDERAL COVID-19 RELIEF FUND FOR BROADBAND INFRASTRUCTURE FOR FISCAL YEAR 2021; PROVIDING REAPPROPRIATION AUTHORITY FROM THE IDAHO BROADBAND FUND; PROVIDING REAPPROPRIATION AUTHORITY FROM THE FEDERAL COVID-19 RELIEF FUND; PROVIDING OVERSIGHT AUTHORITY; AND DECLARING AN EMERGENCY.

S 1200

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO THE IDAHO WRONGFUL CONVICTION ACT; AMENDING SECTION 6-3503, IDAHO CODE, AS ADDED IN SECTION 1 OF SENATE BILL NO. 1027, AS ENACTED BY THE FIRST REGULAR SESSION OF THE SIXTY-SIXTH IDAHO LEGISLATURE, TO REVISE PROVISIONS REGARDING COMPENSATION RELATED TO A WRONGFUL CONVICTION; AND DECLARING AN EMERGENCY.

[S 1199](#) and [S 1200](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 258](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[H 337](#), [H 340](#), and [H 341](#), by Appropriations Committee, were read the second time at length and filed for third reading.

[S 1192](#), by Finance Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

On request by Senator Woodward, granted by unanimous consent, [H 229](#) was referred to the Fourteenth Order of Business, General Calendar.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Fourteenth Order of Business.

General Calendar

The President declared the Senate resolved into the Committee of the Whole and called Senator Lee to the Chair to preside during the sitting of the Committee of the Whole.

Following the adjournment of the Committee of the Whole, the President called the Senate to order.

Senator Harris was recorded present at this order of business.

Report of the Committee of the Whole

Senator Lee, Chairman of the Committee of the Whole, reported out [H 66](#), [H 252](#), [H 161](#), as amended, and [H 229](#), without recommendation, amended as follows:

SENATE AMENDMENT TO H 66 AMENDMENT TO THE BILL

On page 1 of the printed bill, delete lines 17 through 41; and delete pages 2 through 4, and insert:

"SECTION 3. That Chapter 9, Title 34, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 34-913, Idaho Code, and to read as follows:

34-913. DISCLOSURES IN ELECTIONS TO AUTHORIZE BONDED INDEBTEDNESS. (1) Notwithstanding any other provision of law, on and after July 1, 2021, any taxing district that proposes to submit any question to the electors of the district that would authorize any bonded indebtedness must provide a brief official statement setting forth in simple, understandable language information on the proposal substantially as follows:

- (a) The purpose for which the bonds are to be used, including but not necessarily limited to a description of the facility or project that will be financed, in whole or in part, by the sale of the bonds; the date of the election; and the principal amount of the bonds to be issued;
- (b) The anticipated interest rate on the proposed bonds based on current market rates and a maximum interest rate if a maximum is specified in the question to be submitted to electors;
- (c) The total amount to be repaid over the life of the bonds based on the anticipated interest. Such total shall reflect three (3) components: a total of the principal to be repaid; a total of the interest to be paid; and the sum of both;
- (d) The estimated average annual cost to the taxpayer of the proposed bond, in the format of "A tax of \$ per \$100,000 of taxable assessed value, per year, based on current conditions";
- (e) The length of time, reflected in months or years, in which the proposed bonds will be paid off or retired; and
- (f) The total existing indebtedness, including interest accrued, of the taxing district.

(2)(a) The formula for calculating the estimated average annual cost to the taxpayer shall be as follows:

$$\frac{(\text{Bond Total/Taxable Value}) \times 100,000}{\text{Duration}} = \text{estimated average annual cost to taxpayer}; \text{ and}$$

(b) The elements of which are defined as:

- (i) "Bond total" means the total amount to be bonded, from subsection (1)(c) of this section as based on the anticipated interest rate in subsection (1)(b) of this section;
- (ii) "Duration" means the time, in years, from subsection (1)(e) of this section; and
- (iii) "Taxable value" means the most recent total taxable value for property for the applicable taxing district,

which shall be obtained from the applicable county treasurer or assessor's office.

(3) The official statement must be made a part of the ballot prior to the location on the ballot where a person casts a vote and must be included in the official notice of the election.

(4) In order to be binding, a ballot question to authorize a bond must include the information and language required by this section in its official statement.

(5) Upon a determination by a court, pursuant to section 34-2001A, Idaho Code, that the taxing district failed to comply with the provisions of this section, the court must declare the outcome of the ballot question invalid and award court costs and fees to the prevailing party.

SECTION 4. That Chapter 9, Title 34, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 34-914, Idaho Code, and to read as follows:

34-914. DISCLOSURES IN ELECTIONS TO AUTHORIZE A LEVY. (1) Notwithstanding any other provision of law, on and after July 1, 2021, any taxing district that proposes to submit any question to the electors of the district that would authorize any levy, except for the levies authorized for the purposes provided in sections 63-802(1)(h) and 33-802(4), Idaho Code, and except for levies relating to bonded indebtedness where section 34-913, Idaho Code, applies, must include in the ballot question, or in a brief official statement on the ballot but separate from the ballot question, a disclosure setting forth in simple, understandable language information on the proposal substantially as follows:

- (a) The purpose for which the levy shall be used; the date of the election; and the dollar amount estimated to be collected each year from the levy;
- (b) The estimated average annual cost to the taxpayer of the proposed levy, in the form of "A tax of \$_____ per \$100,000 of taxable assessed value, per year, based on current conditions." If the taxing district proposing the levy has an existing levy of the same type that is set to expire at the time that the proposed levy will begin, an additional statement may be provided along the following lines: "The proposed levy replaces an existing levy that will expire on _____ and that currently costs \$_____ per \$100,000 of taxable assessed value." The statement shall also disclose that, if the proposed levy is approved, the tax per \$100,000 of taxable assessed value is either: (i) not expected to change or (ii) is expected to increase or decrease the tax by \$_____ per \$100,000 of taxable assessed value. The dollar amounts referenced in this paragraph shall be calculated by multiplying the expected levy rate by one hundred thousand dollars (\$100,000);
- (c) The length of time, reflected in months or years, in which the proposed levy will be assessed; and
- (d) If an existing levy is referenced, the expiration date of the levy must also be provided.

(2) The information called for in subsection (1) of this section must be placed immediately above the location on the ballot where a person casts a vote and must also be included in like manner in the official notice of the election.

(3) In order to be binding, a ballot question to authorize a levy must include the information and language required by this section in its official statement. The ballot question may not include other information or language regarding any other bond, levy, or matter, whether previous, current, or proposed, except as authorized under this section.

(4) Upon a determination by a court, pursuant to section 34-2001A, Idaho Code, that the taxing district failed to comply with the provisions of this section, the court must declare the outcome of the ballot question invalid and award court costs and fees to the prevailing party.

SECTION 5. That Section 34-2001A, Idaho Code, be, and the same is hereby amended to read as follows:

34-2001A. BOND ELECTION AND MILL LEVY CONTESTS – TIME FOR FILING – VALIDATION OF ELECTIONS AND BONDS. A. (1) The provisions of this chapter with respect to the contest of elections shall be applicable to bond elections conducted by cities, counties, school districts, and water and sewer districts; and to elections conducted by school districts for mill levy increases as authorized by sections 33-802, 33-803, and 33-804, Idaho Code. Any such contest shall be regarded as one contesting the outcome of the vote on the bond or mill levy proposition, rather than election to office, and the public entity calling the election, rather than a person declared to have been elected to office, shall be regarded as the defendant.

B. (2) When the validity of any bond or mill levy election is contested upon on any of the grounds enumerated in section 34-2001, Idaho Code, on the grounds of a failure to comply with the requirements of section 34-913 or 34-914, Idaho Code, or upon on any other grounds whatsoever the plaintiff or plaintiffs must, within forty (40) days after the votes are canvassed and the results thereof declared, file in the proper court a verified written complaint setting forth, in addition to the other requirements of this chapter, the following:

(1a) The name of the party contesting the bond or mill levy election, and that he is an elector of the public entity conducting the bond or mill levy election;

(2b) The proposition or propositions voted on at the election which that are contested; and

(3c) The particular grounds of such contest.

C. (3) No such election contest shall be maintained and no bond or mill levy election shall be set aside or held invalid unless a complaint is filed as permitted hereunder under this section within the period prescribed in this section. ~~As to bond or mill levy elections which have been held prior to the effective date of this act, no such contest shall be maintained wherein it is alleged that the election should be set aside or held on any ground enumerated in section 34-2001, Idaho Code, or on any other ground, unless such election contest be filed as herein provided within forty (40) days from and after the effective date of this act.~~

D. (4) All bond elections conducted by cities, counties, school districts, and water and sewer districts prior to the effective date of this act, and all proceedings had in the authorization and issuance of the bonds authorized thereat, are hereby validated, ratified, and confirmed and all such bonds are declared to constitute legally binding obligations in accordance with their terms. Nothing in this section shall be construed to affect or validate any bond election, or bonds issued pursuant thereto, the legality of which is being contested at the time this act takes effect, or any election, the legality of which is contested within the forty (40) day period from and after the effective date of this act.

SECTION 6. That Section 74-605, Idaho Code, be, and the same is hereby amended to read as follows:

74-605. EXCLUSIONS. Nothing in this chapter shall prohibit:

(1) A public official or employee from speaking, campaigning, contributing personal money or otherwise exercising the public official's or employee's individual first amendment rights for political purposes, provided no public funds are used for expenditures supporting the public official or employee in such activity;

(2) A public entity, public official or employee from the neutral encouragement of voters to vote;

(3) An elected official or employee from personally campaigning or advocating for or against a ballot measure, provided no public funds, property or resources are used for supporting the elected official or employee in such activity;

(4) A public entity from preparing and distributing to electors an objective statement explaining the purpose and effect of the ballot measure, including in the case of bond or levy elections the cost per taxpayer or taxable value, or similar information based on reasonable estimates prepared in good faith;

(5) The formulation and publication of statements regarding proposed amendments to the state constitution, as authorized by section 67-453, Idaho Code;

(6) The publication of information described in sections 34-439, 34-439A, 34-913, 34-914, and 34-1406, Idaho Code, as applicable, or other provisions of law requiring notices and disclosures in connection with elections and ballot measures; or

(7) A balanced student classroom discussion or debate of current or pending election issues."

SENATE AMENDMENT TO H 252

AMENDMENT TO SECTION 1

On page 1 of the printed bill, delete lines 35 through 41, and insert:

"(2) Land that is contiguous to land qualifying under subsection (1) of this section shall also be appraised, assessed, and taxed as land actively devoted to agriculture if the land:

(a) Consists of pivot corners for a center pivot-irrigated crop, provided such pivot corners are not used for a commercial or residential purpose; or

(b) Is used primarily to store agricultural commodities or agricultural equipment, or both."

and on page 2, delete lines 36 through 41, and insert:

"(c) "Platting" means the filing of the drawing, map or plan of a subdivision or a replatting of such, including certification, descriptions and approvals with the proper county or city official."

SENATE AMENDMENT TO H 161, As Amended

AMENDMENT TO SECTION 1

On page 4 of the engrossed bill, in line 21, following "to" insert: "five dollars (\$5.00) from each commercial license."

SENATE AMENDMENT TO H 229

AMENDMENT TO SECTION 1

On page 1 of the printed bill, delete line 23, and insert: "fe of ~~thirty-one~~ forty-five dollars and fifty cents (\$45.050). Upon receipt of".

On page 2, delete lines 16 and 17, and insert: "purposes shall purchase validation stickers for ~~sixty-one~~ seventy-five dollars and fifty cents (\$75.050) and the validation stickers shall be displayed on the".

The Committee also has [S 1161](#), [H 59](#), [S 1169](#), [H 246](#), [H 135](#), [H 193](#), [H 299](#), and [H 107](#) under consideration, reports progress, and begs leave to sit again.

On motion by Senator Lee, seconded by Senator Stennett, the report was adopted by voice vote.

[H 66](#), as amended in the Senate, [H 252](#), as amended in the Senate, [H 161](#), as amended, as amended in the Senate, and [H 229](#), as amended in the Senate, were filed for first reading as amended, and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

On request by Senator Anthon, granted by unanimous consent, the Senate returned to the Thirteenth Order of Business.

Third Reading of Bills

[H 222](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lent arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

On request by Senator Lent, granted by unanimous consent, the following typographical correction was made to [H 222](#), pursuant to Senate Rule 9(F):

On Page 2, line 21, change "advisory council" to "commission."

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared [H 222](#) passed, title was approved, and the bill ordered returned to the House.

[H 210](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Rice arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared [H 210](#) passed, title was approved, and the bill ordered returned to the House.

[H 217](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Grow arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared [H 217](#) passed, title was approved, and the bill ordered returned to the House.

[H 126](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Guthrie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Guthrie, Harris, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Ward-Engelking, Winder, Wintrow, Woodward. Total - 30.

NAYS—Bayer, Grow, Heider, Vick, Zito. Total - 5.

Total - 35.

Whereupon the President declared [H 126](#) passed, title was approved, and the bill ordered returned to the House.

[H 103](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Woodward arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared [H 103](#) passed, title was approved, and the bill ordered returned to the House.

[H 138](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Martin arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared [H 138](#) passed, title was approved, and the bill ordered returned to the House.

[H 139](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Agenbroad arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared [H 139](#) passed, title was approved, and the bill ordered returned to the House.

[H 142](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Guthrie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Thayn, Vick, Ward-Engelking, Winder, Woodward, Zito. Total - 32.

NAYS—Burgoyne, Stennett, Wintrow. Total - 3.

Total - 35.

Whereupon the President declared [H 142](#) passed, title was approved, and the bill ordered returned to the House.

[H 131](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Den Hartog arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared [H 131](#) passed, title was approved, and the bill ordered returned to the House.

[H 165](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Vick arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared [H 165](#) passed, title was approved, and the bill ordered returned to the House.

[H 156](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nye arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared [H 156](#) passed, title was approved, and the bill ordered returned to the House.

[H 276](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Grow arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye,

Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared [H 276](#) passed, title was approved, and the bill ordered returned to the House.

[H 277](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bayer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared [H 277](#) passed, title was approved, and the bill ordered returned to the House.

[H 198](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lodge arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared [H 198](#) passed, title was approved, and the bill ordered returned to the House.

[H 155](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Heider arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared [H 155](#) passed, title was approved, and the bill ordered returned to the House.

[H 231](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Burgoyne arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared [H 231](#) passed, title was approved, and the bill ordered returned to the House.

[H 243](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator

Heider arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared [H 243](#) passed, title was approved, and the bill ordered returned to the House.

[H 279](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Patrick, Rice, Ricks, Riggs, Souza, Thayn, Vick, Winder, Woodward, Zito. Total - 28.

NAYS—Burgoyne, Nelson, Nye, Rabe, Stennett, Ward-Engelking, Wintrow. Total - 7.

Total - 35.

Whereupon the President declared [H 279](#) passed, title was approved, and the bill ordered returned to the House.

[H 187](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Vick arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward. Total - 33.

NAYS—Bayer, Zito. Total - 2.

Total - 35.

Whereupon the President declared [H 187](#) passed, title was approved, and the bill ordered returned to the House.

[H 235](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Rabe arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Burgoyne, Burtenshaw, Cook, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Martin, Nelson, Nye, Patrick, Rabe, Riggs, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward. Total - 27.

NAYS—Bayer, Crabtree, Lent, Lodge, Rice, Ricks, Souza, Zito. Total - 8.

Total - 35.

Whereupon the President declared [H 235](#) passed, title was approved, and the bill ordered returned to the House.

[H 239](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Harris arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nye, Patrick, Rice, Ricks, Riggs, Souza, Thayn, Vick, Winder, Woodward, Zito. Total - 29.

NAYS—Burgoyne, Nelson, Rabe, Stennett, Ward-Engelking, Wintrow. Total - 6.

Total - 35.

Whereupon the President declared [H 239](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Anthon, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House Appropriations bills, followed by House bills.

On request by Senator Anthon, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

Reports of Standing Committees

April 7, 2021

The JUDICIARY AND RULES Committee reports that Senate amendments to [H 66](#), [H 252](#), [H 161](#), as amended, and [H 229](#) have been correctly printed.

LAKEY, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

[H 66](#), as amended in the Senate, by State Affairs Committee, was read the first time at length and filed for second reading.

[H 252](#), as amended in the Senate, by Revenue and Taxation Committee, was read the first time at length and filed for second reading.

[H 161](#), as amended, as amended in the Senate, and [H 229](#), as amended in the Senate, by Transportation and Defense Committee, were read the first time at length and filed for second reading.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the Senate adjourned at 6:22 p.m. until the hour of 10 a.m., Thursday, April 8, 2021.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

EIGHTY-EIGHTH LEGISLATIVE DAY
THURSDAY, APRIL 8, 2021

Senate Chamber

President McGeachin called the Senate to order at 10 a.m.

Roll call showed all members present.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Charlotte Brockman, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of April 7, 2021, was read and approved as corrected.

LAKEY, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

April 8, 2021

The JUDICIARY AND RULES Committee reports that [S 1199](#) and [S 1200](#) have been correctly printed.

LAKEY, Chairman

[S 1199](#) was referred to the Finance Committee.

[S 1200](#) was referred to the Judiciary and Rules Committee.

April 7, 2021

The HEALTH AND WELFARE Committee reports out [H 316](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

MARTIN, Chairman

There being no objection, [H 316](#) was referred to the Fourteenth Order of Business, General Calendar.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

April 7, 2021

Dear Madam President:

I transmit herewith [H 214](#), with the Governor's veto message, which has passed the House, the Governor's veto notwithstanding.

MAULIN, Chief Clerk

THE OFFICE OF THE GOVERNOR
Boise

March 26, 2021

The Honorable Scott Bedke
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I am returning herewith, without my approval, disapproved and vetoed:

[H 214](#)

within the time limited by law, the same having arrived in the Office of the Governor at the hour of 2:55 p.m. on March 22, 2021.

I veto this legislation because it undermines the original intent of the Legislature that wisely assigned to the Chairman, or his designee, the responsibility for the day-to-day administrative functions of the Tax Commission so that the individual Commissioners remain free to dedicate their time and expertise on ensuring the predictable, consistent, and fair application of tax law to Idaho's taxpayers. House Bill 214 unnecessarily forces Commissioners to be involved in the administrative decision-making process, thus diverting the Commissioners from their core responsibilities and interfering with the Chairman's obligation to act as the Tax Commission's "chief executive and administrative head" as intended.

Additionally, adding a level of red tape goes against my core belief of good government. This legislation adds a burdensome level of bureaucracy and uncertainty, which I fear will only complicate and slow the Tax Commission's ability to accomplish its important mission. In the last year, we witnessed firsthand during the pandemic the incredible ability of the Tax Commission staff to step up and adapt quickly in changing environments to successfully implement important initiatives and programs that support Idaho citizens and businesses.

/s/ Brad Little
Governor

The question being, "Shall [H 214](#) become law, the Governor's veto notwithstanding?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Harris, Heider, Lakey, Lee, Rice, Ricks, Riggs, Souza, Thayn, Vick, Winder, Zito. Total - 21.

NAYS—Burgoyne, Guthrie, Johnson, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Stennett, Ward-Engelking, Wintrow, Woodward. Total - 14.

Total - 35.

Less than two-thirds having voted in the affirmative, the President declared that [H 214](#) has failed to become law, the Governor's veto sustained. [H 214](#), with the Governor's veto message attached, was ordered returned to the House of Representatives.

April 7, 2021

Dear Madam President:

I transmit herewith [H 329](#), [H 343](#), [H 346](#), [H 357](#), [H 359](#), and [H 349](#), which have passed the House.

MAULIN, Chief Clerk

[H 329](#), [H 343](#), [H 346](#), [H 357](#), [H 359](#), and [H 349](#) were filed for first reading.

April 7, 2021

Dear Madam President:

I return herewith [S 1179](#), which has failed to pass the House.

MAULIN, Chief Clerk

[S 1179](#) was ordered filed in the office of the Secretary of the Senate.

April 7, 2021

Dear Madam President:

I return herewith [S 1136](#), as amended, which has passed the House.

MAULIN, Chief Clerk

On request by Senator Anthon, granted by unanimous consent, [S 1136](#), as amended, was referred to the Tenth Order of Business, Motions and Resolutions, for consideration as to possible concurrence in the House amendments.

April 7, 2021

Dear Madam President:

I return herewith [S 1089](#), as amended, [S 1110](#), [S 1184](#), [S 1130](#), [S 1131](#), [S 1133](#), as amended, [S 1101](#), [S 1047](#), [S 1095](#), [S 1083](#), [S 1180](#), and [SCR 104](#), which have passed the House.

MAULIN, Chief Clerk

[S 1089](#), as amended, [S 1110](#), [S 1184](#), [S 1130](#), [S 1131](#), [S 1133](#), as amended, [S 1101](#), [S 1047](#), [S 1095](#), [S 1083](#), [S 1180](#), and [SCR 104](#) were referred to the Judiciary and Rules Committee for enrolling.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President announced that the House amendments to [S 1136](#), as amended, were before the Senate for consideration as to possible concurrence, the question being, "Shall the Senate concur in the House amendments to [S 1136](#), as amended?"

On request by Senator Anthon, granted by unanimous consent, the Senate concurred by voice vote in the House amendments to [S 1136](#), as amended.

[S 1136](#), as amended, was referred to the Judiciary and Rules Committee for engrossing.

The President announced that [HCR 13](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Stennett, seconded by Senator Lee, [HCR 13](#) was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

[H 329](#), by Education Committee, was introduced, read the first time at length, and referred to the Education Committee.

[H 343](#), [H 346](#), [H 357](#), and [H 359](#), by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

[H 349](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[H 302](#), by State Affairs Committee, was read the second time at length and filed for third reading.

[S 1193](#), [S 1194](#), [S 1195](#), [S 1196](#), [S 1197](#), and [S 1198](#), by Finance Committee, were read the second time at length and filed for third reading.

[H 66](#), as amended in the Senate, by State Affairs Committee, was read the second time at length and filed for third reading.

[H 252](#), as amended in the Senate, by Revenue and Taxation Committee, was read the second time at length and filed for third reading.

[H 161](#), as amended, as amended in the Senate, and [H 229](#), as amended in the Senate, by Transportation and Defense Committee, were read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

[S 1192](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Grow arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS—None.

Absent and excused—Rice. Total - 1.

Total - 35.

Whereupon the President declared [S 1192](#) passed, title was approved, and the bill ordered transmitted to the House.

[H 337](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Woodward arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS—None.

Absent and excused—Rice. Total - 1.

Total - 35.

Whereupon the President declared [H 337](#) passed, title was approved, and the bill ordered returned to the House.

[H 340](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Crabtree arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared [H 340](#) passed, title was approved, and the bill ordered returned to the House.

[H 341](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Woodward arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared [H 341](#) passed, title was approved, and the bill ordered returned to the House.

[H 150](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ricks arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared [H 150](#) passed, title was approved, and the bill ordered returned to the House.

[H 152](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator

Ricks arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Burgoyne, Burtenshaw, Grow, Guthrie, Lakey, Lee, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Stennett, Ward-Engelking, Winder, Wintrow, Woodward. Total - 20.

NAYS—Anthon, Bair, Bayer, Cook, Crabtree, Den Hartog, Harris, Heider, Johnson, Lent, Riggs, Souza, Thayn, Vick, Zito. Total - 15.

Total - 35.

Whereupon the President declared [H 152](#) passed, title was approved, and the bill ordered returned to the House.

[H 143](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Woodward arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Vick, Ward-Engelking, Winder, Wintrow, Woodward. Total - 32.

NAYS—Zito. Total - 1.

Absent and excused—Bair, Thayn. Total - 2.

Total - 35.

Whereupon the President declared [H 143](#) passed, title was approved, and the bill ordered returned to the House.

[H 178](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lakey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared [H 178](#) passed, title was approved, and the bill ordered returned to the House.

[H 232](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Crabtree arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Crabtree, Den Hartog, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Nelson, Nye, Patrick, Rabe, Rice, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 31.

NAYS—Cook, Grow, Martin, Ricks. Total - 4.

Total - 35.

April 8, 2021

Whereupon the President declared [H 232](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Anthon, granted by unanimous consent, the Senate returned to the Ninth Order of Business.

Messages from the House

April 8, 2021

Dear Madam President:

I transmit herewith [H 362](#), which has passed the House.

MAULIN, Chief Clerk

[H 362](#) was filed for first reading.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

[H 362](#), by Ways and Means Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

On request by Senator Anthon, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

Reports of Standing Committees

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote the Senate recessed at 12:06 p.m. until the hour of 3 p.m. of this day.

RECESS AFTERNOON SESSION

The Senate reconvened at 3 p.m., pursuant to recess, President McGeachin presiding.

Roll call showed all members present except Senators Agenbroad, Bair, Riggs, Stennett, Thayn, and Woodward, absent and excused.

Prior to recess the Senate was at the Sixth Order of Business, Reports of Standing Committees.

April 8, 2021

The JUDICIARY AND RULES Committee reports that [S 1136](#), as amended, as amended in the House, has been correctly engrossed.

LAKEY, Chairman

[S 1136](#), as amended, as amended in the House, was filed for first reading.

April 8, 2021

The JUDICIARY AND RULES Committee reports that [S 1089](#), as amended, [S 1110](#), [S 1184](#), [S 1130](#), [S 1131](#), [S 1133](#), as amended, [S 1101](#), [S 1047](#), [S 1095](#), [S 1083](#), [S 1180](#), and [SCR 104](#) have been correctly enrolled.

LAKEY, Chairman

The President signed Enrolled [S 1089](#), as amended, [S 1110](#), [S 1184](#), [S 1130](#), [S 1131](#), [S 1133](#), as amended, [S 1101](#), [S 1047](#), [S 1095](#), [S 1083](#), [S 1180](#), and [SCR 104](#) and ordered them transmitted to the House for the signature of the Speaker.

The FINANCE Committee reports out [H 343](#), [H 346](#), [H 357](#), [H 359](#), and [S 1199](#) with the recommendation that they do pass.

BAIR, Chairman

[H 343](#), [H 346](#), [H 357](#), [H 359](#), and [S 1199](#) were filed for second reading.

Senator Riggs was recorded present at this order of business.

April 8, 2021

The EDUCATION Committee reports out [H 298](#) with the recommendation that it do pass.

THAYN, Chairman

[H 298](#) was filed for second reading.

April 8, 2021

The LOCAL GOVERNMENT AND TAXATION Committee reports out [HCR 15](#) with the recommendation that it do pass.

RICE, Chairman

[HCR 15](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

Senator Bair was recorded present at this order of business.

April 8, 2021

The LOCAL GOVERNMENT AND TAXATION Committee reports out [H 332](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

RICE, Chairman

There being no objection, [H 332](#) was referred to the Fourteenth Order of Business, General Calendar.

Senator Woodward was recorded present at this order of business.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

April 8, 2021

Dear Madam President:

I return herewith [S 1188](#), [S 1189](#), [S 1190](#), [S 1191](#), [S 1134](#), [SJM 101](#), [SJM 103](#), [SJM 102](#), [S 1115](#), [S 1011](#), [S 1084](#), [S 1181](#), and [S 1176](#), which have passed the House.

MAULIN, Chief Clerk

[S 1188](#), [S 1189](#), [S 1190](#), [S 1191](#), [S 1134](#), [SJM 101](#), [SJM 103](#), [SJM 102](#), [S 1115](#), [S 1011](#), [S 1084](#), [S 1181](#), and [S 1176](#) were referred to the Judiciary and Rules Committee for enrolling.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

[S 1136](#), as amended, as amended in the House, by State Affairs Committee, was read the first time at length and filed for second reading.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Fourteenth Order of Business.

General Calendar

On request by Senator Anthon, granted by unanimous consent, [H 220](#) retained its place on the General Calendar.

The President declared the Senate resolved into the Committee of the Whole and called Senator Lee to the Chair to preside during the sitting of the Committee of the Whole.

Following the adjournment of the Committee of the Whole, the President called the Senate to order.

Report of the Committee of the Whole

Senator Lee, Chairman of the Committee of the Whole, reported out [H 246](#), [H 135](#), and [H 107](#), without recommendation, amended as follows:

SENATE AMENDMENT TO H 246 AMENDMENT TO THE BILL

On page 1 of the printed bill, delete lines 11 through 40, and insert:

"SECTION 1. That Section 32-1010, Idaho Code, be, and the same is hereby amended to read as follows:

~~32-1010. INTENT OF THE LEGISLATURE—
IDAHO PARENTAL RIGHTS ACT. (1) This section through
section 32-1014, Idaho Code, shall be known and may be cited
as the "Idaho Parental Rights Act."~~

(2) The interests and role of parents in the care, custody and control of their children are both implicit in the concept of ordered liberty and deeply rooted in our nation's history and tradition. They are also among the unalienable rights retained by the people under the ninth amendment to the constitution of the United States.

(23) The interests of the parents includes the high duty and right to nurture and direct their children's destiny, including their upbringing and education.

(34) The state of Idaho has independent authority to protect its parents' fundamental right to nurture and direct their children's destiny, upbringing and education.

(45) The protections and rights recognized in sections 32-1011 through 32-10134, Idaho Code, are rooted in the due process of law guaranteed pursuant to section 13, article I, of the constitution of the state of Idaho.

(56) Governmental efforts that restrict or interfere with these fundamental rights are only permitted if that restriction or interference satisfies the strict scrutiny standard provided in section 32-1013, Idaho Code.

(67) Nothing in this act shall be construed as altering the established presumption in favor of the constitutionality of statutes and regulations.

(8) The provisions of the Idaho parental rights act are hereby declared to be severable, and if any provision of the act or the application of such provision to any person or circumstance is declared invalid for any reason, such declaration shall not affect the validity of the remaining portions of the act.

SECTION 2. That Chapter 10, Title 32, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 32-1014, Idaho Code, and to read as follows:

32-1014. EMERGENCY ORDER NOT JUSTIFICATION TO INTERFERE WITH PARENTAL RIGHTS. At no time shall the existence of any order, proclamation, or declaration issued pursuant to chapter 6 or 10, title 46, Idaho Code, be considered essential to further a compelling governmental interest to justify:

- (1) Forced medical action on a child;
- (2) Forced removal of a child from the home; or
- (3) The violation of or interference with a parent's fundamental and established rights protected by the Idaho parental rights act."

On page 2, in line 1, delete "SECTION 2" and insert: "SECTION 3".

CORRECTION TO TITLE

On page 1, delete lines 2 through 9, and insert: "RELATING TO DOMESTIC RELATIONS; AMENDING SECTION 32-1010, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO PROVIDE A CORRECT CODE REFERENCE, TO PROVIDE SEVERABILITY, AND TO MAKE A TECHNICAL CORRECTION; AMENDING CHAPTER 10, TITLE 32, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 32-1014, IDAHO CODE, TO PROVIDE THAT CERTAIN ORDERS, PROCLAMATIONS, OR DECLARATIONS SHALL NOT BE CONSIDERED JUSTIFICATION FOR FORCED MEDICAL ACTION ON A CHILD, FORCED REMOVAL OF A CHILD FROM THE HOME, OR THE VIOLATION OF OR INTERFERENCE WITH PARENTAL RIGHTS; AND DECLARING AN EMERGENCY."

SENATE AMENDMENT TO H 135 AMENDMENT TO SECTION 1

On page 1 of the printed bill, delete lines 15 through 19, and insert: "state of disaster emergency. Because all jobs are essential to the economy of the state of Idaho, any orders or proclamations that restrict citizens must be narrowly tailored to the purposes of the disaster emergency, include a specific and limited duration, and may not universally restrict jobholders by job type or classification."

On page 2, in line 22, following "resolution" insert: "or other legislative action"; and in line 34, following "resolution" insert: "or other legislative action".

SENATE AMENDMENT TO H 107 AMENDMENT TO SECTION 1

On page 1 of the printed bill, delete lines 30 through 32, and insert:

"(2)(a) The validity of an instrument recorded prior to July 1, 2017, shall not be affected by the failure of a notary public to perform a duty or meet a requirement specified in chapter 1, title 51, Idaho Code. Such a failure does not invalidate a notarial act performed by the notary public.

(b) The validity of a notarial act complying with the provisions of chapter 1, title 51, Idaho Code, does not prevent an aggrieved person from seeking to invalidate the record or transaction that is the subject of the notarial act or from seeking remedies authorized by federal or state law other than the provisions of chapter 1, title 51, Idaho Code.

(c) This subsection does not validate a purported notarial act performed by an individual who does not have the authority to perform notarial acts."

CORRECTION TO TITLE

On page 1, in line 2, delete "REVISE PRO-"; delete line 3; and in line 4, delete "STRUMENT;" and insert: "CLARIFY THE APPLICATION AND EFFECT OF THE REVISED UNIFORM LAW ON NOTARIAL ACTS ON CERTAIN INSTRUMENTS AND NOTARIAL ACTS;"

The Committee also has [S 1161](#), [H 59](#), [S 1169](#), [H 193](#), [H 299](#), [H 220](#), and [H 223](#) under consideration, reports progress, and begs leave to sit again.

LEE, Chairman

On motion by Senator Lee, seconded by Senator Stennett, the report was adopted by voice vote.

[H 246](#), [H 135](#), and [H 107](#) were filed for first reading as amended, and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

On request by Senator Anthon, granted by unanimous consent, the Senate returned to the Thirteenth Order of Business.

Third Reading of Bills

[H 162](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nelson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 33.

NAYS—None.

Absent and excused—Agenbroad, Bair. Total - 2.

Total - 35.

Whereupon the President declared [H 162](#) passed, title was approved, and the bill ordered returned to the House.

[H 266](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Burtenshaw arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bair, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 30.

NAYS—Bayer, Burgoyne, Nye, Stennett. Total - 4.

Absent and excused—Agenbroad. Total - 1.

Total - 35.

Whereupon the President declared [H 266](#) passed, title was approved, and the bill ordered returned to the House.

[H 307](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Guthrie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS—None.

Absent and excused—Agenbroad. Total - 1.

Total - 35.

Whereupon the President declared [H 307](#) passed, title was approved, and the bill ordered returned to the House.

[H 317](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Grow arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS—None.

Absent and excused—Agenbroad. Total - 1.

Total - 35.

Whereupon the President declared [H 317](#) passed, title was approved, and the bill ordered returned to the House.

[H 241](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Burgoyne arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Burgoyne, Burtenshaw, Den Hartog, Grow, Guthrie, Heider, Johnson, Lakey, Lee, Martin, Nelson, Nye, Patrick, Rabe, Riggs, Stennett, Thayn, Ward-Engelking, Winder, Wintrow. Total - 21.

NAYS—Anthon, Bayer, Cook, Crabtree, Harris, Lent, Lodge, Rice, Ricks, Souza, Vick, Woodward, Zito. Total - 13.

Absent and excused—Agenbroad. Total - 1.

Total - 35.

Whereupon the President declared [H 241](#) passed, title was approved, and the bill ordered returned to the House.

[H 264](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Cook arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS—None.

Absent and excused—Agenbroad. Total - 1.

Total - 35.

Whereupon the President declared [H 264](#) passed, title was approved, and the bill ordered returned to the House.

[H 265](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Woodward arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS—None.

Absent and excused—Agenbroad. Total - 1.

Total - 35.

Whereupon the President declared [H 265](#) passed, title was approved, and the bill ordered returned to the House.

[H 280](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ward-Engelking arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS—None.

Absent and excused—Agenbroad. Total - 1.

Total - 35.

Whereupon the President declared [H 280](#) passed, title was approved, and the bill ordered returned to the House.

[H 166](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Woodward arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Thayn, Vick, Ward-Engelking, Winder, Woodward, Zito. Total - 31.

NAYS—Nye, Stennett, Wintrow. Total - 3.

Absent and Excused—Agenbroad. Total - 1.

Total - 35.

Whereupon the President declared [H 166](#) passed, title was approved, and the bill ordered returned to the House.

[H 292](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Riggs arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Lakey, Lee, Lent, Lodge, Martin, Patrick, Rice, Ricks, Riggs, Souza, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 28.

NAYS—Burgoyne, Johnson, Nelson, Nye, Rabe, Stennett. Total - 6.

Absent and excused—Agenbroad. Total - 1.

Total - 35.

Whereupon the President declared [H 292](#) passed, title was approved, and the bill ordered returned to the House.

[H 309](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Grow arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Burtenshaw, Cook, Grow, Guthrie, Harris, Heider, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Ward-Engelking, Winder, Wintrow, Woodward. Total - 25.

NAYS—Bair, Bayer, Burgoyne, Crabtree, Den Hartog, Johnson, Thayn, Vick, Zito. Total - 9.

Absent and excused—Agenbroad. Total - 1.

Total - 35.

Whereupon the President declared [H 309](#) passed, title was approved, and the bill ordered returned to the House.

[H 250](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ward-Engelking arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS—None.

Absent and excused—Agenbroad. Total - 1.

Total - 35.

Whereupon the President declared [H 250](#), as amended, passed, title was approved, and the bill ordered returned to the House.

[H 160](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Crabtree arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS—None.

Absent and excused—Agenbroad. Total - 1.

Total - 35.

Whereupon the President declared [H 160](#) passed, title was approved, and the bill ordered returned to the House.

[H 245](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lodge arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS—None.

Absent and excused—Agenbroad. Total - 1.

Total - 35.

Whereupon the President declared [H 245](#) passed, title was approved, and the bill ordered returned to the House.

[H 286](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Guthrie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS—None.

Absent and excused—Agenbroad. Total - 1.

Total - 35.

Whereupon the President declared [H 286](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Anthon, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills amended in the Senate, followed by House bills.

On request by Senator Anthon, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

Reports of Standing Committees

April 8, 2021

The JUDICIARY AND RULES Committee reports that Senate amendments to [H 246](#), [H 135](#), and [H 107](#) have been correctly printed.

LAKEY, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

April 8, 2021

The HEALTH AND WELFARE Committee reports out [H 315](#) and [H 336](#) with the recommendation that they do pass.

MARTIN, Chairman

[H 315](#) and [H 336](#) were filed for second reading.

April 8, 2021

The HEALTH AND WELFARE Committee reports out [S 1128](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

MARTIN, Chairman

There being no objection, [S 1128](#) was referred to the Fourteenth Order of Business, General Calendar.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

[H 246](#), as amended in the Senate, by Judiciary, Rules and Administration Committee, was read the first time at length and filed for second reading.

[H 135](#), as amended in the Senate, and [H 107](#), as amended in the Senate, by State Affairs Committee, were read the first time at length and filed for second reading.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the Senate adjourned at 5:26 p.m. until the hour of 10:30 a.m., Friday, April 9, 2021.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

EIGHTY-NINTH LEGISLATIVE DAY
FRIDAY, APRIL 9, 2021

Senate Chamber

President McGeachin called the Senate to order at 10:30 a.m.

Roll call showed all members present.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Grace Kuhn, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of April 8, 2021, was read and approved as corrected.

LAKEY, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

April 9, 2021

The JUDICIARY AND RULES Committee reports that [S 1188](#), [S 1189](#), [S 1190](#), [S 1191](#), [S 1134](#), [SJM 101](#), [SJM 103](#), [SJM 102](#), [S 1115](#), [S 1011](#), [S 1084](#), [S 1181](#), and [S 1176](#) have been correctly enrolled.

LAKEY, Chairman

The President signed Enrolled [S 1188](#), [S 1189](#), [S 1190](#), [S 1191](#), [S 1134](#), [SJM 101](#), [SJM 103](#), [SJM 102](#), [S 1115](#), [S 1011](#), [S 1084](#), [S 1181](#), and [S 1176](#) and ordered them transmitted to the House for the signature of the Speaker.

April 9, 2021

The STATE AFFAIRS Committee reports out [H 290](#) with the recommendation that it do pass.

LODGE, Chair

[H 290](#) was filed for second reading.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

April 8, 2021

Dear Madam President:

I transmit herewith Enrolled [HCR 8](#), [HCR 11](#), [HJM 1](#), [H 222](#), [H 210](#), [H 217](#), [H 126](#), [H 103](#), [H 138](#), [H 139](#), [H 142](#), [H 131](#), [H 165](#), [H 156](#), [H 276](#), [H 277](#), [H 198](#), [H 155](#), [H 231](#), [H 243](#), [H 279](#), [H 187](#), [H 235](#), and [H 239](#) for the signature of the President.

MAULIN, Chief Clerk

The President signed Enrolled [HCR 8](#), [HCR 11](#), [HJM 1](#), [H 222](#), [H 210](#), [H 217](#), [H 126](#), [H 103](#), [H 138](#), [H 139](#), [H 142](#), [H 131](#), [H 165](#), [H 156](#), [H 276](#), [H 277](#), [H 198](#), [H 155](#), [H 231](#), [H 243](#), [H 279](#), [H 187](#), [H 235](#), and [H 239](#) and ordered them returned to the House.

April 8, 2021

Dear Madam President:

I return herewith Enrolled [S 1079](#), as amended, [S 1058](#), [S 1160](#), [S 1124](#), as amended, [S 1024](#), [S 1026](#), [S 1056](#), [S 1076](#), [S 1119](#), [S 1137](#), [S 1116](#), as amended, [S 1102](#), [S 1104](#), [S 1164](#), [S 1165](#), [S 1123](#), [S 1042](#), as amended, [S 1035](#), [S 1078](#), and [S 1172](#), which have been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [S 1079](#), as amended, [S 1058](#), [S 1160](#), [S 1124](#), as amended, [S 1024](#), [S 1026](#), [S 1056](#), [S 1076](#), [S 1119](#), [S 1137](#), [S 1116](#), as amended, [S 1102](#), [S 1104](#), [S 1164](#), [S 1165](#), [S 1123](#), [S 1042](#), as amended, [S 1035](#), [S 1078](#), and [S 1172](#) were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President announced that [HCR 15](#) was before the Senate for final consideration.

Moved by Senator Rice, seconded by Senator Grow, that [HCR 15](#) be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Patrick, Rice, Ricks, Riggs, Souza, Thayn, Vick, Winder, Woodward, Zito. Total - 28.

NAYS—Burgoyne, Nelson, Nye, Rabe, Stennett, Ward-Engelking, Wintrow. Total - 7.

Total - 35.

Whereupon the President declared [HCR 15](#) adopted, title was approved, and the resolution ordered returned to the House.

The Senate advanced to the Eleventh Order of Business.

**Introduction, First Reading, and Reference of Bills,
House Petitions, Resolutions, and Memorials**

**S 1201
BY FINANCE COMMITTEE
AN ACT**

RELATING TO THE APPROPRIATION TO THE OFFICE OF THE LIEUTENANT GOVERNOR FOR FISCAL YEAR 2022; APPROPRIATING MONEYS TO THE OFFICE OF THE LIEUTENANT GOVERNOR FOR FISCAL YEAR 2022; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AND EXEMPTING THE APPROPRIATION FROM OBJECT TRANSFER LIMITATIONS.

[S 1201](#) was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[H 343](#), [H 346](#), [H 357](#), and [H 359](#), by Appropriations Committee, were read the second time at length and filed for third reading.

[S 1199](#), by Finance Committee, was read the second time at length and filed for third reading.

[H 298](#), by Education Committee, was read the second time at length and filed for third reading.

[S 1136](#), as amended, as amended in the House, by State Affairs Committee, was read the second time at length and filed for third reading.

[H 315](#) and [H 336](#), by Health and Welfare Committee, were read the second time at length and filed for third reading.

[H 246](#), as amended in the Senate, by Judiciary, Rules and Administration Committee, was read the second time at length and filed for third reading.

[H 135](#), as amended in the Senate, and [H 107](#), as amended in the Senate, by State Affairs Committee, were read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

Motion to Suspend Rules

Moved by Senator Anthon, seconded by Senator Lee, that all rules of the Senate interfering with the immediate passage of [S 1136](#), as amended, as amended in the House, be suspended; that the portions of Section 15, Article 3, of the Constitution of the State of Idaho requiring all bills to be read on three several days be dispensed with, this being a case of urgency, and that [S 1136](#), as amended, as amended in the House, be read the third time at length, section by section, and be put upon its final passage. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended.

[S 1136](#), as amended, as amended in the House, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Anthon arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Patrick, Rice, Ricks, Riggs, Souza, Thayn, Vick, Winder, Woodward, Zito. Total - 28.

NAYS—Burgoyne, Nelson, Nye, Rabe, Stennett, Ward-Engelking, Wintrow. Total - 7.

Total - 35.

Whereupon the President declared [S 1136](#), as amended, as amended in the House, passed, title was approved, and the bill referred to Judiciary and Rules Committee for enrolling.

Moved by Senator Anthon, seconded by Senator Lee, that all rules of the Senate interfering with the immediate consideration of [H 135](#), as amended in the Senate, be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [H 135](#), as amended in the Senate, was before the Senate for final consideration.

[H 135](#), as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Anthon arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Patrick, Rice, Ricks, Riggs, Souza, Thayn, Vick, Winder, Zito. Total - 25.

NAYS—Burgoyne, Guthrie, Martin, Nelson, Nye, Rabe, Stennett, Ward-Engelking, Wintrow, Woodward. Total - 10.

Total - 35.

Whereupon the President declared [H 135](#), as amended in the Senate, passed, title was approved, and the bill ordered returned to the House for possible concurrence.

On request by Senator Anthon, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

Reports of Standing Committees

April 9, 2021

The JUDICIARY AND RULES Committee reports that [S 1136](#), as amended, as amended in the House, has been correctly enrolled.

LAKEY, Chairman

The President signed Enrolled [S 1136](#), as amended, as amended in the House, and ordered it transmitted to the House for the signature of the Speaker.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12:42 p.m. until the hour of 10:30 a.m., Monday, April 12, 2021.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

—————

NINETY-SECOND LEGISLATIVE DAY
MONDAY, APRIL 12, 2021

Senate Chamber

President McGeachin called the Senate to order at 10:30 a.m.

Roll call showed all members present.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Josh Nelson, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of April 9, 2021, was read and approved as corrected.

LAKEY, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

April 12, 2021

The JUDICIARY AND RULES Committee reports that [S 1201](#) has been correctly printed.

LAKEY, Chairman

[S 1201](#) was referred to the Finance Committee.

April 12, 2021

The JUDICIARY AND RULES Committee reports that Enrolled [S 1079](#), as amended, [S 1058](#), [S 1160](#), [S 1124](#), as amended, [S 1024](#), [S 1026](#), [S 1056](#), [S 1076](#), [S 1119](#), [S 1137](#), [S 1116](#), as amended, [S 1102](#), [S 1104](#), [S 1164](#), [S 1165](#), [S 1123](#), [S 1042](#), as amended, [S 1035](#), [S 1078](#), and [S 1172](#) were delivered to the Office of the Governor at 11:34 a.m., April 9, 2021.

LAKEY, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

April 12, 2021

The JUDICIARY AND RULES Committee reports out [S 1200](#) with the recommendation that it do pass.

LAKEY, Chairman

[S 1200](#) was filed for second reading.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

April 9, 2021

Dear Madam President:

I transmit herewith [HCR 17](#), [H 363](#), [HCR 18](#), [HCR 19](#), and [HCR 20](#), which have passed the House.

MAULIN, Chief Clerk

[HCR 17](#), [H 363](#), [HCR 18](#), [HCR 19](#), and [HCR 20](#) were filed for first reading.

April 9, 2021

Dear Madam President:

I transmit herewith Enrolled [HCR 13](#), [H 337](#), [H 340](#), [H 341](#), [H 150](#), [H 152](#), [H 143](#), [H 178](#), [H 232](#), [H 162](#), [H 266](#), [H 307](#), [H 317](#), [H 241](#), [H 264](#), [H 265](#), [H 280](#), [H 166](#), [H 292](#), [H 309](#), [H 250](#), as amended, [H 160](#), [H 245](#), and [H 286](#) for the signature of the President.

MAULIN, Chief Clerk

The President signed Enrolled [HCR 13](#), [H 337](#), [H 340](#), [H 341](#), [H 150](#), [H 152](#), [H 143](#), [H 178](#), [H 232](#), [H 162](#), [H 266](#), [H 307](#), [H 317](#), [H 241](#), [H 264](#), [H 265](#), [H 280](#), [H 166](#), [H 292](#), [H 309](#), [H 250](#), as amended, [H 160](#), [H 245](#), and [H 286](#) and ordered them returned to the House.

April 9, 2021

Dear Madam President:

I return herewith Enrolled [S 1089](#), as amended, [S 1110](#), [S 1184](#), [S 1130](#), [S 1131](#), [S 1133](#), as amended, [S 1101](#), [S 1047](#), [S 1095](#), [S 1083](#), [S 1180](#), and [SCR 104](#) which have been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [S 1089](#), as amended, [S 1110](#), [S 1184](#), [S 1130](#), [S 1131](#), [S 1133](#), as amended, [S 1101](#), [S 1047](#), [S 1095](#), [S 1083](#), and [S 1180](#) were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

Enrolled [SCR 104](#) was referred to the Judiciary and Rules Committee for transmittal to the Office of the Secretary of State.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1202 **BY FINANCE COMMITTEE** AN ACT

RELATING TO THE APPROPRIATION TO THE OFFICE OF THE STATE BOARD OF EDUCATION FOR FISCAL YEAR 2022; APPROPRIATING MONEYS TO THE OFFICE OF THE STATE BOARD OF EDUCATION FOR FISCAL YEAR 2022; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING REQUIREMENTS REGARDING ANNUAL REPORTING OF PAYMENTS TO THE IDAHO STATE BUILDING AUTHORITY; PROVIDING

REPORTING REQUIREMENTS REGARDING THE CAREER LADDER; PROVIDING REPORTING REQUIREMENTS REGARDING LITERACY INTERVENTION PROGRAMS; PROVIDING REPORTING REQUIREMENTS REGARDING DUAL CREDIT; AND DIRECTING THE USE OF FEDERAL FUNDS.

S 1202 was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

HCR 17, by Ways and Means Committee, was introduced, read at length, and referred to the State Affairs Committee.

H 363, by Ways and Means Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

HCR 18, **HCR 19**, and **HCR 20**, by Ways and Means Committee, was introduced, read at length, and referred to the State Affairs Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

H 290, by State Affairs Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

S 1193 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ward-Engelking arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Bair, Burgoyne, Crabtree, Guthrie, Lakey, Lee, Lodge, Martin, Nelson, Nye, Rabe, Riggs, Stennett, Ward-Engelking, Winder, Wintrow, Woodward. Total - 18.

NAYS—Anthon, Bayer, Burtenshaw, Cook, Den Hartog, Grow, Harris, Heider, Johnson, Lent, Patrick, Rice, Ricks, Souza, Thayn, Vick, Zito. Total - 17.

Total - 35.

Whereupon the President declared **S 1193** passed, title was approved, and the bill ordered transmitted to the House.

S 1194 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Crabtree arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared **S 1194** passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Anthon, granted by unanimous consent, the Senate returned to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote the Senate recessed at 11:55 a.m. until the hour of 3 p.m. of this day.

RECESS

AFTERNOON SESSION

The Senate reconvened at 3 p.m., pursuant to recess, President McGeachin presiding.

Roll call showed all members present.

Prior to recess the Senate was at the Sixth Order of Business, Reports of Standing Committees.

On request by Senator Anthon, granted by unanimous consent, the Senate returned to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

SP 102

BY STATE AFFAIRS COMMITTEE

A PROCLAMATION

COMMENDING JON EVANS FOR HIS INDUCTION INTO THE BOYS AND GIRLS CLUBS OF AMERICA HALL OF FAME, HIS TIRELESS DEDICATION TO IDAHO'S YOUTH, AND THE COUNTLESS NUMBER OF CHILDREN HE HAS SERVED.

We, the members of the Senate of the State of Idaho assembled in the First Regular Session of the Sixty-sixth Idaho Legislature, do hereby proclaim:

WHEREAS, the Boys and Girls Clubs of America awards its best people the "Masters and Mentors Award," the highest honor given to Boys and Girls Clubs of America professionals to recognize their significant sustained contributions and demonstrated excellence and inducts those people into the Boys and Girls Clubs of America Hall of Fame; and

WHEREAS, in its 165-year history, the Boys and Girls Clubs of America has bestowed this honor on only 83 people and never to anyone from Idaho; and

WHEREAS, Jon Evans, the CEO of the Boys and Girls Clubs of the Lewis Clark Valley in Lewiston, Idaho, was awarded the Masters and Mentors Award by the Boys and Girls Clubs of America and will be inducted into the Boys and Girls Clubs of America Hall of Fame; and

WHEREAS, Jon Evans has dedicated his career to serving and mentoring tens of thousands of young people for more than 37 years and has demonstrated excellence in his profession, embodied the mission of the Boys and Girls Clubs of America, and successfully mentored other professionals; and

WHEREAS, Jon Evans first entered the Boys and Girls Clubs of America as a ten-year-old and he has been committed to the organization ever since; and

WHEREAS, Jon Evans has been a role model for young people as a peer, then as a youth leader, then as a program director, and now as a chief executive officer; and

WHEREAS, Jon Evans has been a leader in the Lewiston community, helping keep the community going during the recent pandemic by working with business leaders, community organizations, and local schools to keep central Idaho children safe and engaged.

NOW, THEREFORE, BE IT PROCLAIMED by the members of the Senate assembled in the First Regular Session of the Sixty-sixth Idaho Legislature, that we recognize and congratulate Jon Evans for his induction into the Boys and Girls Clubs of America Hall of Fame, his tireless dedication to Idaho's youth, and the countless number of children he has served.

[SP 102](#) was introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

April 12, 2021

The JUDICIARY AND RULES Committee reports that Enrolled [S 1089](#), as amended, [S 1110](#), [S 1184](#), [S 1130](#), [S 1131](#), [S 1133](#), as amended, [S 1101](#), [S 1047](#), [S 1095](#), [S 1083](#), and [S 1180](#) were delivered to the Office of the Governor at 11:10 a.m., April 12, 2021.

LAKEY, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

April 12, 2021

The JUDICIARY AND RULES Committee reports that Enrolled [SCR 104](#) was delivered to the Office of the Secretary of State at 11:59 a.m., April 12, 2021.

LAKEY, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

April 12, 2021

The FINANCE Committee reports out [S 1201](#) with the recommendation that it do pass.

BAIR, Chairman

[S 1201](#) was filed for second reading.

April 12, 2021

The TRANSPORTATION Committee reports out [H 362](#) with the recommendation that it do pass.

DEN HARTOG, Chair

[H 362](#) was filed for second reading.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

April 12, 2021

Dear Madam President:

I return herewith [S 1039](#), as amended in the House, which has passed the House.

MAULIN, Chief Clerk

On request by Senator Thayn, granted by unanimous consent, [S 1039](#), as amended in the House, was referred to the Tenth Order of Business, Motions and Resolutions, for consideration as to possible concurrence in the House amendments.

April 12, 2021

Dear Madam President:

I return herewith [S 1139](#), [S 1045](#), [S 1186](#), [S 1175](#), [SCR 106](#), [SJM 104](#), and [S 1187](#), which have passed the House.

MAULIN, Chief Clerk

[S 1139](#), [S 1045](#), [S 1186](#), [S 1175](#), [SCR 106](#), [SJM 104](#), and [S 1187](#) were referred to the Judiciary and Rules Committee for enrolling.

April 12, 2021

Dear Madam President:

I transmit herewith Enrolled [HCR 15](#) for the signature of the President.

MAULIN, Chief Clerk

The President signed Enrolled [HCR 15](#) and ordered it returned to the House.

April 12, 2021

Dear Madam President:

I return herewith Enrolled [S 1188](#), [S 1189](#), [S 1190](#), [S 1191](#), [S 1134](#), [SJM 101](#), [SJM 103](#), [SJM 102](#), [S 1115](#), [S 1011](#), [S 1084](#), [S 1181](#), [S 1176](#), and [S 1136](#), as amended, as amended in the House, which have been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [S 1188](#), [S 1189](#), [S 1190](#), [S 1191](#), [S 1134](#), [S 1115](#), [S 1011](#), [S 1084](#), [S 1181](#), [S 1176](#), and [S 1136](#), as amended, as amended in the House, were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

Enrolled [SJM 101](#), [SJM 103](#), and [SJM 102](#) were referred to the Judiciary and Rules Committee for transmittal to the Office of the Secretary of State.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President announced that the House amendments to [S 1039](#), as amended in the House, were before the Senate for consideration as to possible concurrence, the question being, "Shall the Senate concur in the House amendments to [S 1039](#), as amended in the House?"

On request by Senator Thayn, granted by unanimous consent, the Senate concurred by voice vote in the House amendments to [S 1039](#), as amended in the House.

[S 1039](#), as amended in the House, was referred to the Judiciary and Rules Committee for engrossing.

The Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1203

BY FINANCE COMMITTEE

AN ACT

RELATING TO APPROPRIATIONS; APPROPRIATING AND TRANSFERRING MONEYS FROM THE GENERAL FUND

TO THE INNOCENCE FUND; AND DECLARING AN EMERGENCY.

[S 1203](#) was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

[S 1195](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Crabtree arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared [S 1195](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Anthon, granted by unanimous consent, [H 343](#) was placed before the Senate for final consideration at this time.

[H 343](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nye arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared [H 343](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Anthon, granted by unanimous consent, [H 359](#) was placed before the Senate for final consideration at this time.

[H 359](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nye arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared [H 359](#) passed, title was approved, and the bill ordered returned to the House.

[S 1196](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Cook arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Stennett, Thayn, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 33.

NAYS—None.

Absent and excused—Souza, Vick. Total - 2.

Total - 35.

Whereupon the President declared [S 1196](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1197](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Grow arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared [S 1197](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1198](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Grow arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared [S 1198](#) passed, title was approved, and the bill ordered transmitted to the House.

[H 66](#), as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ricks arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared [H 66](#), as amended in the Senate, passed, title was approved, and the bill ordered returned to the House for possible concurrence.

[H 252](#), as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ricks arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared [H 252](#), as amended in the Senate, passed, title was approved, and the bill ordered returned to the House for possible concurrence.

[H 161](#), as amended, as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lakey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Ward-Engelking, Winder, Wintrow, Woodward. Total - 31.

NAYS—Bayer, Martin, Zito. Total - 3.

Absent and excused—Vick. Total - 1.

Total - 35.

Whereupon the President declared [H 161](#), as amended, as amended in the Senate, passed, title was approved, and the bill ordered returned to the House for possible concurrence.

[H 229](#), as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Woodward arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Burgoyne, Burtenshaw, Crabtree, Den Hartog, Grow, Guthrie, Heider, Johnson, Lakey, Lee, Lent, Lodge, Nelson, Nye, Patrick, Rabe, Rice, Riggs, Souza, Stennett, Ward-Engelking, Winder, Wintrow, Woodward. Total - 26.

NAYS—Bair, Bayer, Cook, Harris, Martin, Ricks, Thayn, Zito. Total - 8.

Absent and excused—Vick. Total - 1.

Total - 35.

Whereupon the President declared [H 229](#), as amended in the Senate, passed, title was approved, and the bill ordered returned to the House for possible concurrence.

[H 302](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Cook arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Martin, Rice, Ricks, Riggs, Souza, Thayn, Vick, Winder, Woodward, Zito. Total - 26.

NAYS—Burgoyne, Nelson, Nye, Patrick, Rabe, Stennett, Ward-Engelking, Wintrow. Total - 8.

Absent and excused—Lodge. Total - 1.

Total - 35.

Whereupon the President declared [H 302](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Anthon, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills amended in the Senate, followed by House Appropriations bills, followed by House bills.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the Senate adjourned at 5:23 p.m. until the hour of 10 a.m., Tuesday, April 13, 2021.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

NINETY-THIRD LEGISLATIVE DAY
TUESDAY, APRIL 13, 2021

Senate Chamber

President McGeachin called the Senate to order at 10 a.m.

Roll call showed all members present except Senators Bair and Stennett, absent and excused.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Grace Kuhn, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of April 12, 2021, was read and approved as corrected.

LAKEY, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

April 13, 2021

The JUDICIARY AND RULES Committee reports that [SP 102](#), [S 1202](#), and [S 1203](#) have been correctly printed.

LAKEY, Chairman

[SP 102](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

[S 1202](#) and [S 1203](#) were referred to the Finance Committee.

Senator Bair was recorded present at this order of business.

April 13, 2021

The JUDICIARY AND RULES Committee reports that [S 1039](#), as amended in the House, has been correctly engrossed.

LAKEY, Chairman

[S 1039](#), as amended in the House, was filed for first reading.

April 12, 2021

The JUDICIARY AND RULES Committee reports that [S 1139](#), [S 1045](#), [S 1186](#), [S 1175](#), [SCR 106](#), [SJM 104](#), and [S 1187](#) have been correctly enrolled.

LAKEY, Chairman

The President signed Enrolled [S 1139](#), [S 1045](#), [S 1186](#), [S 1175](#), [SCR 106](#), [SJM 104](#), and [S 1187](#) and ordered them transmitted to the House for the signature of the Speaker.

Senator Stennett was recorded present at this order of business.

April 12, 2021

The JUDICIARY AND RULES Committee reports that Enrolled [S 1188](#), [S 1189](#), [S 1190](#), [S 1191](#), [S 1134](#), [S 1115](#), [S 1011](#), [S 1084](#), [S 1181](#), [S 1176](#), and [S 1136](#), as amended, as amended in the House, were delivered to the Office of the Governor at 4:17 p.m., April 12, 2021.

LAKEY, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

April 12, 2021

The JUDICIARY AND RULES Committee reports that Enrolled [SJM 101](#), [SJM 103](#), and [SJM 102](#) were delivered to the Office of the Secretary of State at 4:31 p.m., April 12, 2021.

LAKEY, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

April 12, 2021

Dear Madam President:

I transmit herewith [H 338](#) and [H 344](#), which have passed the House.

MAULIN, Chief Clerk

[H 338](#) and [H 344](#) were filed for first reading.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1204 BY FINANCE COMMITTEE AN ACT

RELATING TO AMERICAN RESCUE PLAN FUNDS; AMENDING CHAPTER 35, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-3533, IDAHO CODE, TO DECLARE FEDERAL AMERICAN RESCUE PLAN ACT OF 2021 FUNDS COGNIZABLE AND TO PROVIDE LEGISLATIVE INTENT; AMENDING CHAPTER 35, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-3534, IDAHO CODE, TO ESTABLISH THE AMERICAN RESCUE PLAN FUND; AMENDING CHAPTER 35, TITLE 67, IDAHO CODE, BY THE ADDITION OF A

NEW SECTION 67-3535, IDAHO CODE, TO ESTABLISH THE AMERICAN RESCUE PLAN COST RECOVERY FUND; AND DECLARING AN EMERGENCY.

[S 1204](#) was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 338](#), by Appropriations Committee, was introduced, read the first time at length, and referred to the Finance Committee.

[H 344](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

[S 1039](#), as amended in the House, by Education Committee, was read the first time at length and filed for second reading.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[S 1200](#), by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

[S 1201](#), by Finance Committee, was read the second time at length and filed for third reading.

[H 362](#), by Ways and Means Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

[S 1199](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Crabtree arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward. Total - 33.

NAYS—Bayer, Zito. Total - 2.

Total - 35.

Whereupon the President declared [S 1199](#) passed, title was approved, and the bill ordered transmitted to the House.

[H 246](#), as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lee arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS—None.

Absent and excused—Burtenshaw. Total - 1.

Total - 35.

Whereupon the President declared [H 246](#), as amended in the Senate, passed, title was approved, and the bill ordered returned to the House for possible concurrence.

[H 107](#), as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Burgoyne arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President declared [H 107](#), as amended in the Senate, passed, title was approved, and the bill ordered returned to the House for possible concurrence.

[H 346](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Agenbroad arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President declared [H 346](#) passed, title was approved, and the bill ordered returned to the House.

[H 357](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Crabtree arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President declared [H 357](#) passed, title was approved, and the bill ordered returned to the House.

[H 298](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Den Hartog arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Johnson, Lakey, Lee, Lent, Lodge, Nye, Patrick, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward, Zito. Total - 30.

NAYS—Heider, Martin, Nelson, Rabe, Wintrow. Total - 5.

Total - 35.

Whereupon the President declared [H 298](#) passed, title was approved, and the bill ordered returned to the House.

[H 315](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Agenbroad arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared [H 315](#) passed, title was approved, and the bill ordered returned to the House.

[H 336](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lee arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared [H 336](#) passed, title was approved, and the bill ordered returned to the House.

[H 290](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Guthrie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared [H 290](#) passed, title was approved, and the bill ordered returned to the House.

Motion to Suspend Rules

Moved by Senator Anthon, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate passage of [S 1200](#) be suspended; that the portions of Section 15, Article 3, of the Constitution of the State of Idaho requiring all bills to be read on three several days be dispensed with, this being a case of urgency, and that [S 1200](#) be read the third time at length, section by section, and be put upon its final passage. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS—None.

Absent and excused—Rabe. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended.

[S 1200](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ricks arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared [S 1200](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Anthon, granted by unanimous consent, the Senate returned to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

April 13, 2021

The JUDICIARY AND RULES Committee reports that [S 1204](#) has been correctly printed.

LAKEY, Chairman

[S 1204](#) was referred to the Finance Committee.

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote the Senate recessed at 11:57 a.m. until the hour of 3 p.m. of this day.

RECESS AFTERNOON SESSION

The Senate reconvened at 3 p.m., pursuant to recess, President McGeachin presiding.

Roll call showed all members present.

Prior to recess the Senate was at the Sixth Order of Business, Reports of Standing Committees.

April 13, 2021

The FINANCE Committee reports out [H 338](#), [S 1202](#), and [S 1203](#) with the recommendation that they do pass.

BAIR, Chairman

[H 338](#), [S 1202](#), and [S 1203](#) were filed for second reading.

JANICE MCGEACHIN, President

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Attest: JENNIFER NOVAK, Secretary

Messages from the Governor

April 13, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that I have signed on April 9, 2021 and am transmitting to the Secretary of State the following Senate Bills, to wit:

[S 1035](#), [S 1058](#), [S 1076](#), [S 1078](#), [S 1104](#),
[S 1123](#), and [S 1172](#)

Sincerely,
/s/ Brad Little
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

April 13, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that I have signed on April 12, 2021 and am transmitting to the Secretary of State the following Senate Bills, to wit:

[S 1137](#) and [S 1164](#)

Sincerely,
/s/ Brad Little
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Senate advanced to the Ninth Order of Business.

Messages from the House

April 13, 2021

Dear Madam President:

I return herewith [S 1192](#), which has passed the House.

MAULIN, Chief Clerk

[S 1192](#) was referred to the Judiciary and Rules Committee for enrolling.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the Senate adjourned at 3:28 p.m. until the hour of 10 a.m., Wednesday, April 14, 2021.

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

**NINETY-FOURTH LEGISLATIVE DAY
WEDNESDAY, APRIL 14, 2021**

Senate Chamber

President McGeachin called the Senate to order at 10 a.m.

Roll call showed all members present except Senator Rabe, absent and excused.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Tyler Tippets, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of April 13, 2021, was read and approved as corrected.

LAKEY, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

April 13, 2021

The JUDICIARY AND RULES Committee reports that [S 1192](#) has been correctly enrolled.

LAKEY, Chairman

The President signed Enrolled [S 1192](#) and ordered it transmitted to the House for the signature of the Speaker.

April 14, 2021

The STATE AFFAIRS Committee reports it has had under consideration the Gubernatorial appointment listed below and the Committee recommends that said appointment be confirmed by the Senate:

Peter Smith to the Idaho Lottery Commission, term to expire January 1, 2023.

LODGE, Chair

The Gubernatorial appointment was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

April 14, 2021

The FINANCE Committee reports out [S 1204](#) with the recommendation that it do pass.

BAIR, Chairman

[S 1204](#) was filed for second reading.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

April 14, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho Legislature

Dear Madam President:

I hereby advise you that I have transmitted to the Office of the Secretary of State, with my approval, the following Senate Bill, to wit:

[S 1089](#), as amended

within the time prescribed by law, the same having arrived in the Office of the Governor at the hour of 11:10 a.m. on April 12, 2021.

I am pleased to sign this bill repealing some antiquated exemptions to spousal rape which have curiously remained on the books far longer than they should have. My purpose for writing is simply to encourage you to clarify what constitutes a lawful marriage for the purposes of Section 18-6101. We need to be certain our laws do not have the effect of exempting bad actors - such as human or sex traffickers - from criminal liability under this section. A marriage, though lawful under the laws of some foreign jurisdiction, could tacitly still provide safe harbor to rape in circumstances it should not.

There is no question this bill improves our laws, but this bill also illuminates possible shortcomings that remain in law. At my request, the Idaho Criminal Justice Commission stands ready to work with legislative partners on further improvements to this section.

Sincerely,
/s/ Brad Little
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Senate advanced to the Ninth Order of Business.

Messages from the House

April 13, 2021

Dear Madam President:

I transmit herewith Enrolled [H 343](#), [H 359](#), and [H 302](#) for the signature of the President.

MAULIN, Chief Clerk

The President signed Enrolled [H 343](#), [H 359](#), and [H 302](#) and ordered them returned to the House.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President announced that [SP 102](#) was before the Senate for final consideration, the question being, "Shall the proclamation be adopted?"

On motion by Senator Johnson, seconded by Senator Nelson, [SP 102](#) was adopted by voice vote, title was approved, and the proclamation ordered transmitted to the House.

The Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1205

BY STATE AFFAIRS COMMITTEE AN ACT

RELATING TO FIREARMS; PROVIDING A SHORT TITLE; PROVIDING LEGISLATIVE INTENT; AMENDING SECTION 18-3315B, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE PROHIBITION OF REGULATION OF CERTAIN FIREARMS, TO PROHIBIT CERTAIN REGULATION OF FIREARMS, TO PROVIDE FOR ENFORCEABILITY, TO PROVIDE CERTAIN IMMUNITY FROM CIVIL LIABILITY, TO DEFINE TERMS, TO PROVIDE APPLICABILITY, AND TO MAKE TECHNICAL CORRECTIONS; PROVIDING SEVERABILITY; AND DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

[S 1205](#) was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[S 1039](#), as amended in the House, by Education Committee, was read the second time at length and filed for third reading.

[H 338](#), by Appropriations Committee, was read the second time at length and filed for third reading.

[S 1202](#) and [S 1203](#), by Finance Committee, were read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

[S 1201](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Riggs arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Burgoyne, Burtenshaw, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward. Total - 32.

NAYS—Bayer, Cook, Zito. Total - 3.

Total - 35.

Whereupon the President declared [S 1201](#) passed, title was approved, and the bill ordered transmitted to the House.

Motion to Suspend Rules

Moved by Senator Anthon, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate passage of [H 338](#) be suspended; that the portions of Section 15, Article 3, of the Constitution of the State of Idaho requiring all bills to be read on three several days be dispensed with, this being a case of urgency, and that [H 338](#) be read the third time at length, section by section, and be put upon its final passage. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended.

[H 338](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Cook arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared [H 338](#) passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Anthon, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [S 1202](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [S 1202](#) was before the Senate for final consideration.

[S 1202](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ward-Engelking arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Ward-Engelking, Winder, Wintrow, Woodward. Total - 31.

NAYS—Bayer, Johnson, Vick, Zito. Total - 4.

Total - 35.

Whereupon the President declared [S 1202](#) passed, title was approved, and the bill ordered transmitted to the House.

Moved by Senator Anthon, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [S 1203](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [S 1203](#) was before the Senate for final consideration.

[S 1203](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Cook arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared [S 1203](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote the Senate recessed at 11:45 a.m. until the hour of 10:30 a.m., Monday, April 19, 2021.

[Note: The following is action recorded during RECESS.]

April 14, 2021

Dear Madam President:

I return herewith Enrolled [S 1139](#), [S 1045](#), [S 1186](#), [S 1175](#), and [S 1187](#), which have been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [S 1139](#), [S 1045](#), [S 1186](#), [S 1175](#), and [S 1187](#) were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

April 14, 2021

Dear Madam President:

I return herewith Enrolled [SCR 106](#) and [SJM 104](#), which have been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [SCR 106](#) and [SJM 104](#) were referred to the Judiciary and Rules Committee for transmittal to the Office of the Secretary of State.

April 14, 2021

The JUDICIARY AND RULES Committee reports that Enrolled [S 1139](#), [S 1045](#), [S 1186](#), [S 1175](#), and [S 1187](#) were delivered to the Office of the Governor at 2 p.m., April 14, 2021.

LAKEY, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

April 14, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that I have signed on April 9, 2021 and am transmitting to the Secretary of State the following Senate Bill, to wit:

[S 1160](#)

Sincerely,
/s/ Brad Little
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

April 14, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that I have signed on April 9, 2021 and am transmitting to the Secretary of State the following Senate Bill, to wit:

[S 1042](#), as amended

Sincerely,
/s/ Brad Little
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

April 14, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that I have signed on April 13, 2021 and am transmitting to the Secretary of State the following Senate Bills, to wit:

[S 1011](#), [S 1079](#), as amended, [S 1083](#), [S 1084](#),
[S 1095](#), [S 1101](#), [S 1102](#), [S 1115](#), [S 1116](#),
as amended, [S 1119](#), [S 1124](#), as amended,
[S 1130](#), [S 1131](#), [S 1133](#), as amended, [S 1165](#),
[S 1180](#), and [S 1184](#)

Sincerely,
/s/ Brad Little
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

April 14, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that I have signed on April 14, 2021 and am transmitting to the Secretary of State the following Senate Bills, to wit:

[S 1024](#), [S 1026](#), [S 1047](#), [S 1056](#), [S 1134](#),
[S 1176](#), [S 1181](#), [S 1188](#), [S 1189](#), [S 1190](#), and
[S 1191](#)

Sincerely,
/s/ Brad Little
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

April 14, 2021

Dear Madam President:

I return herewith [S 1177](#) and [S 1143](#), as amended, which have passed the House.

MAULIN, Chief Clerk

[S 1177](#) and [S 1143](#), as amended, were referred to the Judiciary and Rules Committee for enrolling.

April 14, 2021

Dear Madam President:

I transmit herewith Enrolled [H 171](#), as amended in the Senate, [H 102](#), as amended in the Senate, [H 191](#), as amended in the Senate, [H 346](#), [H 357](#), [H 298](#), [H 315](#), [H 336](#), and [H 290](#) for the signature of the President.

MAULIN, Chief Clerk

The President Pro Tempore signed Enrolled [H 171](#), as amended in the Senate, [H 102](#), as amended in the Senate, [H 191](#), as amended in the Senate, [H 346](#), [H 357](#), [H 298](#), [H 315](#), [H 336](#), and [H 290](#) and ordered them returned to the House.

April 16, 2021

The JUDICIARY AND RULES Committee reports that [S 1177](#) and [S 1143](#), as amended, have been correctly enrolled.

LAKEY, Chairman

The President Pro Tempore signed Enrolled [S 1177](#) and [S 1143](#), as amended, and ordered them transmitted to the House for the signature of the Speaker.

April 16, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that I have signed on April 16, 2021 and am transmitting to the Secretary of State the following Senate Bills, to wit:

[S 1175](#), [S 1186](#), and [S 1187](#)

Sincerely,
/s/ Brad Little
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

NINETY-NINTH LEGISLATIVE DAY
MONDAY, APRIL 19, 2021

Senate Chamber

President McGeachin called the Senate to order at 10:30 a.m.

Roll call showed all members present.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Ella Luekenga, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of April 14, 2021, was read and approved as corrected.

LAKEY, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

April 15, 2021

The JUDICIARY AND RULES Committee reports that [S 1205](#) has been correctly printed.

LAKEY, Chairman

[S 1205](#) was referred to the State Affairs Committee.

April 16, 2021

The JUDICIARY AND RULES Committee reports that Enrolled [SCR 106](#) and [SJM 104](#) were delivered to the Office of the Secretary of State at 11:52 a.m., April 16, 2021.

LAKEY, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

April 14, 2021

The STATE AFFAIRS Committee reports out [HCR 17](#), [HCR 18](#), and [HCR 20](#) with the recommendation that they do pass.

LODGE, Chair

[HCR 17](#), [HCR 18](#), and [HCR 20](#) were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

April 17, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that I have signed on April 17, 2021 and am transmitting to the Secretary of State the following Senate Bill, to wit:

[S 1110](#)

In 2019, I vetoed Senate Bill 1159 and House Bill 296 because I had serious concerns for the constitutional sufficiency of the bills and the unintended consequences of their passage. I expressed my support for the Legislature's goal of ensuring that the rights of all Idahoans – not just those in urban areas – have a voice in Idaho's initiative process. However, I believed those bills went too far.

I have similar concerns with Senate Bill 1110, but I believe the bill presents a much closer call. Idaho has an important interest in ensuring that our ballots are not cluttered with initiatives that have not demonstrated sufficient grassroots support. Under current law, an initiative can qualify for the ballot after collecting voter signatures in only a few of Idaho's more populated, urban areas. This is unacceptable, especially since technological advancements make it more feasible than ever before to reach voters. Senate Bill 1110 has a laudable goal of ensuring that initiatives have a minimum level of support throughout all of Idaho before they are placed on the ballot.

Article III, Section 1 of the Idaho Constitution guarantees to the people an initiative and referendum process. Not every state in our country provides these important rights and I urge the Legislature to ensure those rights remain accessible to the people. However, I cannot overlook that the same constitutional provision limits those rights to "such conditions and in such manner as may be provided by acts of the legislature." Said differently, our constitution gives broad discretion to the Legislature to place conditions on ballot access. Whether Senate Bill 1110 amounts to an impermissible restriction in violation of our constitution is highly fact dependent and, ultimately, a question for the Idaho judiciary to decide.

I also expect the federal courts may be called to determine whether Senate Bill 1110 violates the First Amendment of the U.S. Constitution. Yet, there is good cause to believe the neutral regulations in this bill are constitutionally permissible. Last summer, excellent lawyering by Idaho Deputy Attorneys General secured a favorable ruling from our nation's highest court in a lawsuit challenging Idaho's initiative process. The U.S. Supreme Court recognized a circuit split and indicated that it may soon welcome an invitation to overturn precedent from the Ninth Circuit Court of Appeals upon which opponents of Senate Bill 1110 rely.

I appreciate that signing this bill will be controversial. Very few issues elicit such strong feelings from both sides of the

debate. I am grateful for the positions that each side articulated during debate and in meetings with my office.

Sincerely,
/s/ Brad Little
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

April 19, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

VIA: HAND DELIVERY C/O Jen Novak Secretary of the Senate

Dear Madam President:

Pursuant to Idaho Code 67-504, I hereby notify the Senate that I delivered without my approval, disapproved, and vetoed the following Senate Bill, to wit:

[S 1136](#), as amended, as amended in the House

This vetoed legislation and my objections were hand delivered during the legislative recess on April 16, 2021 at 3:24 p.m. to Jen Novak, Secretary of the Senate and Senate Member, Pro Tempore Chuck Winder. This notice shall serve as the requirement under Idaho Code 67-504 as to whom the vetoed legislation was delivered to, as well as the date and time of its delivery.

Sincerely,
/s/ Brad Little
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

April 16, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I hereby advise you that I am returning to you, without my approval, disapproved and vetoed, the following Senate Bill, to wit:

[S 1136](#), as amended, as amended in the House

I cannot in good conscience approve any bill that will impair the ability of the Governor to protect Idaho and its people in the future emergencies. Nor can I sign any bill that violates our constitutional commitment to the separation of powers. Like you, I swore an oath to faithfully discharge my duties and to uphold our constitution.

That is why I am vetoing Senate Bill 1136a today, and why I must also veto House Bill 135a when it is delivered.

The Idaho Constitution – like the U.S. Constitution – wisely divides the primary powers of our government between three co-equal branches. To the legislature, it gives the power to make laws. To the judiciary, it gives the power to interpret those laws. To the executive, it gives the power to enforce the laws.

With those powers come sobering responsibilities. The legislature must be deliberate in its lawmaking. The judiciary

must be fair in administering justice. And the executive must, above all else, protect the people of Idaho.

Our constitution prohibits each branch from exercising powers assigned to the others. It also forbids one branch from preventing another from performing its constitutional powers. These prohibitions are necessary to prevent tyranny that can result from absolute power by any one branch. But there is also a more practical reason: no branch has the expertise and resources needed to effectively carry out the duties of the others.

Declaring and responding to emergencies are core executive functions, and our constitution gives the Governor broad powers to do what is necessary to protect the state and the people of Idaho.

The executive branch has the resources and can tap subject matter experts in emergency response to quickly and effectively deploy resources in fast-moving situations.

This last year has been difficult, but look where Idaho is today. Countless lives were saved and we avoided a crisis in healthcare. I listened to the experts, and Idaho was one of only a handful of states with the fewest COVID-19 restrictions. We now have the strongest economy in the nation.

I attribute our success to the spirit of the Idaho people. However, I cannot overlook the critical role played by Idaho's emergency statutes, namely sections 46-601 and 46-1008. Those statutes are not restrictive on people's rights. Rather, they compliment the Governor's constitutional powers and provide additional resources and flexibility for the executive branch to do what is necessary to help Idahoans.

We know future emergencies will include floods, fires, and drought – the routine experiences of living in the West. Unfortunately, it is also likely Idaho will face future multi-state disasters involving major earthquakes, enormous flooding, or devastating fires. We could experience a massive, sustained power grid failure. The full list of potential devastating disasters is simply unknown.

That is why any legislative changes to our emergency statutes must be done carefully and collaboratively to avoid unintended consequences that will harm the state's ability to act timely and effectively for the benefit of Idahoans in future emergencies.

Regrettably, there are serious concerns with the process that led to these bills. Numerous stakeholders felt ignored including our National Guard, the cities, the counties, FEMA, state emergency managers, and business.

As a result, these two bills pose serious practical and constitutional consequences for the future.

First, the bills are overly restrictive and will handcuff the Governor's ability to take the timely and necessary action to help Idahoans during future emergencies. The bills will prevent a Governor from taking steps unless it is "essential to protect life and property." Imposing such a narrow standard will unwisely prohibit actions necessary to restore services and infrastructure, ensure the continuity of government, save jobs, help schools reopen, and protect the economy at large. For example, the Governor will be unable to suspend regulations that impair agriculture and industry from operating or minimizing financial loss during a drought, flood, or other disaster. Nor will the Governor be able to deploy the National Guard to take any and all action necessary following a massive earthquake including, but not limited to, removing debris, repairing infrastructure, and assisting businesses and government offices with reopening.

The bills further prohibit the state, as well as counties and cities, from taking any action that “limit” a constitutional right. Idahoans value our freedoms and I agree that our constitutional rights can never be outright suspended, especially during emergencies. However, temporary limitations on our rights are necessary in some circumstances to effectively combat emergency conditions. For example, we need the ability to evacuate and cordon a town in advance of a dam break even if doing so temporarily limits our rights to travel, work, or assemble. This unqualified restriction will complicate efforts to save lives and mitigate emergencies, and will put public safety personnel at risk. The one common denominator of a disaster is that the no-action or slow-action alternative is unacceptable and not what our citizens expect and deserve.

Alarming, Senate Bill 1136a will also prevent future Governors from declaring an extreme emergency under section 46-601 for any natural disaster, even large-scale earthquakes that result in massive loss of life and infrastructure. This is unacceptable. While I applaud the Legislature for including cyberattacks, limiting the statute’s application only to violent and intentional human acts is dangerous and shortsighted. Had emergency managers been adequately consulted, I am confident the Legislature would have understood that natural disasters can and do – far more frequently than an enemy attack – rise to an extreme emergency requiring the additional flexibility section 46-601 provides.

Second, Senate Bill 1136a and House Bill 135a unnecessarily politicize the state’s emergency response efforts and will jeopardize critical funding for local governments. Disasters often worsen and spread over time requiring supplemental declarations and orders. Very few, if any, emergencies are extended “solely” for the purpose of receiving funding. Thus, the bills will more than likely require the Legislature to convene every 60 days to approve those emergency declarations with conditions or restrictions. In large-scale emergencies, such as an earthquake, volcanic eruption, or attack, it may not be physically possible for the full body of the Legislature to convene or maintain a quorum. Yet, Senate Bill 1136a provides no backup plan. That is irresponsible. On the other end of the spectrum, it will be unnecessary and costly to convene the Legislature to extend smaller emergencies that impact only one or a few communities.

If the Legislature is unable or unwilling to extend an emergency declaration, the state will no longer meet the criteria to be eligible to receive federal disaster funding. Nor will the Governor be authorized to utilize the disaster emergency account, which is only available during a declared emergency. The change in House Bill 135a allowing disaster expenses incurred “arising out of” an emergency does not go the necessary distance to make the disaster emergency account available after a declaration is terminated.

I agree that there is a time and place for the Legislature to be involved during future emergencies. That is why I came to you early in the session and offered tangible solutions and the path forward. I encouraged the Legislature to consider appointing a smaller group of legislators – such as the duly elected Legislative Council – to take on the role of representing the full legislative body when convening 105 members is impracticable or unnecessary. Further, the Legislature was encouraged to explore legislation specific to statewide public health emergencies.

Third, Senate Bill 1136a and House Bill 135a violate the separation of powers doctrine and are unconstitutional. The bills limit the Governor’s constitutional powers to respond to

emergencies as is necessary and to utilize the National Guard. The bills attempt to reassign to the Legislature the core executive powers to extend, modify, and terminate emergency declarations and orders. The bills also attempt to give the legislature the ability to dictate the subjects of an extraordinary session, which is a constitutional power assigned solely to the Governor in Article IV, Section 9.

Finally, it is well settled that the Legislature lacks the constitutional power to extend, modify, or terminate an emergency declaration by concurrent resolution. Yet, the bills double down on that legally ineffective procedure, further jeopardizing the state’s ability to timely and effectively respond to future emergencies for the protection of Idaho, our people, and our livelihoods.

We can do better!

I remain willing and committed to working with all of you in the Legislature to improve and modernize Idaho’s emergency statutes. But, we will need to involve all of the stakeholders and focus on how any changes will impact Idaho’s ability to respond to future emergencies.

I am extremely grateful to the members of the Legislature who have taken the time to hear me out. You know who you are, and I appreciate you more than you know.

I also urge my partners in the Legislature who voted for House Bill 135a and Senate Bill 1136a to reconsider their votes on the override.

It’s time to get back on track. The people of Idaho deserve our best.

Sincerely,
/s/ Brad Little
Governor of Idaho

The question being, "Shall [S 1136](#), as amended, as amended in the House, become law, the Governor's veto notwithstanding?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Harris, Heider, Johnson, Lakey, Lee, Lent, Rice, Ricks, Riggs, Souza, Thayn, Vick, Winder, Zito.
Total - 23.

NAYS—Burgoyne, Guthrie, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Stennett, Ward-Engelking, Wintrow, Woodward.
Total - 12.

Total - 35.

Less than two-thirds having voted in the affirmative, the President declared that [S 1136](#), as amended, as amended in the House, has failed to become law, the Governor's veto sustained. [S 1136](#), as amended, as amended in the House, and the Governor's message was ordered filed in the office of the Secretary of the Senate.

The Senate advanced to the Ninth Order of Business.

Messages from the House

April 15, 2021

April 14, 2021

Dear Madam President:

I transmit herewith [H 339](#), as amended, which has passed the House.

MAULIN, Chief Clerk

[H 339](#), as amended, was filed for first reading.

April 16, 2021

Dear Madam President:

I transmit herewith [H 322](#), as amended, [H 350](#), [H 365](#), [H 366](#), and [H 364](#), which have passed the House.

MAULIN, Chief Clerk

[H 322](#), as amended, [H 350](#), [H 365](#), [H 366](#), and [H 364](#) were filed for first reading.

April 14, 2021

Dear Madam President:

I return herewith [S 1111](#), as amended in the House, which has passed the House.

MAULIN, Chief Clerk

On request by President Pro Tempore Winder, granted by unanimous consent, [S 1111](#), as amended in the House, was referred to the Tenth Order of Business, Motions and Resolutions, for consideration as to possible concurrence in the House amendments.

April 16, 2021

Dear Madam President:

I return herewith [S 1086](#), which has passed the House.

MAULIN, Chief Clerk

[S 1086](#) was referred to the Judiciary and Rules Committee for enrolling.

April 15, 2021

Dear Madam President:

I transmit herewith Enrolled [H 338](#) for the signature of the President.

MAULIN, Chief Clerk

The President signed Enrolled [H 338](#) and ordered it returned to the House.

April 16, 2021

Dear Madam President:

I transmit herewith Enrolled [H 135](#), as amended in the Senate, for the signature of the President.

MAULIN, Chief Clerk

The President signed Enrolled [H 135](#), as amended in the Senate, and ordered it returned to the House.

Dear Madam President:

I return herewith Enrolled [S 1192](#), which has been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [S 1192](#) was referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President announced that the House amendments to [S 1111](#), as amended in the House, were before the Senate for consideration as to possible concurrence, the question being, "Shall the Senate concur in the House amendments to [S 1111](#), as amended in the House?"

President Pro Tempore Winder requested unanimous consent that the Senate concur in the House amendments to [S 1111](#), as amended in the House.

Senator Burgoyne objected. Senators Stennett and Ward-Engleking stood in support.

On motion by President Pro Tempore Winder, seconded by Senator Anthon, that the Senate concur in the House amendments to [S 1111](#), as amended in the House.

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Heider, Lakey, Lee, Lent, Lodge, Patrick, Rice, Ricks, Riggs, Souza, Thayn, Vick, Winder, Woodward, Zito. Total - 24.

NAYS—Burgoyne, Guthrie, Harris, Johnson, Martin, Nelson, Nye, Rabe, Stennett, Ward-Engleking, Wintrow. Total - 11.

Total - 35.

[S 1111](#), as amended in the House, was referred to the Judiciary and Rules Committee for engrossing.

The President announced that the State Affairs Committee report relative to the Gubernatorial appointment of Peter Smith was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Riggs, seconded by Senator Stennett, the Gubernatorial appointment of Peter Smith as a member of the Idaho Lottery Commission was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for her signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials**S 1206
BY FINANCE COMMITTEE
AN ACT**

RELATING TO THE APPROPRIATION TO THE OFFICE OF THE ATTORNEY GENERAL FOR FISCAL YEAR 2022; APPROPRIATING MONEYS TO THE OFFICE OF

THE ATTORNEY GENERAL FOR FISCAL YEAR 2022; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AND EXEMPTING THE APPROPRIATION FROM OBJECT AND PROGRAM TRANSFER LIMITATIONS.

S 1207
BY FINANCE COMMITTEE
AN ACT

RELATING TO THE APPROPRIATION TO THE LEGISLATIVE BRANCH FOR FISCAL YEAR 2022; APPROPRIATING ADDITIONAL MONEYS TO THE LEGISLATIVE SERVICES OFFICE FOR FISCAL YEAR 2022; AUTHORIZING ADDITIONAL FULL-TIME EQUIVALENT POSITIONS; AND APPROPRIATING ADDITIONAL MONEYS TO THE LEGISLATURE FOR FISCAL YEAR 2022.

S 1208
BY FINANCE COMMITTEE
AN ACT

RELATING TO THE APPROPRIATION TO THE OFFICE OF THE STATE CONTROLLER; APPROPRIATING ADDITIONAL MONEYS TO THE OFFICE OF THE STATE CONTROLLER FOR FISCAL YEAR 2021; PROVIDING REAPPROPRIATION AUTHORITY; AND DECLARING AN EMERGENCY.

S 1209
BY FINANCE COMMITTEE
AN ACT

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF PARKS AND RECREATION FOR FISCAL YEAR 2022; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF PARKS AND RECREATION FOR FISCAL YEAR 2022.

[S 1206](#), [S 1207](#), [S 1208](#), and [S 1209](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 339](#), as amended, by State Affairs Committee, was introduced, read the first time at length, and referred to the Health and Welfare Committee.

[H 322](#), as amended, and [H 350](#), by State Affairs Committee, were introduced, read the first time at length, and referred to the State Affairs Committee.

[H 365](#), by Appropriations Committee, was introduced, read the first time at length, and referred to the Finance Committee.

[H 366](#), by Ways and Means Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

[H 364](#), by Ways and Means Committee, was introduced, read the first time at length, and referred to the Education Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[S 1204](#), by Finance Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

Motion to Suspend Rules

Moved by Senator Anthon, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate passage of [S 1204](#) be suspended; that the portions of Section 15, Article 3, of the Constitution of the State of Idaho requiring all bills to be read on three several days be dispensed with, this being a case of urgency, and that [S 1204](#) be read the third time at length, section by section, and be put upon its final passage. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbrod, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward. Total - 34.

NAYS—Zito. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended.

[S 1204](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Agenbrod arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbrod, Anthon, Bair, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nye, Patrick, Rice, Ricks, Riggs, Souza, Thayn, Winder, Woodward. Total - 26.

NAYS—Bayer, Burgoyne, Nelson, Rabe, Stennett, Vick, Ward-Engelking, Wintrow, Zito. Total - 9.

Total - 35.

Whereupon the President declared [S 1204](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Anthon, granted by unanimous consent, [H 362](#) retained its place on the Third Reading Calendar for Wednesday, April 21, 2021.

[S 1039](#), as amended in the House, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Thayn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbrod, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared [S 1039](#), as amended in the House, passed, title was approved, and the bill referred to Judiciary and Rules Committee for enrolling.

On request by Senator Anthon, granted by unanimous consent, the Senate returned to the Fourth Order of Business.

Reading of Communications

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote the Senate recessed at 12:09 p.m. until the hour of 3 p.m. of this day.

RECESS AFTERNOON SESSION

The Senate reconvened at 3 p.m., pursuant to recess, President McGeachin presiding.

Roll call showed all members present except President Pro Tempore Winder and Senators Bayer, Burgoyne, Grow, Harris, and Vick, absent and excused.

Prior to recess the Senate was at the Fifth Order of Business, Petitions, Resolutions, and Memorials.

Senator Bayer was recorded present at this order of business.

SP 103 BY STATE AFFAIRS COMMITTEE A PROCLAMATION

COMMENDING THE ADA COUNTY HIGHWAY DISTRICT ON ITS 50TH ANNIVERSARY.

We, the members of the Senate of the State of Idaho assembled in the First Regular Session of the Sixty-sixth Idaho Legislature, proclaim as follows:

WHEREAS, on May 25, 1971, Ada County voters created the Ada County Highway District (ACHD), the only single countywide highway district established under Idaho law; and

WHEREAS, since commencing work in 1972, ACHD and its elected commission have maintained almost all of the roads in Ada County, with the exception of roads that fall under private ownership or within the jurisdiction of the Idaho Transportation Department; and

WHEREAS, despite the enormous growth of Ada County and its transportation system, ACHD has accomplished the goals for which it was established, including countywide quality standards and the efficient allocation of resources; and

WHEREAS, ACHD has retained its commitment to its constituency, including a policy of filling reported potholes within 24 hours; and

WHEREAS, ACHD has continued to adapt to the changing demands of Ada County's citizens, as demonstrated by its adoption of a Complete Streets Policy to provide safe and comfortable travel for vehicles, bicycles, pedestrians, people with disabilities, and mass transit users; and

WHEREAS, ACHD is an Idaho leader in technology, design, and innovation and shares its expertise with other highway authorities in Idaho; and

WHEREAS, ACHD, its staff, and its commissioners have provided valuable service to the citizens of Ada County.

NOW, THEREFORE, BE IT PROCLAIMED by the members of the Senate assembled in the First Regular Session of the Sixty-sixth Idaho Legislature that we congratulate ACHD for its success in addressing the unique transportation needs of Ada County for 50 years.

[SP 103](#) was introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

President Pro Tempore Winder and Senator Vick were recorded present at this order of business.

April 19, 2021

The JUDICIARY AND RULES Committee reports that [S 1206](#), [S 1207](#), [S 1208](#), and [S 1209](#) have been correctly printed.

LAKEY, Chairman

[S 1206](#), [S 1207](#), [S 1208](#), and [S 1209](#) were referred to the Finance Committee.

April 19, 2021

The JUDICIARY AND RULES Committee reports that [S 1086](#) and [S 1039](#), as amended in the House, have been correctly enrolled.

LAKEY, Chairman

The President signed Enrolled [S 1086](#) and [S 1039](#), as amended in the House, and ordered them transmitted to the House for the signature of the Speaker.

April 19, 2021

The JUDICIARY AND RULES Committee reports that [S 1111](#), as amended in the House, has been correctly engrossed.

LAKEY, Chairman

[S 1111](#), as amended in the House, was filed for first reading.

April 19, 2021

The JUDICIARY AND RULES Committee reports that Enrolled [S 1192](#) was delivered to the Office of the Governor at 11:40 a.m., April 19, 2021.

LAKEY, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

April 19, 2021

The FINANCE Committee reports out [H 365](#) with the recommendation that it do pass.

BAIR, Chairman

[H 365](#) was filed for second reading.

April 19, 2021

The STATE AFFAIRS Committee reports out [S 1205](#) with the recommendation that it do pass.

LODGE, Chair

[S 1205](#) was filed for second reading.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

April 19, 2021

Dear Madam President:

I return herewith [S 1107](#), as amended, [S 1195](#), [S 1196](#), [S 1197](#), [S 1198](#), [S 1168](#), as amended, [S 1051](#), [S 1199](#), and [S 1062](#), which have passed the House.

MAULIN, Chief Clerk

[S 1107](#), as amended, [S 1195](#), [S 1196](#), [S 1197](#), [S 1198](#), [S 1168](#), as amended, [S 1051](#), [S 1199](#), and [S 1062](#) were referred to the Judiciary and Rules Committee for enrolling.

April 19, 2021

Dear Madam President:

I return herewith Enrolled [S 1177](#) and [S 1143](#), as amended, which have been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [S 1177](#) and [S 1143](#), as amended, were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

**Introduction, First Reading, and Reference of Bills,
House Petitions, Resolutions, and Memorials**

S 1210

BY FINANCE COMMITTEE

AN ACT

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF HEALTH AND WELFARE FOR FISCAL YEAR 2022; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR FISCAL YEAR 2022; AND PROVIDING FOR A DISTRIBUTION METHOD.

[S 1210](#) was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the Senate adjourned at 3:14 p.m. until the hour of 10:30 a.m., Tuesday, April 20, 2021.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

ONE HUNDREDTH LEGISLATIVE DAY
TUESDAY, APRIL 20, 2021

Senate Chamber

President McGeachin called the Senate to order at 10:30 a.m.

Roll call showed all members present.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Charlotte Brockman, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of April 19, 2021, was read and approved as corrected.

LAKEY, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

April 20, 2021

The JUDICIARY AND RULES Committee reports that [SP 103](#) and [S 1210](#) have been correctly printed.

LAKEY, Chairman

[SP 103](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

[S 1210](#) was referred to the Finance Committee.

April 20, 2021

The JUDICIARY AND RULES Committee reports that [S 1107](#), as amended, [S 1195](#), [S 1196](#), [S 1197](#), [S 1198](#), [S 1168](#), as amended, [S 1051](#), [S 1199](#), and [S 1062](#) have been correctly enrolled.

LAKEY, Chairman

The President signed Enrolled [S 1107](#), as amended, [S 1195](#), [S 1196](#), [S 1197](#), [S 1198](#), [S 1168](#), as amended, [S 1051](#), [S 1199](#), and [S 1062](#) and ordered them transmitted to the House for the signature of the Speaker.

April 19, 2021

The JUDICIARY AND RULES Committee reports that Enrolled [S 1177](#) and [S 1143](#), as amended, were delivered to the Office of the Governor at 3:30 p.m., April 19, 2021.

LAKEY, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

April 20, 2021

The FINANCE Committee reports out [S 1206](#), [S 1207](#), [S 1208](#), and [S 1209](#) with the recommendation that they do pass.

BAIR, Chairman

[S 1206](#), [S 1207](#), [S 1208](#), and [S 1209](#) were filed for second reading.

April 20, 2021

The STATE AFFAIRS Committee reports out [H 366](#) with the recommendation that it do pass.

LODGE, Chair

[H 366](#) was filed for second reading.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

April 19, 2021

Dear Madam President:

I transmit herewith [H 367](#) and [H 348](#), which have passed the House.

MAULIN, Chief Clerk

[H 367](#) and [H 348](#) were filed for first reading.

April 20, 2021

Dear Madam President:

I return herewith [S 1061](#), as amended in the House, which has passed the House.

MAULIN, Chief Clerk

On request by Senator Riggs, granted by unanimous consent, [S 1061](#), as amended in the House, was referred to the Tenth Order of Business, Motions and Resolutions, for consideration as to possible concurrence in the House amendments.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President announced that the House amendments to [S 1061](#), as amended in the House, were before the Senate for consideration as to possible concurrence, the question being, "Shall the Senate concur in the House amendments to [S 1061](#), as amended in the House?"

On request by Senator Riggs, granted by unanimous consent, that the Senate not concur in the House amendments to [S 1061](#), as amended in the House.

[S 1061](#), as amended in the House, was ordered filed in the office of the Secretary of the Senate.

On request by Senator Anthon, granted by unanimous consent, [HCR 17](#) retained its place on the calendar.

The President announced that [HCR 18](#) was before the Senate for final consideration.

Moved by Senator Vick, seconded by Senator Stennett, that [HCR 18](#) be adopted. The question being, "Shall the resolution be adopted?"

On request by Senator Anthon, granted by unanimous consent, [HCR 18](#) and [HCR 20](#) retained their places on the calendar.

The Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1211 BY STATE AFFAIRS COMMITTEE AN ACT

RELATING TO WOLVES; AMENDING SECTION 22-5304, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE POWERS AND DUTIES OF THE IDAHO WOLF DEPREDACTION CONTROL BOARD; AMENDING SECTION 22-5306, IDAHO CODE, TO REVISE PROVISIONS REGARDING WOLF CONTROL ASSESSMENTS AND THE TRANSFER OF CERTAIN FUNDS; AMENDING SECTION 36-201, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE TAKING OF WOLVES, TO PROVIDE FOR HUNTING AND TRAPPING SEASONS, AND TO REVISE PROVISIONS REGARDING COLLARING OF WOLVES; AMENDING SECTION 36-408, IDAHO CODE, TO REVISE PROVISIONS REGARDING WOLF TAGS AND TO CLARIFY THAT APPROPRIATE EDUCATION REQUIREMENTS MUST BE MET; AND AMENDING SECTION 36-1107, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE CONTROL OF DEPREDAATION OF WOLVES ON LIVESTOCK AND DOMESTIC ANIMALS AND TO PROVIDE FOR THE CONTROL OF DEPREDAATION OF WOLVES ON WILDLIFE POPULATIONS.

[S 1211](#) was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[S 1111](#), as amended in the House, by State Affairs Committee, was read the first time at length and filed for second reading.

[H 367](#), by Appropriations Committee, was introduced, read the first time at length, and referred to the Finance Committee.

[H 348](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

On request by Senator Anthon, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

Reports of Standing Committees

April 20, 2021

The JUDICIARY AND RULES Committee reports that [S 1211](#) has been correctly printed.

LAKEY, Chairman

[S 1211](#) was referred to the Resources and Environment Committee.

On request by Senator Lee, granted by unanimous consent, the Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[H 365](#), by Appropriations Committee, was read the second time at length and filed for third reading.

[S 1205](#), by State Affairs Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

Motion to Suspend Rules

Moved by Senator Anthon, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate passage of [H 365](#) be suspended; that the portions of Section 15, Article 3, of the Constitution of the State of Idaho requiring all bills to be read on three several days be dispensed with, this being a case of urgency, and that [H 365](#) be read the third time at length, section by section, and be put upon its final passage. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended.

[H 365](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bair arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared [H 365](#) passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Anthon, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [S 1205](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [S 1205](#) was before the Senate for final consideration.

[S 1205](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lakey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Patrick, Rice, Ricks, Riggs, Souza, Thayn, Vick, Winder, Woodward, Zito. Total - 28.

NAYS—Burgoyne, Nelson, Nye, Rabe, Stennett, Ward-Engelking, Wintrow. Total - 7.

Total - 35.

Whereupon the President declared [S 1205](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:57 a.m. until the hour of 10:30 a.m., Wednesday, April 21, 2021.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL
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IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

ONE HUNDRED FIRST LEGISLATIVE DAY
WEDNESDAY, APRIL 21, 2021

Senate Chamber

President McGeachin called the Senate to order at 10:30 a.m.

Roll call showed all members present except Senators Bair and Den Hartog, absent and excused.

Prayer was offered by Senator Steve Vick.

The Pledge of Allegiance was led by Grace Kuhn, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of April 20, 2021, was read and approved as corrected.

LAKEY, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

April 20, 2021

The FINANCE Committee reports out H 367 and S 1210 with the recommendation that they do pass.

BAIR, Chairman

H 367 and S 1210 were filed for second reading.

April 20, 2021

The RESOURCES AND ENVIRONMENT Committee reports out S 1211 with the recommendation that it do pass.

VICK, Chairman

S 1211 was filed for second reading.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

April 20, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that I have signed on April 19, 2021 and am transmitting to the Secretary of State the following Senate Bill, to wit:

S 1192

Sincerely,
/s/ Brad Little
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

April 20, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that I have signed on April 20, 2021 and am transmitting to the Secretary of State the following Senate Bill, to wit:

S 1139

Sincerely,
/s/ Brad Little
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

April 20, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho Legislature

Dear Madam President:

I hereby advise you that I have transmitted to the Office of the Secretary of State, with my signature, the following Senate Bill, to wit:

S 1045

Within the time prescribed by law, the same having arrived in the Office of the Governor at the hour of 2:00 p.m. on April 14, 2021.

As Governor, I have taken several opportunities to write you on other bills that I have signed into law where I expressed my concern about transparent budgeting and funding sources for legislative policy priorities.

Every year the Advanced Opportunities program has been in place, the fiscal impact has increased, with Legislature appropriating additional funds during the session but additional money being withdrawn from the Public Education Stabilization

Fund (PESF) at the end of the year to cover increases in this entitlement.

When it was enacted during the 2015 session, the Advanced Opportunities program had an estimated fiscal impact of \$5.4 million for Fiscal Year 2016. In Fiscal Year 2020, \$18 million was appropriated to cover the costs of the program and an additional \$5.2 million had to be withdrawn from PESF to cover the entire cost of the program at year's end. We are still waiting to see the current-year impact to PESF, and \$20 million was appropriated in Fiscal Year 2021. I recommended an additional \$9.7 million in my Fiscal Year 2022 budget to avert a PESF withdrawal next year.

I worry about expanding the Advanced Opportunities program again when we still do not have fiscal control over the existing program. In the future, we need to sharpen the goals of the Advanced Opportunities program and refine the program to align proven strategies with our state's larger post-secondary goals.

The legislation, as written, creates some issues that need to be addressed through the placement of the program in the appropriate budget.

Specifically, this legislation creates a new section of code in Title 33, Chapter 46 for non-public school students, which would create a statutory entitlement if placed in the K-12 budget. Section 33-1002 specifies that Advanced Opportunities will trigger a withdrawal from PESF in any year when the overall public schools appropriation is less than the distributions. If this program were placed in the State Board of Education's budget or the State Department of Education's budget, the amount could be limited to the appropriation only. That way, the true cost of the program is transparent and above board.

In signing this into law, I respectfully request the Legislature place this program's appropriation in the State Board or the State Department budget, aligning it with the sponsors' intent that the program be subject to appropriation each year.

Sincerely,
/s/ Brad Little
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Senate advanced to the Ninth Order of Business.

Messages from the House

April 20, 2021

Dear Madam President:

I transmit herewith [H 371](#) and [HCR 21](#), which have passed the House.

MAULIN, Chief Clerk

[H 371](#) and [HCR 21](#) were filed for first reading.

April 20, 2021

Dear Madam President:

I return herewith [SJR 102](#), [S 1006](#), and [S 1043](#), as amended, which have passed the House.

MAULIN, Chief Clerk

[SJR 102](#), [S 1006](#), and [S 1043](#), as amended, were referred to the Judiciary and Rules Committee for enrolling.

April 20, 2021

Dear Madam President:

I transmit herewith Enrolled [H 66](#), as amended in the Senate, and [H 252](#), as amended in the Senate, for the signature of the President.

MAULIN, Chief Clerk

The President signed Enrolled [H 66](#), as amended in the Senate, and [H 252](#), as amended in the Senate, and ordered them returned to the House.

April 20, 2021

Dear Madam President:

I return herewith Enrolled [S 1086](#) and [S 1039](#), as amended in the House, which have been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [S 1086](#) and [S 1039](#), as amended in the House, were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

[H 371](#), by Appropriations Committee, was introduced, read the first time at length, and referred to the Finance Committee.

[HCR 21](#), by Ways and Means Committee, was introduced, read at length, and referred to the Resources and Environment Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

Senator Bair was recorded present at this order of business.

[S 1206](#), [S 1207](#), [S 1208](#), and [S 1209](#), by Finance Committee, were read the second time at length and filed for third reading.

[H 366](#), by Ways and Means Committee, was read the second time at length and filed for third reading.

[S 1111](#), as amended in the House, by State Affairs Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

On request by Senator Anthon, granted by unanimous consent, [H 362](#) retained its place on the Third Reading Calendar.

Motion to Suspend Rules

Moved by Senator Anthon, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate passage of [S 1206](#) be suspended; that the portions of Section 15, Article

3, of the Constitution of the State of Idaho requiring all bills to be read on three several days be dispensed with, this being a case of urgency, and that [S 1206](#) be read the third time at length, section by section, and be put upon its final passage. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS—None.

Absent and excused—Den Hartog. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended.

[S 1206](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nye arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Burgoyne, Burtenshaw, Cook, Crabtree, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward. Total - 32.

NAYS—Bayer, Zito. Total - 2.

Absent and excused—Den Hartog. Total - 1.

Total - 35.

Whereupon the President declared [S 1206](#) passed, title was approved, and the bill ordered transmitted to the House.

Moved by Senator Anthon, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [S 1207](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS—None.

Absent and excused—Den Hartog. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [S 1207](#) was before the Senate for final consideration.

[S 1207](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Agenbroad arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS—None.

Absent and excused—Den Hartog. Total - 1.

Total - 35.

Whereupon the President declared [S 1207](#) passed, title was approved, and the bill ordered transmitted to the House.

Moved by Senator Anthon, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [S 1208](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS—None.

Absent and excused—Den Hartog. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [S 1208](#) was before the Senate for final consideration.

[S 1208](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Woodward arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS—None.

Absent and excused—Den Hartog. Total - 1.

Total - 35.

Whereupon the President declared [S 1208](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Anthon, granted by unanimous consent, the Senate returned to the Fourth Order of Business.

Reading of Communications

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

April 21, 2021

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote the Senate recessed at 11:59 a.m. until the hour of 2 p.m. of this day.

**RECESS
AFTERNOON SESSION**

The Senate reconvened at 2 p.m., pursuant to recess, President McGeachin presiding.

Roll call showed all members present except Senators Den Hartog, Johnson, Thayn, and Zito, absent and excused.

Prior to recess the Senate was at the Fifth Order of Business, Petitions, Resolutions, and Memorials.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

April 21, 2021

The JUDICIARY AND RULES Committee reports that [SJR 102](#), [S 1006](#), and [S 1043](#), as amended, have been correctly enrolled.

LAKEY, Chairman

The President signed Enrolled [SJR 102](#), [S 1006](#), and [S 1043](#), as amended, and ordered them transmitted to the House for the signature of the Speaker.

April 21, 2021

The JUDICIARY AND RULES Committee reports that Enrolled [S 1086](#) and [S 1039](#), as amended in the House, were delivered to the Office of the Governor at 12:59 p.m., April 21, 2021.

LAKEY, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

April 21, 2021

The FINANCE Committee reports out [H 371](#) with the recommendation that it do pass.

BAIR, Chairman

[H 371](#) was filed for second reading.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

April 21, 2021

Dear Madam President:

I transmit herewith Enrolled [H 107](#), as amended in the Senate, and [H 365](#) for the signature of the President.

MAULIN, Chief Clerk

The President signed Enrolled [H 107](#), as amended in the Senate, and [H 365](#) and ordered them returned to the House.

Dear Madam President:

I return herewith Enrolled [S 1107](#), as amended, [S 1195](#), [S 1196](#), [S 1197](#), [S 1198](#), [S 1168](#), as amended, [S 1051](#), [S 1199](#), and [S 1062](#), which have been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [S 1107](#), as amended, [S 1195](#), [S 1196](#), [S 1197](#), [S 1198](#), [S 1168](#), as amended, [S 1051](#), [S 1199](#), and [S 1062](#) were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

Senator Zito was recorded present at this order of business.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Twelfth Order of Business.

Second Reading of Bills**Motion to Suspend Rules**

Moved by Senator Anthon, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate passage of [S 1211](#) be suspended; that the portions of Section 15, Article 3, of the Constitution of the State of Idaho requiring all bills to be read on three several days be dispensed with, this being a case of urgency, and that [S 1211](#) be read the second time by title and the third time at length, section by section, and be put upon its final passage. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Grow, Guthrie, Harris, Heider, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 32.

NAYS—None.

Absent and excused—Den Hartog, Johnson, Thayn. Total - 3.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended.

[S 1211](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Burtenshaw arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senator Burtenshaw disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burtenshaw, Cook, Crabtree, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Patrick, Rice, Ricks, Riggs, Souza, Vick, Winder, Woodward, Zito. Total - 26.

NAYS—Burgoyne, Nelson, Nye, Rabe, Stennett, Ward-Engelking, Wintrow. Total - 7.

Absent and excused—Den Hartog, Thayn. Total - 2.

Total - 35.

Whereupon the President declared [S 1211](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

Motion to Suspend Rules

Moved by Senator Anthon, seconded by Senator Lee, that all rules of the Senate interfering with the immediate passage of [H 366](#) be suspended; that the portions of Section 15, Article 3, of the Constitution of the State of Idaho requiring all bills to be read on three several days be dispensed with, this being a case of urgency, and that [H 366](#) be read the third time at length, section by section, and be put upon its final passage. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 32.

NAYS—None.

Absent and excused—Den Hartog, Thayn, Vick. Total - 3.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended.

[H 366](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lodge arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burtenshaw, Cook, Crabtree, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Patrick, Rice, Ricks, Riggs, Souza, Winder, Woodward, Zito. Total - 25.

NAYS—Burgoyne, Nelson, Nye, Rabe, Stennett, Ward-Engelking, Wintrow. Total - 7.

Absent and excused—Den Hartog, Thayn, Vick. Total - 3.

Total - 35.

Whereupon the President declared [H 366](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the Senate adjourned at 3:28 p.m. until the hour of 10:30 a.m., Thursday, April 22, 2021.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

ONE HUNDRED SECOND LEGISLATIVE DAY
THURSDAY, APRIL 22, 2021

Senate Chamber

President McGeachin called the Senate to order at 10:30 a.m.

Roll call showed all members present except Senator Harris, absent and formally excused by the Chair; and Senator Den Hartog, absent and excused.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Josh Nelson, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of April 21, 2021, was read and approved as corrected.

LAKEY, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

April 22, 2021

The JUDICIARY AND RULES Committee reports that Enrolled [S 1107](#), as amended, [S 1195](#), [S 1196](#), [S 1197](#), [S 1198](#), [S 1168](#), as amended, [S 1051](#), [S 1199](#), and [S 1062](#) were delivered to the Office of the Governor at 3 p.m., April 21, 2021.

LAKEY, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

April 21, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that I have signed on April 21, 2021 and am transmitting to the Secretary of State the following Senate Bill, to wit:

[S 1177](#)

Sincerely,
/s/ Brad Little
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[H 367](#), by Appropriations Committee, was read the second time at length and filed for third reading.

[S 1210](#), by Finance Committee, was read the second time at length and filed for third reading.

[H 371](#), by Appropriations Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

On request by Senator Anthon, granted by unanimous consent, [H 362](#) retained its place on the Third Reading Calendar for Monday, April 26, 2021.

[S 1209](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lent arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Grow, Guthrie, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 33.

NAYS—None.

Absent and excused—Den Hartog, Harris. Total - 2.

Total - 35.

Whereupon the President declared [S 1209](#) passed, title was approved, and the bill ordered transmitted to the House.

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote the Senate recessed at 11 a.m. until the hour of 2 p.m. of this day.

RECESS AFTERNOON SESSION

The Senate reconvened at 2 p.m., pursuant to recess, President McGeachin presiding.

Roll call showed all members present except Senators Harris, Johnson, Vick, and Ward-Engelking, absent and formally excused by the Chair; and President Pro Tempore Winder and Senators Burtenshaw, Den Hartog, and Rice, absent and excused.

General Calendar

On request by Senator Anthon, granted by unanimous consent, [H 299](#) was filed for second reading.

On request by Senator Anthon, granted by unanimous consent, [H 332](#) was referred to the Local Government and Taxation Committee.

The President declared the Senate resolved into the Committee of the Whole and called Senator Lee to the Chair to preside during the sitting of the Committee of the Whole.

Following the adjournment of the Committee of the Whole, the President called the Senate to order.

Report of the Committee of the Whole

Senator Lee, Chairman of the Committee of the Whole, reported out [H 220](#) and [H 316](#), without recommendation, amended as follows:

SENATE AMENDMENT TO H 220 AMENDMENT TO SECTION 1

On page 1 of the printed bill, delete lines 29 through 36, and insert:

"(2) "Affiliate" means an organization that owns or controls or is owned or controlled, in whole or in part, by the other; is related by shareholdings or other means of control; or is a subsidiary, parent, or sibling corporation."

On page 4, delete lines 36 through 39; and in line 40, delete "8712" and insert: "8711".

CORRECTION TO TITLE

On page 1, in line 10, delete "TO PROVIDE FOR A RIGHT OF INTERVEN-"; and in line 11, delete "TION,".

SENATE AMENDMENT TO H 316 AMENDMENT TO SECTION 5

On page 4 of the printed bill, in line 49, following "districts." insert: "An order of a district board of health will take effect immediately. However, notwithstanding the provisions of this subsection, if an order applies to all persons in a county or a public health district, the board of county commissioners within each affected county, after consulting with the district board of health, will determine by resolution whether or not to approve the order within county limits within seven (7) days of the date of the order. If the board of county commissioners approves the order, then the order will take effect immediately for a period of thirty (30) days. Thereafter, the order may be extended, amended, or modified and reimposed for thirty (30) day periods, subject to approval by the board of county commissioners."

AMENDMENT TO THE BILL

On page 8, delete lines 14 through 18, and insert: "SECTION 10. This act shall be in full force and effect on and after March 1, 2022."

CORRECTION TO TITLE

On page 1, delete line 26, and insert: "AND PROVIDING AN EFFECTIVE DATE."

The Committee also has [S 1161](#), [H 59](#), [S 1169](#), [H 193](#), [H 223](#), and [S 1128](#) under consideration, reports progress, and begs leave to sit again.

LEE, Chairman

On motion by Senator Lee, seconded by Senator Stennett, the report was adopted by voice vote.

[H 220](#), as amended in the Senate, and [H 316](#), as amended in the Senate, were filed for first reading as amended, and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

On request by Senator Anthon, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

Reports of Standing Committees

April 22, 2021

The JUDICIARY AND RULES Committee reports that Senate amendments to [H 220](#) and [H 316](#) have been correctly printed.

LAKEY, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

April 22, 2021

The RESOURCES AND ENVIRONMENT Committee reports out [HCR 21](#) with the recommendation that it do pass.

VICK, Chairman

[HCR 21](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

April 21, 2021

Dear Madam President:

I transmit herewith [H 135](#), as amended in the Senate, with the Governor's veto message, which has passed the House, the Governor's veto notwithstanding.

MAULIN, Chief Clerk

Pursuant to Senate Rule 16(7), on request by Senator Anthon, granted by unanimous consent, [H 135](#), as amended in the Senate, and the Governor's veto message, was ordered held at the Secretary's desk until Monday, April 26th, 2021.

April 21, 2021

Dear Madam President:

I transmit herewith [H 374](#), which has passed the House.

MAULIN, Chief Clerk

[H 374](#) was filed for first reading.

April 22, 2021

Dear Madam President:

I transmit herewith [H 380](#), [H 376](#), and [H 377](#), which have passed the House.

MAULIN, Chief Clerk

[H 380](#), [H 376](#), and [H 377](#) were filed for first reading.

April 22, 2021

Dear Madam President:

I transmit herewith Enrolled [H 246](#), as amended in the Senate, and [H 366](#) for the signature of the President.

MAULIN, Chief Clerk

The President signed Enrolled [H 246](#), as amended in the Senate, and [H 366](#) and ordered them returned to the House.

April 22, 2021

Dear Madam President:

I return herewith Enrolled [SJR 102](#), [S 1006](#) and [S 1043](#), as amended, which have been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [SJR 102](#) was referred to the Judiciary and Rules Committee for transmittal to the Office of the Secretary of State.

Enrolled [S 1006](#) and [S 1043](#), as amended, were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

[H 220](#), as amended in the Senate, by State Affairs Committee, was read the first time at length and filed for second reading.

[H 316](#), as amended in the Senate, by Health and Welfare Committee, was read the first time at length and filed for second reading.

[H 374](#), by Appropriations Committee, was introduced, read the first time at length, and referred to the Finance Committee.

[H 380](#), by Ways and Means Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

[H 376](#), by Ways and Means Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

[H 377](#), by Ways and Means Committee, was introduced, read the first time at length, and referred to the Education Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

Motion to Suspend Rules

Moved by Senator Anthon, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate passage of [H 299](#) be suspended; that the portions of Section 15, Article 3, of the Constitution of the State of Idaho requiring all bills to be read on three several days be dispensed with, this being a case of urgency, and that [H 299](#) be read the second time by title and the third time at length, section by section, and be put upon its final passage. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Grow, Guthrie, Heider, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Ricks, Riggs, Souza, Stennett, Thayn, Winder, Wintrow, Woodward, Zito. Total - 27.

NAYS—None.

Absent and excused—Den Hartog, Harris, Johnson, Lakey, Rabe, Rice, Vick, Ward-Engelking. Total - 8.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended.

[H 299](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Souza arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Grow, Guthrie, Heider, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Ricks, Riggs, Souza, Stennett, Thayn, Winder, Wintrow, Woodward, Zito. Total - 28.

NAYS—Rabe. Total - 1.

Absent and excused—Den Hartog, Harris, Johnson, Rice, Vick, Ward-Engelking. Total - 6.

Paired and voting included in roll call:

AYE - Lakey NAY - Rabe

Total - 35.

Whereupon the President declared [H 299](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the Senate adjourned at 3:55 p.m. until the hour of 10:30 a.m., Monday, April 26, 2021.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

ONE HUNDRED SIXTH LEGISLATIVE DAY
MONDAY, APRIL 26, 2021

Senate Chamber

President McGeachin called the Senate to order at 10:30 a.m.

Roll call showed all members present except Senators Burtenshaw, Lakey, and Souza, absent and formally excused by the Chair.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Ella Luekenga, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of April 22, 2021, was read and approved as corrected.

LAKEY, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

April 23, 2021

The JUDICIARY AND RULES Committee reports that Enrolled [S 1006](#) and [S 1043](#), as amended, were delivered to the Office of the Governor at 4:45 p.m., April 22, 2021.

LAKEY, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

April 23, 2021

The JUDICIARY AND RULES Committee reports that Enrolled [SJR 102](#) was delivered to the Office of the Secretary of State at 4:48 p.m., April 22, 2021.

LAKEY, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

April 22, 2021

The FINANCE Committee reports out [H 374](#) with the recommendation that it do pass.

BAIR, Chairman

[H 374](#) was filed for second reading.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

April 21, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that I have appointed Rick Hogaboam of Nampa, Idaho, to the office of Acting State Senator for Legislative District 12, Canyon County, State of Idaho.

This appointment is effective Saturday April 24, 2021 through Saturday, May 1, 2021.

Sincerely,
/s/ Brad Little
Governor

THE OFFICE OF THE GOVERNOR
EXECUTIVE DEPARTMENT
BOISE, IDAHO
CERTIFICATE OF APPOINTMENT

KNOW ALL PEOPLE that pursuant to the provisions of Section 59-917, *Idaho Code*, Todd Lakey, State Senator, District 12, Canyon County, State of Idaho, has nominated Rick Hogaboam of Nampa, Idaho, to perform the duties of this office temporarily as Acting State Senator, District 12, Canyon County, State of Idaho.

NOW, THEREFORE, I, BRAD LITTLE, Governor of the State of Idaho, by virtue of the authority vested in me do hereby appoint Rick Hogaboam of Nampa, Idaho to the office of Acting State Senator, District 12, for a term commencing Saturday, April 24, 2021 through Saturday, May 1, 2021.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho at the Capitol in Boise on this Twenty-first day of April, in the year of our Lord two thousand and twenty-one and of the Independence of the United States of America the two hundred and forty-fifth and of the Statehood of Idaho the one hundred thirty-first.

/s/ BY THE GOVERNOR BRAD LITTLE
/s/ SECRETARY OF STATE LAWRENCE DENNEY

The correspondence and Certificate of Appointment were ordered filed in the office of the Secretary of the Senate.

The President announced that the Oath of Office had been administered previously to Acting Senator Hogaboam, and he was recorded present at this order of business.

April 21, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that I have appointed Rebecca Funk of Coeur d'Alene, Idaho, to the office of Acting State Senator for Legislative District 4, Kootenai County, State of Idaho.

This appointment is effective Monday, April 26, 2021, and will continue for as long as necessary.

Sincerely,
/s/ Brad Little
Governor

THE OFFICE OF THE GOVERNOR
EXECUTIVE DEPARTMENT
BOISE, IDAHO
CERTIFICATE OF APPOINTMENT

KNOW ALL PEOPLE, that pursuant to the provisions of Section 59-917, *Idaho Code*, Mary Souza, State Senator, District 4, Kootenai County, State of Idaho, has nominated Rebecca Funk of Coeur d'Alene, Idaho, to perform the duties of this office temporarily as Acting State Senator, District 4, Kootenai County, State of Idaho.

NOW, THEREFORE, I, BRAD LITTLE, Governor of the State of Idaho, by virtue of the authority vested in me do hereby appoint Rebecca Funk of Coeur d'Alene, Idaho to the office of Acting State Senator, District 4, for a term commencing Monday April 26, 2021, and will continue for as long as necessary.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho at the Capitol in Boise on this Twenty-first day of April, in the year of our Lord two thousand and twenty-one and of the Independence of the United States of America the two hundred and forty-fifth and of the Statehood of Idaho the one hundred thirty-first.

/s/ BY THE GOVERNOR BRAD LITTLE
/s/ SECRETARY OF STATE LAWRENCE DENNEY

The correspondence and Certificate of Appointment were ordered filed in the office of the Secretary of the Senate.

The President announced that the Oath of Office had been administered previously to Acting Senator Funk, and she was recorded present at this order of business.

April 23, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that I have appointed Joni Burtenshaw of Terreton, Idaho, to the office of Acting State Senator for Legislative District 35, Butte, Clark, Fremont, and Jefferson Counties, State of Idaho.

This appointment is effective Monday, April 26, 2021, and will continue for as long as necessary.

Sincerely,
/s/ Brad Little
Governor

THE OFFICE OF THE GOVERNOR
EXECUTIVE DEPARTMENT
BOISE, IDAHO
CERTIFICATE OF APPOINTMENT

KNOW ALL PEOPLE, that pursuant to the provisions of Section 59-917, *Idaho Code*, Van Burtenshaw, State Senator, District 35, Butte, Clark, Fremont, and Jefferson Counties, State of Idaho, has nominated Joni Burtenshaw of Terreton,

Idaho, to perform the duties of this office temporarily as Acting State Senator, District 35, Butte, Clark, Fremont, and Jefferson Counties, State of Idaho.

NOW, THEREFORE, I, BRAD LITTLE, Governor of the State of Idaho, by virtue of the authority vested in me do hereby appoint Joni Burtenshaw of Terreton, Idaho to the office of Acting State Senator, District 35, for a term commencing Monday, April 26, 2021, and will continue for as long as necessary.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho at the Capitol in Boise on this Twenty-third day of April, in the year of our Lord two thousand and twenty-one and of the Independence of the United States of America, the two hundred and forty-fifth and of the Statehood of Idaho the one hundred thirty-first.

/s/ BY THE GOVERNOR BRAD LITTLE
/s/ SECRETARY OF STATE LAWRENCE DENNEY

The correspondence and Certificate of Appointment were ordered filed in the office of the Secretary of the Senate.

The President announced that the Oath of Office had been administered previously to Acting Senator Burtenshaw, and she was recorded present at this order of business.

April 22, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that I have signed on April 22, 2021 and am transmitting to the Secretary of State the following Senate Bills, to wit:

[S 1051](#), [S 1062](#), [S 1107](#), as amended, [S 1143](#),
as amended, [S 1168](#), as amended, [S 1195](#),
[S 1196](#), [S 1197](#), [S 1198](#), and [S 1199](#)

Sincerely,
/s/ Brad Little
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Tenth Order of Business.

Motions and Resolutions

Having been held, the President announced that [HCR 17](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by President Pro Tempore Winder, seconded by Senator Ward-Engelking, [HCR 17](#) was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The President announced that [SP 103](#) was before the Senate for final consideration, the question being, "Shall the proclamation be adopted?"

On motion by President Pro Tempore Winder, seconded by Senator Den Hartog, [SP 103](#) was adopted by voice vote, title was approved, and the proclamation ordered transmitted to the House.

The President announced that [HCR 21](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Vick, seconded by Senator Stennett, [HCR 21](#) was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The Senate advanced to the Eleventh Order of Business.

**Introduction, First Reading, and Reference of Bills,
House Petitions, Resolutions, and Memorials**

**S 1212
BY FINANCE COMMITTEE
AN ACT**

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF HEALTH AND WELFARE FOR FISCAL YEAR 2022; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR FISCAL YEAR 2022; REQUIRING INFORMED CONSENT; PROVIDING FOR PROMOTION OF HEALTHY ACTIVITIES; AND PROVIDING AN END DATE FOR CERTAIN ACTIVITIES.

[S 1212](#) was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[H 220](#), as amended in the Senate, by State Affairs Committee, was read the second time at length and filed for third reading.

[H 316](#), as amended in the Senate, by Health and Welfare Committee, was read the second time at length and filed for third reading.

On request by Senator Anthon, granted by unanimous consent, the Senate returned to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote the Senate recessed at 11:18 a.m. until the hour of 3 p.m. of this day.

**RECESS
AFTERNOON SESSION**

The Senate reconvened at 3 p.m., pursuant to recess, President McGeachin presiding.

Roll call showed all members present except Senator Woodward, absent and excused.

Prior to recess the Senate was at the Sixth Order of Business, Reports of Standing Committees.

April 26, 2021

The LOCAL GOVERNMENT AND TAXATION Committee reports out [H 380](#) with the recommendation that it do pass.

RICE, Chairman

[H 380](#) was filed for second reading.

April 26, 2021

The EDUCATION Committee reports out [H 377](#) with the recommendation that it do pass.

THAYN, Chairman

[H 377](#) was filed for second reading.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

April 26, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that I have signed on April 22, 2021 and am transmitting to the Secretary of State the following Senate Bill, to wit:

[S 1086](#)

Sincerely,
/s/ Brad Little
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Senate advanced to the Ninth Order of Business.

Messages from the House

Pursuant to Senate Rule 16(7), on request by Senator Anthon, granted by unanimous consent, H 135, as amended in the Senate, and the Governor's veto message, was ordered held at the Secretary's desk until Friday, April 30, 2021.

April 26, 2021

Dear Madam President:

I return herewith [S 1200](#), as amended in the House, which has passed the House.

MAULIN, Chief Clerk

On request by Senator Ricks, granted by unanimous consent, [S 1200](#), as amended in the House, was referred to the Tenth Order of Business, Motions and Resolutions, for consideration as to possible concurrence in the House amendments.

Senator Woodward was recorded present at this order of business.

April 26, 2021

Dear Madam President:

I return herewith [S 1194](#), [S 1206](#), [S 1207](#), and [S 1208](#), which have passed the House.

MAULIN, Chief Clerk

[S 1194](#), [S 1206](#), [S 1207](#), and [S 1208](#) were referred to the Judiciary and Rules Committee for enrolling.

April 23, 2021

Dear Madam President:

I transmit herewith Enrolled [H 367](#), [H 371](#), and [H 299](#) for the signature of the President.

MAULIN, Chief Clerk

The President signed Enrolled [H 367](#), [H 371](#), and [H 299](#) and ordered them returned to the House.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President announced that the House amendments to [S 1200](#), as amended in the House, were before the Senate for consideration as to possible concurrence, the question being, "Shall the Senate concur in the House amendments to [S 1200](#), as amended in the House?"

On request by Senator Ricks, granted by unanimous consent, the Senate concurred by voice vote in the House amendments to [S 1200](#), as amended in the House.

[S 1200](#), as amended in the House, was referred to the Judiciary and Rules Committee for engrossing.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

Motion to Suspend Rules

Moved by Senator Anthon, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate passage of [H 377](#) be suspended; that the portions of Section 15, Article 3, of the Constitution of the State of Idaho requiring all bills to be read on three several days be dispensed with, this being a case of urgency, and that [H 377](#) be read the second time by title and the third time at length, section by section, and be put upon its final passage. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw (Burtenshaw), Cook, Crabtree, Den Hartog, Funk (Souza), Grow, Guthrie, Harris, Heider, Hogaboam (Lakey), Johnson, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended.

[H 377](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Crabtree arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burtenshaw (Burtenshaw), Cook, Crabtree, Den Hartog, Funk (Souza), Grow, Guthrie, Harris, Heider, Hogaboam (Lakey), Lee, Lent, Lodge, Martin, Patrick, Rice, Ricks, Riggs, Thayn, Vick, Winder, Woodward, Zito. Total - 27.

NAYS—Burgoyne, Johnson, Nelson, Nye, Rabe, Stennett, Ward-Engelking, Wintrow. Total - 8.

Total - 35.

Whereupon the President declared [H 377](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

Moved by Senator Anthon, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [H 316](#), as amended in the Senate, be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw (Burtenshaw), Cook, Crabtree, Den Hartog, Funk (Souza), Grow, Guthrie, Harris, Heider, Hogaboam (Lakey), Johnson, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [H 316](#), as amended in the Senate, was before the Senate for final consideration.

[H 316](#), as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Riggs arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senators Harris, Lee, and Lodge disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw (Burtenshaw), Cook, Crabtree, Den Hartog, Funk (Souza), Grow, Guthrie, Harris, Heider, Hogaboam (Lakey), Johnson, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared [H 316](#), as amended in the Senate, passed, title was approved, and the bill ordered returned to the House for possible concurrence.

Moved by Senator Anthon, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [H 220](#), as amended in the Senate, be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw (Burtenshaw), Cook, Crabtree, Den Hartog, Funk (Souza), Grow, Guthrie, Harris, Heider, Hogaboam (Lakey), Johnson, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Ricks, Riggs, Stennett, Thayn, Vick, Winder, Wintrow, Woodward, Zito. Total - 32.

NAYS—None.

Absent and excused—Lee, Rice, Ward-Engelking. Total - 3.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [H 220](#), as amended in the Senate, was before the Senate for final consideration.

[H 220](#), as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Zito arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burtenshaw (Burtenshaw), Cook, Crabtree, Den Hartog, Funk (Souza), Grow, Guthrie, Harris, Heider, Hogaboam (Lakey), Johnson, Lee, Lent, Lodge, Martin, Patrick, Rice, Ricks, Riggs, Thayn, Vick, Winder, Woodward, Zito. Total - 28.

NAYS—Burgoyne, Nelson, Nye, Rabe, Stennett, Ward-Engelking, Wintrow. Total - 7.

Total - 35.

Whereupon the President declared [H 220](#), as amended in the Senate, passed, title was approved, and the bill ordered returned to the House for possible concurrence.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the Senate adjourned at 4:50 p.m. until the hour of 10:30 a.m., Tuesday, April 27, 2021.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

ONE HUNDRED SEVENTH LEGISLATIVE DAY
TUESDAY, APRIL 27, 2021

Senate Chamber

President McGeachin called the Senate to order at 10:30 a.m.

Roll call showed all members present except Senators Harris and Patrick, absent and formally excused by the Chair; and Senator Thayn, absent and excused.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Grace Kuhn, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of April 26, 2021, was read and approved as corrected.

LAKEY, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

April 27, 2021

The JUDICIARY AND RULES Committee reports that [S 1212](#) has been correctly printed.

LAKEY, Chairman

[S 1212](#) was referred to the Finance Committee.

April 27, 2021

The JUDICIARY AND RULES Committee reports that [S 1200](#), as amended in the House, has been correctly engrossed.

LAKEY, Chairman

[S 1200](#), as amended in the House, was filed for first reading.

April 27, 2021

The JUDICIARY AND RULES Committee reports that [S 1194](#), [S 1206](#), [S 1207](#), and [S 1208](#) have been correctly enrolled.

LAKEY, Chairman

The President signed Enrolled [S 1194](#), [S 1206](#), [S 1207](#), and [S 1208](#) and ordered them transmitted to the House for the signature of the Speaker.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

April 27, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that I have signed on April 26, 2021 and am transmitting to the Secretary of State the following Senate Bill, to wit:

[S 1039](#), as amended in the House

Sincerely,
/s/ Brad Little
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Senate advanced to the Ninth Order of Business.

Messages from the House

April 26, 2021

Dear Madam President:

I transmit herewith [H 345](#), which has passed the House.

MAULIN, Chief Clerk

[H 345](#) was filed for first reading.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

[S 1200](#), as amended in the House, by Judiciary and Rules Committee, was read the first time at length and filed for second reading.

[H 345](#), by Appropriations Committee, was introduced, read the first time at length, and referred to the Finance Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[H 374](#), by Appropriations Committee, was read the second time at length and filed for third reading.

[H 380](#), by Ways and Means Committee, was read the second time at length and filed for third reading.

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote the Senate recessed at 10:52 a.m. until the hour of 1:30 p.m. of this day.

RECESS AFTERNOON SESSION

The Senate reconvened at 1:30 p.m., pursuant to recess, President McGeachin presiding.

Roll call showed all members present except Senators Harris and Patrick, absent and formally excused by the Chair; and Senators Crabtree, Heider, and Johnson, absent and excused.

Prior to recess the Senate was at the Twelfth Order of Business, Second Reading of Bills.

On request by Senator Anthon, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

Reports of Standing Committees

April 27, 2021

The FINANCE Committee reports out [H 345](#) and [S 1212](#) with the recommendation that they do pass.

BAIR, Chairman

[H 345](#) and [S 1212](#) were filed for second reading.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

April 27, 2021

Dear Madam President:

I transmit herewith Enrolled [H 161](#), as amended, as amended in the Senate, [H 229](#), as amended in the Senate, [HCR 17](#), [HCR 21](#), and [H 377](#) for the signature of the President.

MAULIN, Chief Clerk

The President signed Enrolled [H 161](#), as amended, as amended in the Senate, [H 229](#), as amended in the Senate, [HCR 17](#), [HCR 21](#), and [H 377](#) and ordered them returned to the House.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the Senate adjourned at 1:48 p.m. until the hour of 8 a.m., Friday, April 30, 2021.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

**ONE HUNDRED TENTH LEGISLATIVE DAY
FRIDAY, APRIL 30, 2021**

Senate Chamber

President Pro Tempore Winder called the Senate to order at 8 a.m.

Roll call showed all members present except Senator Harris, absent and formally excused by the Chair; and Senators Anthon, Bair, Cook, Crabtree, Guthrie, Heider, Johnson, Lent, Nelson, Nye, Ricks, Vick, and Woodward, and Acting Senators Burtenshaw and Funk, absent and excused.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Jerry Csutorus, Assistant Sergeant-at-Arms.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of April 27, 2021, was read and approved as corrected.

LAKEY, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Lee, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

Pursuant to Senate Rule 16(7), on request by Senator Lee, granted by unanimous consent, **H 135**, as amended in the Senate, and the Governor's veto message, was ordered held at the Secretary's desk until Monday, May 3, 2021.

April 27, 2021

Dear Mr. President:

I transmit herewith [H 284](#), [H 370](#), [H 381](#), [H 382](#), [H 383](#), and [H 384](#), which have passed the House.

MAULIN, Chief Clerk

[H 284](#), [H 370](#), [H 381](#), [H 382](#), [H 383](#), and [H 384](#) were filed for first reading.

April 29, 2021

Dear Mr. President:

I transmit herewith [H 353](#), [H 356](#), [H 358](#), [H 372](#), and [H 373](#), which have passed the House.

MAULIN, Chief Clerk

[H 353](#), [H 356](#), [H 358](#), [H 372](#), and [H 373](#) were filed for first reading.

April 27, 2021

Dear Mr. President:

I return herewith [S 1210](#), which has failed to pass the House.

MAULIN, Chief Clerk

[S 1210](#) was ordered filed in the office of the Secretary of the Senate.

April 27, 2021

Dear Mr. President:

I return herewith [S 1185](#), [S 1173](#), [S 1209](#), [S 1204](#), [S 1203](#), and [S 1211](#), which have passed the House.

MAULIN, Chief Clerk

[S 1185](#), [S 1173](#), [S 1209](#), [S 1204](#), [S 1203](#), and [S 1211](#) were referred to the Judiciary and Rules Committee for enrolling.

April 29, 2021

Dear Mr. President:

I return herewith [S 1202](#), which has passed the House.

MAULIN, Chief Clerk

[S 1202](#) was referred to the Judiciary and Rules Committee for enrolling.

April 27, 2021

Dear Mr. President:

I return herewith Enrolled [S 1194](#), [S 1206](#), [S 1207](#), and [S 1208](#), which have been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [S 1194](#), [S 1206](#), [S 1207](#), and [S 1208](#) were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

On request by Senator Lee, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

[H 284](#) and [H 370](#), by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

[H 381](#), by Ways and Means Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

[H 382](#), [H 383](#), [H 384](#), [H 353](#), [H 356](#), [H 358](#), [H 372](#), and [H 373](#), by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[S 1200](#), as amended in the House, by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

[H 345](#), by Appropriations Committee, was read the second time at length and filed for third reading.

[S 1212](#), by Finance Committee, was read the second time at length and filed for third reading.

On request by Senator Lee, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Lee, seconded by Senator Stennett, by voice vote, the Senate adjourned at 8:59 a.m. until the hour of 10 a.m., Monday, May 3, 2021.

CHUCK WINDER, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

ONE HUNDRED THIRTEENTH LEGISLATIVE DAY
MONDAY, MAY 3, 2021

Senate Chamber

President McGeachin called the Senate to order at 10 a.m.

Roll call showed all members present except Senators Crabtree, Nelson, and Rabe, absent and formally excused by the Chair; and Senator Lakey, absent and excused.

Prayer was offered by Senator Michelle Stennett.

The Pledge of Allegiance was led by Grace Kuhn, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of April 30, 2021, was read and approved as corrected.

LAKEY, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

April 30, 2021

The JUDICIARY AND RULES Committee reports that [S 1185](#), [S 1173](#), [S 1209](#), [S 1204](#), [S 1203](#), [S 1211](#), and [S 1202](#) have been correctly enrolled.

LAKEY, Chairman

The President signed Enrolled [S 1185](#), [S 1173](#), [S 1209](#), [S 1204](#), [S 1203](#), [S 1211](#), and [S 1202](#) and ordered them transmitted to the House for the signature of the Speaker.

April 30, 2021

The JUDICIARY AND RULES Committee reports that Enrolled [S 1194](#), [S 1206](#), [S 1207](#), and [S 1208](#) were delivered to the Office of the Governor at 10:25 a.m., April 30, 2021.

LAKEY, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

April 30, 2021

The FINANCE Committee reports out [H 284](#), [H 353](#), [H 356](#), [H 358](#), [H 370](#), [H 372](#), [H 373](#), [H 382](#), [H 383](#), and [H 384](#) with the recommendation that they do pass.

BAIR, Chairman

[H 284](#), [H 353](#), [H 356](#), [H 358](#), [H 370](#), [H 372](#), [H 373](#), [H 382](#), [H 383](#), and [H 384](#) were filed for second reading.

May 3, 2021

The TRANSPORTATION Committee reports out [H 381](#) with the recommendation that it do pass.

DEN HARTOG, Chair

[H 381](#) was filed for second reading.

May 3, 2021

The STATE AFFAIRS Committee reports out [H 258](#) and [H 348](#) with the recommendation that they do pass.

LODGE, Chair

[H 258](#) and [H 348](#) were filed for second reading.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

April 28, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that I have signed on April 27, 2021 and am transmitting to the Secretary of State the following Senate Bill, to wit:

[S 1006](#)

Sincerely,
/s/ Brad Little
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

May 3, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that I have signed on April 27, 2021 and am transmitting to the Secretary of State the following Senate Bill, to wit:

[S 1043](#), as amended

Sincerely,
/s/ Brad Little
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

April 29, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that I have appointed Tom Lamar of Moscow, Idaho, to the office of Acting State Senator for Legislative District 5, Benewah and Latah Counties, State of Idaho.

This appointment is effective Monday, May 3 through Friday, May 7, 2021.

Sincerely,
/s/ Brad Little
Governor

THE OFFICE OF THE GOVERNOR
EXECUTIVE DEPARTMENT
BOISE, IDAHO
CERTIFICATE OF APPOINTMENT

KNOW ALL PEOPLE that pursuant to the provisions of Section 59-917, *Idaho Code*, David Nelson, State Senator, District 5, Benewah and Latah Counties, State of Idaho, has nominated Tom Lamar of Moscow, Idaho, to perform the duties of this office temporarily as Acting State Senator, District 5, Benewah and Latah Counties, State of Idaho.

NOW, THEREFORE, I, BRAD LITTLE, Governor of the State of Idaho, by virtue of the authority vested in me do hereby appoint Tom Lamar of Moscow, Idaho to the office of Acting State Senator, District 5, for a term commencing Monday, May 3 through Friday, May 7, 2021.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho at the Capitol in Boise on this Twenty-ninth day of April, in the year of our Lord two thousand and twenty-one and of the Independence of the United States of America the two hundred and forty-fifth and of the Statehood of Idaho the one hundred thirty-first.

/s/ BY THE GOVERNOR BRAD LITTLE
/s/ SECRETARY OF STATE LAWRENCE DENNEY

The correspondence and Certificate of Appointment were ordered filed in the office of the Secretary of the Senate.

The President announced that the Oath of Office had been administered previously to Acting Senator Lamar, and he was recorded present at this order of business.

April 29, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that I have appointed Zach Reider of Boise, Idaho, to be Acting State Senator for Legislative District 17, Ada County, State of Idaho.

This appointment is effective Monday, May 3 through Tuesday, May 4, 2021.

Sincerely,
/s/ Brad Little
Governor

THE OFFICE OF THE GOVERNOR
EXECUTIVE DEPARTMENT
BOISE, IDAHO
CERTIFICATE OF APPOINTMENT

KNOW ALL PEOPLE that pursuant to the provisions of Section 59-917, *Idaho Code*, Ali Rabe, State Senator, District 17, Ada County, State of Idaho, has nominated Zach Reider of Boise, Idaho, to perform the duties of this office temporarily as Acting State Senator, District 17, Ada County, State of Idaho.

NOW, THEREFORE, I, BRAD LITTLE, Governor of the State of Idaho, by virtue of the authority vested in me do hereby appoint Zach Reider of Boise, Idaho to the office of Acting State Senator, District 17, for a term commencing Monday, May 3 through Tuesday, May 4, 2021.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho at the Capitol in Boise on this Twenty-ninth day of April, in the year of our Lord two thousand and twenty-one and of the Independence of the United States of America the two hundred and forty-fifth and of the Statehood of Idaho the one hundred thirty-first.

/s/ BY THE GOVERNOR BRAD LITTLE
/s/ SECRETARY OF STATE LAWRENCE DENNEY

The correspondence and Certificate of Appointment were ordered filed in the office of the Secretary of the Senate.

The President announced that the Oath of Office had been administered previously to Acting Senator Reider, and he was recorded present at this order of business.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

**Introduction, First Reading, and Reference of Bills,
House Petitions, Resolutions, and Memorials**

**S 1213
BY FINANCE COMMITTEE
AN ACT**

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF EDUCATION FOR FISCAL YEAR 2022; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF EDUCATION FOR FISCAL YEAR 2022; CLARIFYING THE USE OF ADVANCED OPPORTUNITIES MONEYS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

S 1213 was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

On request by Senator Anthon, granted by unanimous consent, the Senate returned to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote the Senate recessed at 10:25 a.m. until the hour of 2 p.m. of this day.

**RECESS
AFTERNOON SESSION**

The Senate reconvened at 2 p.m., pursuant to recess, President McGeachin presiding.

Roll call showed all members present except Senators Johnson and Vick, absent and excused.

Prior to recess the Senate was at the Sixth Order of Business, Reports of Standing Committees.

April 30, 2021

The STATE AFFAIRS Committee reports out [HCR 19](#) with the recommendation that it do pass.

LODGE, Chair

[HCR 19](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

Senator Vick was recorded present at this order of business.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

Motion to Suspend Rules

Moved by Senator Anthon, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate passage of [H 284](#) be suspended; that the portions of Section 15, Article 3, of the Constitution of the State of Idaho requiring all bills to be read on three several days be dispensed with, this being a case of urgency, and that [H 284](#) be read the second time by title and the third time at length, section by section, and be put upon its final passage. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Funk (Souza), Grow, Guthrie, Harris, Heider, Lakey, Lamar (Nelson), Lee, Lent, Lodge, Martin, Nye, Patrick, Reider (Rabe), Rice, Ricks, Riggs, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS—None.

Absent and excused—Johnson. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended.

[H 284](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Agenbroad arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Funk (Souza), Grow, Guthrie, Harris, Heider, Lakey, Lamar (Nelson), Lee, Lent, Lodge, Martin, Nye, Patrick, Reider (Rabe), Rice, Ricks, Riggs, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward. Total - 32.

NAYS—Bayer, Zito. Total - 2.

Absent and excused—Johnson. Total - 1.

Total - 35.

Whereupon the President declared [H 284](#) passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Anthon, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [H 353](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Funk (Souza), Grow, Guthrie, Harris, Heider, Lakey, Lamar (Nelson), Lee, Lent, Lodge, Martin, Nye, Patrick, Reider (Rabe), Rice, Ricks, Riggs, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS—None.

Absent and excused—Johnson. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [H 353](#) was before the Senate for final consideration.

[H 353](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ward-Engelking arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Funk (Souza), Grow, Guthrie, Harris, Heider, Lakey, Lamar (Nelson), Lee, Lent, Lodge, Martin, Nye, Patrick, Reider (Rabe), Rice, Ricks, Riggs, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS—None.

Absent and excused—Johnson. Total - 1.

Total - 35.

Whereupon the President declared [H 353](#) passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Anthon, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [H 356](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Funk (Souza), Grow, Guthrie, Harris, Heider, Lakey, Lamar (Nelson), Lee, Lent, Lodge, Martin, Nye, Patrick, Reider (Rabe), Rice, Ricks, Riggs, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS—None.

Absent and excused—Johnson. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [H 356](#) was before the Senate for final consideration.

H 356 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lent arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Funk (Souza), Grow, Guthrie, Harris, Heider, Lakey, Lamar (Nelson), Lee, Lent, Lodge, Martin, Nye, Patrick, Reider (Rabe), Rice, Ricks, Riggs, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS—None.

Absent and excused—Johnson. Total - 1.

Total - 35.

Whereupon the President declared **H 356** passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Anthon, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of **H 358** be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Funk (Souza), Grow, Guthrie, Harris, Heider, Lakey, Lamar (Nelson), Lee, Lent, Lodge, Martin, Nye, Patrick, Reider (Rabe), Rice, Ricks, Riggs, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS—None.

Absent and excused—Johnson. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that **H 358** was before the Senate for final consideration.

H 358 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ward-Engelking arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Funk (Souza), Grow, Guthrie, Harris, Heider, Lakey, Lamar (Nelson), Lee, Lent, Lodge, Martin, Nye, Patrick, Reider (Rabe), Rice, Ricks, Riggs, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS—None.

Absent and excused—Johnson. Total - 1.

Total - 35.

Whereupon the President declared **H 358** passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Anthon, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of **H 370** be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Funk (Souza), Grow, Guthrie, Harris, Heider, Lakey, Lamar (Nelson), Lee, Lent, Lodge, Martin, Nye, Patrick, Reider (Rabe), Rice, Ricks, Riggs, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS—None.

Absent and excused—Johnson. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that **H 370** was before the Senate for final consideration.

H 370 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Agenbroad arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Funk (Souza), Grow, Guthrie, Harris, Heider, Lakey, Lamar (Nelson), Lee, Lent, Lodge, Martin, Nye, Patrick, Reider (Rabe), Rice, Ricks, Riggs, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward. Total - 32.

NAYS—Zito. Total - 1.

Absent and excused—Bayer, Johnson. Total - 2.

Total - 35.

Whereupon the President declared **H 370** passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Anthon, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of **H 372** be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Funk (Souza), Grow, Guthrie, Harris, Heider, Lakey, Lamar (Nelson), Lee, Lent, Lodge, Martin, Nye, Patrick, Reider (Rabe), Rice, Ricks, Riggs, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS—None.

Absent and excused—Johnson. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that **H 372** was before the Senate for final consideration.

H 372 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Woodward arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Funk (Souza), Grow, Guthrie, Harris, Heider, Lakey, Lamar (Nelson), Lee, Lent, Lodge, Martin, Nye, Patrick, Reider (Rabe), Rice, Ricks, Riggs, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 33.

NAYS—Bayer. Total - 1.

Absent and excused—Johnson. Total - 1.

Total - 35.

Whereupon the President declared [H 372](#) passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Anthon, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [H 373](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Funk (Souza), Grow, Guthrie, Harris, Heider, Lakey, Lamar (Nelson), Lee, Lent, Lodge, Martin, Nye, Patrick, Reider (Rabe), Rice, Ricks, Riggs, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS—None.

Absent and excused—Johnson. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [H 373](#) was before the Senate for final consideration.

[H 373](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Cook arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Funk (Souza), Grow, Guthrie, Harris, Heider, Lakey, Lamar (Nelson), Lee, Lent, Lodge, Martin, Nye, Patrick, Reider (Rabe), Rice, Ricks, Riggs, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS—None.

Absent and excused—Johnson. Total - 1.

Total - 35.

Whereupon the President declared [H 373](#) passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Anthon, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [H 382](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Funk (Souza), Grow, Guthrie, Harris, Heider, Lakey, Lamar (Nelson), Lee, Lent, Lodge, Martin, Nye, Patrick, Reider (Rabe), Rice, Ricks, Riggs, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS—None.

Absent and excused—Johnson. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [H 382](#) was before the Senate for final consideration.

[H 382](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Agenbroad arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Funk (Souza), Grow, Guthrie, Harris, Heider, Lakey, Lamar (Nelson), Lee, Lent, Lodge, Martin, Nye, Patrick, Reider (Rabe), Rice, Ricks, Riggs, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward. Total - 32.

NAYS—Bayer, Zito. Total - 2.

Absent and excused—Johnson. Total - 1.

Total - 35.

Whereupon the President declared [H 382](#) passed, title was approved, and the bill ordered returned to the House.

President McGeachin called President Pro Tempore Winder to the Chair.

Moved by Senator Anthon, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [H 383](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Funk (Souza), Grow, Guthrie, Harris, Heider, Lakey, Lamar (Nelson), Lee, Lent, Lodge, Martin, Nye, Patrick, Reider (Rabe), Rice, Ricks, Riggs, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS—None.

Absent and excused—Johnson. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President Pro Tempore declared the rules suspended and announced that [H 383](#) was before the Senate for final consideration.

[H 383](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bair arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Whereupon the President declared [H 380](#) passed, title was approved, and the bill ordered returned to the House.

[S 1200](#), as amended in the House, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ricks arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Funk (Souza), Grow, Guthrie, Harris, Heider, Lakey, Lamar (Nelson), Lee, Lent, Lodge, Martin, Nye, Patrick, Reider (Rabe), Rice, Ricks, Riggs, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS—None.

Absent and excused—Johnson. Total - 1.

Total - 35.

Whereupon the President declared [S 1200](#), as amended in the House, passed, title was approved, and the bill referred to Judiciary and Rules Committee for enrolling.

[H 345](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Agenbroad arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Funk (Souza), Grow, Guthrie, Harris, Heider, Lamar (Nelson), Lee, Lent, Lodge, Martin, Nye, Patrick, Reider (Rabe), Rice, Ricks, Riggs, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward. Total - 31.

NAYS—Bayer, Zito. Total - 2.

Absent and excused—Johnson, Lakey. Total - 2.

Total - 35.

Whereupon the President declared [H 345](#) passed, title was approved, and the bill ordered returned to the House.

[S 1212](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Agenbroad arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Bair, Burgoyne, Burtenshaw, Cook, Crabtree, Funk (Souza), Grow, Guthrie, Harris, Heider, Lamar (Nelson), Lee, Lent, Lodge, Martin, Nye, Patrick, Reider (Rabe), Ricks, Riggs, Stennett, Ward-Engelking, Winder, Wintrow, Woodward. Total - 26.

NAYS—Anthon, Bayer, Den Hartog, Rice, Thayn, Vick, Zito. Total - 7.

Absent and excused—Johnson, Lakey. Total - 2.

Total - 35.

Whereupon the President declared [S 1212](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Anthon, granted by unanimous consent, the Senate returned to the Twelfth Order of Business.

Second Reading of Bills

Moved by Senator Anthon, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [H 381](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Funk (Souza), Grow, Guthrie, Harris, Heider, Lamar (Nelson), Lee, Lent, Lodge, Martin, Nye, Patrick, Reider (Rabe), Rice, Ricks, Riggs, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 33.

NAYS—None.

Absent and excused—Johnson, Lakey. Total - 2.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [H 381](#) was before the Senate for final consideration.

[H 381](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Den Hartog arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Funk (Souza), Grow, Guthrie, Harris, Heider, Lamar (Nelson), Lee, Lent, Lodge, Martin, Nye, Patrick, Reider (Rabe), Rice, Ricks, Riggs, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 33.

NAYS—None.

Absent and excused—Johnson, Lakey. Total - 2.

Total - 35.

Whereupon the President declared [H 381](#) passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Anthon, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [H 258](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Funk (Souza), Grow, Guthrie, Harris, Heider, Lamar (Nelson), Lee, Lent, Lodge, Martin, Nye, Patrick, Reider (Rabe), Rice, Ricks, Riggs, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 33.

NAYS—None.

Absent and excused—Johnson, Lakey. Total - 2.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [H 258](#) was before the Senate for final consideration.

[H 258](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Heider arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burtenshaw, Cook, Crabtree, Den Hartog, Funk (Souza), Guthrie, Harris, Heider, Lamar (Nelson), Lee, Lent, Lodge, Martin, Nye, Patrick, Reider (Rabe), Rice, Ricks, Riggs, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 31.

NAYS—Burgoyne, Grow. Total - 2.

Absent and excused—Johnson, Lakey. Total - 2.

Total - 35.

Whereupon the President declared [H 258](#) passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Anthon, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [H 348](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Funk (Souza), Grow, Guthrie, Harris, Heider, Lamar (Nelson), Lee, Lent, Lodge, Martin, Nye, Patrick, Reider (Rabe), Rice, Ricks, Riggs, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 33.

NAYS—None.

Absent and excused—Johnson, Lakey. Total - 2.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [H 348](#) was before the Senate for final consideration.

[H 348](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Guthrie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Funk (Souza), Grow, Guthrie, Harris, Heider, Lamar (Nelson), Lee, Lent, Lodge, Martin, Nye, Patrick, Reider (Rabe), Rice, Ricks, Riggs, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 33.

NAYS—None.

Absent and excused—Johnson, Lakey. Total - 2.

Total - 35.

Whereupon the President declared [H 348](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Anthon, seconded by Senator Ward-Engelking, by voice vote, the Senate adjourned at 5:26 p.m. until the hour of 11 a.m., Tuesday, May 4, 2021.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

ONE HUNDRED FOURTEENTH LEGISLATIVE DAY
TUESDAY, MAY 4, 2021

Senate Chamber

President McGeachin called the Senate to order at 11 a.m.

Roll call showed all members present except Senators Johnson and Patrick, absent and formally excused by the Chair.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Grace Kuhn, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of May 3, 2021, was read and approved as corrected.

LAKEY, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

May 4, 2021

The JUDICIARY AND RULES Committee reports that [S 1213](#) has been correctly printed.

LAKEY, Chairman

[S 1213](#) was referred to the Finance Committee.

May 4, 2021

The JUDICIARY AND RULES Committee reports that [S 1200](#), as amended in the House, has been correctly enrolled.

LAKEY, Chairman

The President signed Enrolled [S 1200](#), as amended in the House, and ordered it transmitted to the House for the signature of the Speaker.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

April 21, 2021

Dear Madam President:

I transmit herewith [H 135](#), as amended in the Senate, with the Governor's veto message, which has passed the House, the Governor's veto notwithstanding.

MAULIN, Chief Clerk

THE OFFICE OF THE GOVERNOR
Boise

April 20, 2021

The Honorable Scott Bedke
Speaker of the House

Dear Mr. Speaker:

I hereby advise you that I have returned without my approval, disapproved, and vetoed, the following House Bill, to wit:

[H 135](#), as amended in the Senate,

I cannot in good conscience approve any bill that will impair the ability of the Governor to protect Idaho and its people in future emergencies. Nor can I sign any bill that violates our constitutional commitment to the separation of powers. Like you, I swore an oath to faithfully discharge my duties and to uphold our constitution.

That is why I am vetoing House Bill 135a, and why I vetoed Senate Bill 1136a on April 16, 2021.

The Idaho Constitution- like the U.S. Constitution- wisely divides the primary powers of our government between three co-equal branches. To the legislature, it gives the power to make laws. To the judiciary, it gives the power to interpret those laws. To the executive, it gives the power to enforce the laws.

With those powers come sobering responsibilities. The legislature must be deliberate in its lawmaking. The judiciary must be fair in administering justice. And the executive must, above all else, protect the people of Idaho.

Our constitution prohibits each branch from exercising powers assigned to the others. It also forbids one branch from preventing another from performing its constitutional powers. These prohibitions are necessary to prevent tyranny that can result from absolute power by any one branch. But there is also a more practical reason: no branch has the expertise and resources needed to effectively carry out the duties of the others.

Declaring and responding to emergencies are core executive functions, and our constitution gives the Governor broad powers to do what is necessary to protect the state and the people of Idaho. The executive branch has the resources and can tap subject matter experts in emergency response to quickly and effectively deploy resources in fast-moving situations.

This last year has been difficult, but look where Idaho is today. Countless lives were saved and we avoided a crisis in healthcare. I listened to the experts, and Idaho was one of only a handful of states with the fewest COVID-19 restrictions. We now have the strongest economy in the nation.

I attribute our success to the spirit of the Idaho people. However, I cannot overlook the critical role played by Idaho's emergency statutes, especially section 46-1008. Those statutes

are not restrictive on people's rights. Rather, they complement the Governor's constitutional powers and provide additional resources and flexibility for the executive branch to do what is necessary to help Idahoans.

We know future emergencies will include floods, fires, and drought - the routine experiences of living in the West. Unfortunately, it is also likely Idaho will face future multi-state disasters involving major earthquakes, enormous flooding, or devastating fires. We could experience a massive, sustained power grid failure. The full list of potential devastating disasters is simply unknown.

That is why any legislative changes to our emergency statutes must be done carefully and collaboratively to avoid unintended consequences that will harm the state's ability to act timely and effectively for the benefit of Idahoans in future emergencies.

Regrettably, there are serious concerns with the process that led to House Bill 135a. Numerous stakeholders felt ignored including our National Guard, the cities, the counties, FEMA, state emergency managers, and business.

First, House Bill 135a is overly restrictive and will handcuff the Governor's ability to take timely and necessary action to help Idahoans during future emergencies. The bill will prevent a Governor from taking steps unless it is "essential to protect life and property." Imposing such a narrow standard will unwisely prohibit actions necessary to restore services and infrastructure, ensure the continuity of government, save jobs, help schools reopen, and protect the economy at large. For example, the Governor will be unable to suspend regulations that impair agriculture and industry from operating or minimizing financial loss during a drought, flood, or other disaster. Nor will the Governor be able to deploy the National Guard to take any and all action necessary following a massive earthquake including, but not limited to, removing debris, repairing infrastructure, and assisting businesses and government offices with reopening.

House Bill 135a further prohibits the state, as well as counties and cities, from taking any action that "limit" a constitutional right. Idahoans value our freedoms and I agree that our constitutional rights can never be outright suspended, especially during emergencies. However, temporary limitations on our rights are necessary in some circumstances to effectively combat emergency conditions and to protect the greater good. For example, we need the ability to evacuate and cordon a town in advance of a dam break even if doing so temporarily limits our rights to travel, work, or assemble. This unqualified restriction will complicate efforts to save lives and mitigate emergencies, and will put public safety personnel at risk. The one common denominator of a disaster is that the no-action or slow-action alternative is unacceptable and not what our citizens expect and deserve.

Second, House Bill 135a unnecessarily politicizes the state's emergency response efforts and will jeopardize critical funding for local governments. Disasters often worsen and spread over time requiring supplemental declarations and orders. Very few, if any, emergencies are extended "solely" for the purpose of receiving funding. Thus, the bills will more than likely require the Legislature to convene every sixty days to approve those emergency declarations with conditions or restrictions. In large-scale emergencies, such as an earthquake, volcanic eruption, or attack, it may not be physically possible for the full body of the Legislature to convene or maintain a quorum. Yet, House Bill 135a provides no backup plan. That is irresponsible. On the other end of the spectrum, it will be unnecessary and

costly to convene the Legislature to extend smaller emergencies that impact only one or a few communities.

If the Legislature is unable or unwilling to extend an emergency declaration, the state will no longer meet the criteria to be eligible to receive federal disaster funding. Nor will the Governor be authorized to utilize the disaster emergency account, which is only available during a declared emergency. The change in House Bill 135a allowing disaster expenses incurred "arising out of" an emergency does not go the necessary distance to make the disaster emergency account available after a declaration is terminated.

I agree that there is a time and place for the Legislature to be involved during future emergencies. That is why I came to the Legislature early in this session and offered tangible solutions and a path forward. I encouraged the Legislature to consider appointing a smaller group of legislators - such as the duly elected Legislative Council - to take on the role of representing the full legislative body when convening 105 members is impracticable or unnecessary. Further, the Legislature was encouraged to explore legislation specific to statewide public health emergencies. However, House Bill 135a was drafted, amended, and passed without seeking critical input or collaboration from my office.

Third, House Bill 135a violates the separation of powers doctrine and is unconstitutional. The bill limits the Governor's constitutional powers to respond to emergencies as is necessary and to utilize the National Guard. It attempts to reassign to the Legislature the core executive powers to extend and terminate emergency declarations and orders. House Bill 135a also attempts to give the Legislature the ability to determine the subjects of an extraordinary session, which is a constitutional power assigned solely to the Governor in Article IV, Section 9. Finally, it is well settled that the Legislature lacks the constitutional power to extend, modify, or terminate an emergency declaration by concurrent resolution. Yet, House Bill 135a doubles down on that legally ineffective procedure, further jeopardizing the state's ability to timely and effectively respond to future emergencies for the protection of Idaho, our people, and our livelihoods.

We can do better!

I remain willing and committed to working with all of you in the Legislature to improve and modernize Idaho's emergency statutes. But, we will need to involve all of the stakeholders and focus on how any changes will impact Idaho's ability to respond to future emergencies.

I am extremely grateful to the members of the Legislature who have taken the time to hear me out. You know who you are, and I appreciate you more than you know.

I also urge my partners in the Legislature who voted for House Bill 135a to reconsider their votes on the override.

It's time to get back on track. The people of Idaho deserve our best.

Sincerely,
/s/ Brad Little
Governor of Idaho

The question being, "Shall [H 135](#), as amended in the Senate, become law, the Governor's veto notwithstanding?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burtenshaw, Cook, Crabtree, Den Hartog, Funk (Souza), Grow, Harris, Lakey, Lee, Lent, Rice, Ricks, Riggs, Thayn, Vick, Winder, Zito. Total - 21.

NAYS—Burgoyne, Guthrie, Heider, Lamar (Nelson), Lodge, Martin, Nye, Reider (Rabe), Stennett, Ward-Engelking, Wintrow, Woodward. Total - 12.

Absent and excused—Johnson, Patrick. Total - 2.

Total - 35.

Less than two-thirds having voted in the affirmative, the President declared that [H 135](#), as amended in the Senate, has failed to become law, the Governor's veto sustained. [H 135](#), as amended in the Senate, with the Governor's veto message attached, was ordered returned to the House of Representatives.

May 3, 2021

Dear Madam President:

I transmit herewith [H 355](#), [H 385](#), [H 386](#), [H 387](#), and [H 388](#), which have passed the House.

MAULIN, Chief Clerk

[H 355](#), [H 385](#), [H 386](#), [H 387](#), and [H 388](#) were filed for first reading.

May 3, 2021

Dear Madam President:

I return herewith [S 1205](#), [S 1046](#), as amended, as amended, and [SP 103](#) which have passed the House.

MAULIN, Chief Clerk

[S 1205](#) and [S 1046](#), as amended, as amended, were referred to the Judiciary and Rules Committee for enrolling.

[SP 103](#) was ordered filed in the office of the Secretary of the Senate.

May 3, 2021

Dear Madam President:

I return herewith Enrolled [S 1185](#), [S 1173](#), [S 1209](#), [S 1204](#), [S 1203](#), [S 1211](#), and [S 1202](#), which have been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [S 1185](#), [S 1173](#), [S 1209](#), [S 1204](#), [S 1203](#), [S 1211](#), and [S 1202](#) were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

**Introduction, First Reading, and Reference of Bills,
House Petitions, Resolutions, and Memorials**

S 1214

BY FINANCE COMMITTEE

AN ACT

RELATING TO APPROPRIATIONS; APPROPRIATING AND TRANSFERRING MONEYS FROM THE CONSUMER PROTECTION FUND TO THE GENERAL FUND FOR FISCAL YEAR 2021; APPROPRIATING AND TRANSFERRING MONEYS FROM THE GENERAL

FUND TO THE PUBLIC EDUCATION STABILIZATION FUND FOR FISCAL YEAR 2021; APPROPRIATING AND TRANSFERRING MONEYS FROM THE GENERAL FUND TO THE BUDGET STABILIZATION FUND FOR FISCAL YEAR 2021; APPROPRIATING AND TRANSFERRING MONEYS FROM THE STATE REGULATORY FUND TO THE GENERAL FUND FOR FISCAL YEAR 2022; APPROPRIATING AND TRANSFERRING MONEYS FROM THE STATE HIGHWAY FUND TO THE GENERAL FUND FOR FISCAL YEAR 2022; APPROPRIATING AND TRANSFERRING MONEYS FROM THE UNEMPLOYMENT PENALTY AND INTEREST FUND TO THE GENERAL FUND FOR FISCAL YEAR 2022; APPROPRIATING AND TRANSFERRING MONEYS FROM THE GENERAL FUND TO THE TWENTY-SEVENTH PAYROLL FUND FOR FISCAL YEAR 2022; APPROPRIATING AND TRANSFERRING MONEYS FROM THE DISASTER EMERGENCY ACCOUNT TO THE TAX RELIEF FUND FOR FISCAL YEAR 2022; APPROPRIATING AND TRANSFERRING MONEYS FROM THE GENERAL FUND TO THE TAX REBATE FUND FOR FISCAL YEAR 2022; APPROPRIATING AND TRANSFERRING MONEYS FROM THE GENERAL FUND TO THE BUSINESS INFORMATION INFRASTRUCTURE FUND FOR FISCAL YEAR 2022; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

[S 1214](#) was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 355](#), [H 385](#), [H 386](#), [H 387](#), and [H 388](#), by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

On request by Senator Anthon, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

Reports of Standing Committees

May 4, 2021

The JUDICIARY AND RULES Committee reports that [S 1214](#) has been correctly printed.

LAKEY, Chairman

[S 1214](#) was referred to the Finance Committee.

May 4, 2021

The JUDICIARY AND RULES Committee reports that [S 1205](#) and [S 1046](#), as amended, as amended, have been correctly enrolled.

LAKEY, Chairman

The President signed Enrolled [S 1205](#) and [S 1046](#), as amended, as amended, and ordered them transmitted to the House for the signature of the Speaker.

May 4, 2021

The FINANCE Committee reports out [H 355](#), [H 385](#), [H 386](#), [H 387](#), [H 388](#), and [S 1213](#) with the recommendation that they do pass.

BAIR, Chairman

[H 355](#), [H 385](#), [H 386](#), [H 387](#), [H 388](#), and [S 1213](#) were filed for second reading.

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote the Senate recessed at 12:08 p.m. until the hour of 1:30 p.m. of this day.

**RECESS
AFTERNOON SESSION**

The Senate reconvened at 1:30 p.m., pursuant to recess, President McGeachin presiding.

Roll call showed all members present except Senator Patrick, absent and formally excused by the Chair; and President Pro Tempore Winder and Senators Lee and Vick, absent and excused.

Prior to recess the Senate was at the Sixth Order of Business, Reports of Standing Committees.

May 4, 2021

The JUDICIARY AND RULES Committee reports that Enrolled [S 1185](#), [S 1173](#), [S 1209](#), [S 1204](#), [S 1203](#), [S 1211](#), and [S 1202](#) were delivered to the Office of the Governor at 12:52 p.m., May 4, 2021.

LAKEY, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

May 4, 2021

The FINANCE Committee reports out [S 1214](#) with the recommendation that it do pass.

BAIR, Chairman

[S 1214](#) was filed for second reading.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

May 4, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that I have signed on May 3, 2021 and am transmitting to the Secretary of State the following Senate Bills, to wit:

[S 1194](#), [S 1206](#), [S 1207](#), and [S 1208](#)

Sincerely,
/s/ Brad Little
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Senate advanced to the Ninth Order of Business.

Messages from the House

May 4, 2021

Dear Madam President:

I transmit herewith [H 391](#), [H 392](#), [H 393](#), [H 389](#), and [H 390](#), which have passed the House.

MAULIN, Chief Clerk

[H 391](#), [H 392](#), [H 393](#), [H 389](#), and [H 390](#) were filed for first reading.

May 4, 2021

Dear Madam President:

I transmit herewith Enrolled [H 316](#), as amended in the Senate, [H 220](#), as amended in the Senate, [H 284](#), [H 353](#), [H 356](#), [H 358](#), [H 370](#), [H 372](#), [H 373](#), [H 382](#), [H 383](#), [H 384](#), [H 362](#), [H 374](#), [H 380](#), [H 345](#), [H 381](#), [H 258](#), and [H 348](#) for the signature of the President.

MAULIN, Chief Clerk

The President signed Enrolled [H 316](#), as amended in the Senate, [H 220](#), as amended in the Senate, [H 284](#), [H 353](#), [H 356](#), [H 358](#), [H 370](#), [H 372](#), [H 373](#), [H 382](#), [H 383](#), [H 384](#), [H 362](#), [H 374](#), [H 380](#), [H 345](#), [H 381](#), [H 258](#), and [H 348](#) and ordered them returned to the House.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

**Introduction, First Reading, and Reference of Bills,
House Petitions, Resolutions, and Memorials**

S 1215

BY FINANCE COMMITTEE

AN ACT

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF WATER RESOURCES FOR FISCAL YEAR 2022; AMENDING SECTION 5, CHAPTER 230, LAWS OF 2021, TO CLARIFY THE TRANSFER OF MONEYS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

S 1216

BY FINANCE COMMITTEE

AN ACT

RELATING TO THE APPROPRIATION TO THE OFFICE OF DRUG POLICY FOR FISCAL YEAR 2022; APPROPRIATING ADDITIONAL MONEYS TO THE OFFICE OF DRUG POLICY FOR FISCAL YEAR 2022; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

[S 1215](#) and [S 1216](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 391](#), [H 392](#), and [H 393](#), by Ways and Means Committee, were introduced, read the first time at length, and referred to the State Affairs Committee.

[H 389](#) and [H 390](#), by Ways and Means Committee, were introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

Motion to Suspend Rules

Moved by Senator Anthon, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate passage of [S 1213](#) be suspended; that the portions of Section 15, Article 3, of the Constitution of the State of Idaho requiring all bills to be read on three several days be dispensed with, this being a case of

urgency, and that [S 1213](#) be read the second time by title and the third time at length, section by section, and be put upon its final passage. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Funk (Souza), Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lamar (Nelson), Lent, Lodge, Martin, Nye, Reider (Rabe), Ricks, Riggs, Stennett, Thayn, Ward-Engelking, Wintrow, Woodward, Zito. Total - 30.

NAYS—None.

Absent and excused—Lee, Patrick, Rice, Vick, Winder. Total - 5.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended.

[S 1213](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Cook arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Funk (Souza), Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lamar (Nelson), Lent, Lodge, Martin, Nye, Reider (Rabe), Rice, Ricks, Riggs, Stennett, Thayn, Ward-Engelking, Wintrow, Woodward, Zito. Total - 31.

NAYS—None.

Absent and excused—Lee, Patrick, Vick, Winder. Total - 4.

Total - 35.

Whereupon the President declared [S 1213](#) passed, title was approved, and the bill ordered transmitted to the House.

Moved by Senator Anthon, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [H 355](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Funk (Souza), Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lamar (Nelson), Lent, Lodge, Martin, Nye, Reider (Rabe), Rice, Ricks, Riggs, Stennett, Thayn, Ward-Engelking, Wintrow, Woodward, Zito. Total - 31.

NAYS—None.

Absent and excused—Lee, Patrick, Vick, Winder. Total - 4.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [H 355](#) was before the Senate for final consideration.

[H 355](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Cook arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Funk (Souza), Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lamar (Nelson), Lee, Lent, Lodge, Martin, Nye, Reider (Rabe), Ricks, Riggs, Stennett, Thayn, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 32.

NAYS—None.

Absent and excused—Patrick, Rice, Vick. Total - 3.

Total - 35.

Whereupon the President declared [H 355](#) passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Anthon, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [H 385](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Funk (Souza), Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lamar (Nelson), Lee, Lent, Lodge, Martin, Nye, Reider (Rabe), Ricks, Riggs, Stennett, Thayn, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 32.

NAYS—None.

Absent and excused—Patrick, Rice, Vick. Total - 3.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [H 385](#) was before the Senate for final consideration.

[H 385](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ward-Engelking arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Funk (Souza), Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lamar (Nelson), Lee, Lent, Lodge, Martin, Nye, Reider (Rabe), Rice, Ricks, Riggs, Stennett, Thayn, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 33.

NAYS—None.

Absent and excused—Patrick, Vick. Total - 2.

Total - 35.

Whereupon the President declared [H 385](#) passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Anthon, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [H 386](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Funk (Souza), Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lamar (Nelson), Lee,

Lent, Lodge, Martin, Nye, Reider (Rabe), Rice, Ricks, Riggs, Stennett, Thayn, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 33.

NAYS—None.

Absent and excused—Patrick, Vick. Total - 2.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [H 386](#) was before the Senate for final consideration.

[H 386](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lent arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Funk (Souza), Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lamar (Nelson), Lee, Lent, Lodge, Martin, Nye, Reider (Rabe), Rice, Ricks, Riggs, Stennett, Thayn, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 33.

NAYS—None.

Absent and excused—Patrick, Vick. Total - 2.

Total - 35.

Whereupon the President declared [H 386](#) passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Anthon, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [H 387](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Funk (Souza), Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lamar (Nelson), Lee, Lent, Lodge, Martin, Nye, Reider (Rabe), Rice, Ricks, Riggs, Stennett, Thayn, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 33.

NAYS—None.

Absent and excused—Patrick, Vick. Total - 2.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [H 387](#) was before the Senate for final consideration.

[H 387](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Crabtree arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burtenshaw, Cook, Crabtree, Den Hartog, Funk (Souza), Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Rice, Ricks, Riggs, Thayn, Winder, Woodward. Total - 25.

NAYS—Burgoyne, Lamar (Nelson), Nye, Reider (Rabe), Stennett, Ward-Engelking, Wintrow, Zito. Total - 8.

Absent and excused—Patrick, Vick. Total - 2.

Total - 35.

Whereupon the President declared [H 387](#) passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Anthon, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [H 388](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Funk (Souza), Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lamar (Nelson), Lee, Lent, Lodge, Martin, Nye, Reider (Rabe), Rice, Ricks, Riggs, Stennett, Thayn, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 33.

NAYS—None.

Absent and excused—Patrick, Vick. Total - 2.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [H 388](#) was before the Senate for final consideration.

[H 388](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ward-Engelking arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Funk (Souza), Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lamar (Nelson), Lent, Lodge, Martin, Nye, Reider (Rabe), Rice, Ricks, Riggs, Stennett, Thayn, Ward-Engelking, Wintrow, Woodward. Total - 29.

NAYS—Bayer, Zito. Total - 2.

Absent and excused—Lee, Patrick, Vick, Winder. Total - 4.

Total - 35.

Whereupon the President declared [H 388](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Anthon, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

Reports of Standing Committees

May 4, 2021

The JUDICIARY AND RULES Committee reports that [S 1215](#) and [S 1216](#) have been correctly printed.

LAKEY, Chairman

[S 1215](#) and [S 1216](#) were referred to the Finance Committee.

May 4, 2021

The FINANCE Committee reports out [S 1215](#) and [S 1216](#) with the recommendation that they do pass.

BAIR, Chairman

[S 1215](#) and [S 1216](#) were filed for second reading.

On request by Senator Anthon, granted by unanimous consent, the Senate returned to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote the Senate recessed at 3:02 p.m. until the hour of 4 p.m. of this day.

RECESS AFTERNOON SESSION

The Senate reconvened at 4 p.m., pursuant to recess, President McGeachin presiding.

Roll call showed all members present except Senators Burgoyne and Lakey, absent and excused.

Prior to recess the Senate was at the Fifth Order of Business, Petitions, Resolutions, and Memorials.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

May 4, 2021

The LOCAL GOVERNMENT AND TAXATION Committee reports out [H 389](#) and [H 390](#) with the recommendation that they do pass.

RICE, Chairman

[H 389](#) and [H 390](#) were filed for second reading.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

May 4, 2021

Dear Madam President:

I return herewith Enrolled [S 1200](#), as amended in the House, [S 1205](#), and [S 1046](#), as amended, which have been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [S 1200](#), as amended in the House, [S 1205](#), and [S 1046](#), as amended, as amended, were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the Senate adjourned at 5:23 p.m. until the hour of 10 a.m., Wednesday, May 5, 2021.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

ONE HUNDRED FIFTEENTH LEGISLATIVE DAY
WEDNESDAY, MAY 5, 2021

Senate Chamber

President McGeachin called the Senate to order at 10 a.m.

Roll call showed all members present except Senator Rabe, absent and formally excused by the Chair; and Senators Burtenshaw and Thayne, absent and excused.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Grace Kuhn, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of May 4, 2021, was read and approved as corrected.

LAKEY, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

SCR 108

BY STATE AFFAIRS COMMITTEE A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND APPROVING ADMINISTRATIVE RULES THAT IMPOSE A FEE OR CHARGE, WITH EXCEPTIONS, AND REJECTING CERTAIN AGENCY RULE DOCKETS THAT ARE NOT APPROVED.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Legislature pursuant to Section 67-5224, Idaho Code, must approve certain administrative rules that impose a fee or charge by adoption of a concurrent resolution before the rules become effective; and

WHEREAS, the Legislature is vested with authority to reject executive agency rules under the provisions of Section 29, Article III of the Constitution of the State of Idaho in the event that the Legislature finds that the rules are not consistent with legislative intent; and

WHEREAS, it is the finding of the Legislature that certain Rules of the Department of Agriculture, Rules for Weights and Measures, are not consistent with legislative intent; and

WHEREAS, it is the finding of the Legislature that certain Rules of the Division of Occupational and Professional Licenses, Rules of the Idaho State Contractors Board and Rules of the Idaho Electrical Board, are not consistent with legislative intent; and

WHEREAS, the Legislature finds that it is in the public interest to adopt this resolution.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-sixth Idaho Legislature, the Senate and the House of Representatives concurring therein, that all pending administrative rules or portions of pending administrative rules adopted by state agencies pursuant to the Administrative Procedure Act during the prior calendar year, and submitted through the Office of the Administrative Rules Coordinator to the Legislature for review during the 2021 legislative session, that impose a fee or charge, be, and the same are hereby approved, with the exception of the following enumerated pending fee rules:

IDAPA 02, Rules of the Department of Agriculture, Rules for Weights and Measures, Chapter 02.02.14, only, adopted as pending fee rules under Docket Number 02-0000-2000FA.

IDAPA 24.21.01, Rules of the Idaho State Contractors Board, Division of Occupational and Professional Licenses, Section 175., only, adopted as pending fee rules under Docket Number 24-2101-2000F.

IDAPA 24.39, Rules of the Idaho Electrical Board, Division of Occupational and Professional Licenses, Chapter 24.39.10, Section 105., Subsections 09.a. and b., only, adopted as pending fee rules under Docket Number 24-3900-2000F.

BE IT FURTHER RESOLVED that IDAPA 02, Rules of the Department of Agriculture, Rules for Weights and Measures, Chapter 02.02.14, only, adopted as pending fee rules under Docket Number 02-0000-2000FA; IDAPA 24.21.01, Division of Occupational and Professional Licenses, Rules of the Idaho State Contractors Board, Section 175., only, adopted as pending fee rules under Docket Number 24-2101-2000F; and IDAPA 24.39, Rules of the Division of Occupational and Professional Licenses, Rules of the Idaho Electrical Board, Chapter 24.39.10, Section 105., Subsections 09.a. and b., only, adopted as pending fee rules under Docket Number 24-3900-2000F, are hereby rejected and not approved, and thereby pursuant to Sections 67-5291 and 67-5224, Idaho Code, are declared null, void, and of no force and effect.

BE IT FURTHER RESOLVED that rule provisions imposing fees or charges that were not submitted through the Office of Rules Coordinator for legislative review or that otherwise are not included and approved in this concurrent resolution shall be null, void, and of no force and effect unless approved by adoption of a separate concurrent resolution by both houses of the Legislature as provided in Section 67-5224, Idaho Code.

SCR 109

BY STATE AFFAIRS COMMITTEE A CONCURRENT RESOLUTION

STATING LEGISLATIVE FINDINGS AND APPROVING AND EXTENDING TEMPORARY RULES REVIEWED BY THE LEGISLATURE, WITH AN EXCEPTION.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Legislature by statute must approve temporary rules by adoption of a concurrent resolution approving the rule if the temporary rule is to remain in effect beyond the end of the current legislative session; and

WHEREAS, the expiration of temporary rules would occasion additional expense to state agencies in readopting and republishing temporary rules needed to conduct state business; and

WHEREAS, the Legislature finds that it is in the public interest to adopt this resolution.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-sixth Idaho Legislature, the Senate and the House of Representatives concurring therein, that all temporary rules adopted by state agencies pursuant to the Administrative Procedure Act and submitted to the Legislature at the Legislature's request through the Office of the Administrative Rules Coordinator for review during the 2021 legislative session, be, and the same are approved, with the exception of the following enumerated temporary rule:

IDAPA 08.02.01, Rules of the State Board of Education, concerning Rules Governing Administration, adopted as a temporary rule under Docket Number 08-0201-2101, the entire rulemaking docket.

BE IT FURTHER RESOLVED that a temporary rule or partial temporary rule approved by this concurrent resolution shall remain in effect until it expires by its own terms or by operation of law or until it is replaced by a final rule, but in no event shall a temporary rule remain in effect beyond the conclusion of the Second Regular Session of the Sixty-sixth Idaho Legislature unless it is further extended by adoption of a concurrent resolution by both houses of the Legislature. Temporary rules or sections of temporary rules that are excepted from approval hereunder or that were not submitted to the Legislature for review during the 2021 legislative session shall expire by operation of statute upon adjournment of the First Regular Session of the Sixty-sixth Idaho Legislature, unless approved by adoption of a separate concurrent resolution by both houses of the Legislature.

SCR 110

BY STATE AFFAIRS COMMITTEE

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND REJECTING CERTAIN RULES OF THE STATE PUBLIC DEFENSE COMMISSION RELATING TO GENERAL PROVISIONS AND DEFINITIONS AND REQUIREMENTS AND PROCEDURES FOR REPRESENTING INDIGENT PERSONS.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Legislature is vested with authority to reject executive agency rules under the provisions of Section 67-5291, Idaho Code, in the event that the Legislature finds that the rules are not consistent with legislative intent; and

WHEREAS, it is the finding of the Legislature that certain rules of the State Public Defense Commission relating to General Provisions and Definitions and Requirements and Procedures for Representing Indigent Persons are not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-sixth Idaho Legislature, the Senate and the House of Representatives concurring therein, that the following Rules of the State Public Defense Commission, adopted as pending rules under IDAPA 61.01.01 and 61.01.02, only, be, and the same are hereby rejected and declared null, void, and of no force and effect:

- (1) Docket Number 61-0101-2002, Subsection 010.22.; and
- (2) Docket Number 61-0102-2002:
 - (a) Paragraph 020.01.a.;
 - (b) Paragraph 030.02.a.;
 - (c) Paragraph 030.02.b.;
 - (d) Subsection 030.05.;
 - (e) Subsection 040.02.;
 - (f) Subparagraph 050.02.a.ii.;
 - (g) Subsection 060.03.;
 - (h) Paragraph 060.04.a.;
 - (i) Subsection 070.01.;
 - (j) Subparagraph 070.02.a.iii.;
 - (k) Subsection 070.03.;
 - (l) Paragraph 080.03.a.;
 - (m) Paragraph 080.03.c.; and
 - (n) Subsection 090.01.

[SCR 108](#), [SCR 109](#), and [SCR 110](#) were introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

May 5, 2021

The JUDICIARY AND RULES Committee reports that Enrolled [S 1200](#), as amended in the House, [S 1205](#), and [S 1046](#), as amended, as amended, were delivered to the Office of the Governor at 9:15 a.m., May 5, 2021.

LAKEY, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

May 4, 2021

The STATE AFFAIRS Committee reports out [H 391](#), [H 392](#), and [H 393](#) with the recommendation that they do pass.

LODGE, Chair

[H 391](#), [H 392](#), and [H 393](#) were filed for second reading.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

April 29, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that I have appointed Brady Fuller of Boise, Idaho, to the office of Acting State Senator for Legislative District 17, Ada County, State of Idaho.

This appointment is effective Wednesday, May 5, 2021.

Sincerely,
/s/ Brad Little
Governor

THE OFFICE OF THE GOVERNOR
EXECUTIVE DEPARTMENT
BOISE, IDAHO
CERTIFICATE OF APPOINTMENT

KNOW ALL PEOPLE that pursuant to the provisions of Section 59-917, *Idaho Code*, Ali Rabe, State Senator, District 17, Ada County, State of Idaho, has nominated Brady Fuller of Boise, Idaho, to perform the duties of this office temporarily as Acting State Senator, District 17, Ada County, State of Idaho

NOW, THEREFORE, I, BRAD LITTLE, Governor of the State of Idaho, by virtue of the authority vested in me do hereby appoint Brady Fuller of Boise, Idaho to the office of Acting State Senator, District 17, on Wednesday, May 5, 2021.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho at the Capitol in Boise on this twenty-ninth day of April, in the year of our Lord two thousand and twenty-one and of the Independence of the United States of America the two hundred and forty-fifth and of the Statehood of Idaho the one hundred thirty-first.

/s/ BY THE GOVERNOR BRAD LITTLE
/s/ SECRETARY OF STATE LAWRENCE DENNEY

The correspondence and Certificate of Appointment were ordered filed in the office of the Secretary of the Senate.

The President announced that the Oath of Office had been administered previously to Acting Senator Fuller, and he was recorded present at this order of business.

On motion by Senator Burgoyne, seconded by Senator Stennett, that the First Regular Session of the Sixty-sixth Legislature of the Idaho Senate adjourn *Sine Die*.

Senator Burgoyne requested a roll call vote. Senators Stennett, Ward-Engelking, Wintrow, and Acting Senator Lamar stood in support.

Roll call resulted as follows:

AYES—Burgoyne, Fuller (Rabe), Lamar (Nelson), Nye, Stennett, Ward-Engelking, Wintrow. Total - 7.

NAYS—Agenbroad, Anthon, Bair, Bayer, Cook, Crabtree, Den Hartog, Funk (Souza), Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Patrick, Rice, Ricks, Riggs, Thayn, Vick, Winder, Woodward, Zito. Total - 27.

Absent and excused—Burtenshaw. Total - 1.

Total - 35.

Less than two-thirds having voted in the affirmative, the President declared the motion to adjourn *Sine Die* did not prevail.

The Senate advanced to the Ninth Order of Business.

Messages from the House

May 4, 2021

Dear Madam President:

I transmit herewith [H 394](#), [H 396](#), [H 397](#), [H 398](#), [H 399](#), [H 400](#), [H 401](#), [H 402](#), [H 395](#), and [H 369](#), which have passed the House.

MAULIN, Chief Clerk

[H 394](#), [H 396](#), [H 397](#), [H 398](#), [H 399](#), [H 400](#), [H 401](#), [H 402](#), [H 395](#), and [H 369](#) were filed for first reading.

May 4, 2021

Dear Madam President:

I return herewith [S 1075](#), [S 1212](#), and [S 1105](#), which have passed the House.

MAULIN, Chief Clerk

[S 1075](#), [S 1212](#), and [S 1105](#) were referred to the Judiciary and Rules Committee for enrolling.

May 4, 2021

Dear Madam President:

I transmit herewith Enrolled [H 355](#), [H 385](#), [H 386](#), [H 387](#), and [H 388](#) for the signature of the President.

MAULIN, Chief Clerk

The President signed Enrolled [H 355](#), [H 385](#), [H 386](#), [H 387](#), and [H 388](#) and ordered them returned to the House.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

**Introduction, First Reading, and Reference of Bills,
House Petitions, Resolutions, and Memorials**

S 1217

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO A STATE OF EXTREME EMERGENCY; PROVIDING LEGISLATIVE INTENT; REPEALING SECTION 46-601, IDAHO CODE, RELATING TO AUTHORITY OF THE GOVERNOR; AMENDING CHAPTER 6, TITLE 46, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 46-601, IDAHO CODE, TO AUTHORIZE THE GOVERNOR TO PROCLAIM A STATE OF EXTREME EMERGENCY, TO DEFINE TERMS, TO PROVIDE THAT THE GOVERNOR SHALL HAVE CERTAIN POWERS, DUTIES, AND LIMITATIONS DURING A DECLARED STATE OF EXTREME EMERGENCY, AND TO PROVIDE THAT NOTHING SHALL PROHIBIT THE GOVERNOR FROM DEPLOYING THE NATIONAL GUARD AS HE MAY DEEM PROPER; PROVIDING SEVERABILITY; AND DECLARING AN EMERGENCY.

S 1218

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO UNIFORM CONTROLLED SUBSTANCES; AMENDING SECTION 37-2734A, IDAHO CODE, TO PROHIBIT THE COMMERCIAL PROMOTION OR ADVERTISEMENT OF SCHEDULE I CONTROLLED SUBSTANCES.

[S 1217](#) and [S 1218](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 394](#), by Ways and Means Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

[H 396](#), [H 397](#), [H 398](#), [H 399](#), [H 400](#), and [H 401](#), by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

[H 402](#), by Ways and Means Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

[H 395](#) and [H 369](#), by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

On request by Senator Anthon, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

Reports of Standing Committees

May 5, 2021

The JUDICIARY AND RULES Committee reports that [SCR 108](#), [SCR 109](#), [SCR 110](#), [S 1217](#), and [S 1218](#) have been correctly printed.

LAKEY, Chairman

[SCR 108](#), [SCR 109](#), and [SCR 110](#) were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

[S 1217](#) and [S 1218](#) were referred to the State Affairs Committee.

On motion by Senator Anthon, seconded by Senator Lee, by voice vote the Senate recessed at 10:43 a.m. until the hour of 12:30 p.m. of this day.

RECESS AFTERNOON SESSION

The Senate reconvened at 12:30 p.m., pursuant to recess, President McGeachin presiding.

Roll call showed all members present.

Prior to recess the Senate was at the Sixth Order of Business, Reports of Standing Committees.

On request by Senator Anthon, granted by unanimous consent, the Senate returned to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

SCR 111 BY STATE AFFAIRS COMMITTEE A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND APPROVING THE RECESS OF THE FIRST REGULAR SESSION OF THE SIXTY-SIXTH IDAHO LEGISLATURE MAY 6 THROUGH MAY 11, RECONVENING ON MAY 12, AND PROVIDING THAT NO UNVOUCHERED OR VOUCHERED EXPENSE ALLOWANCE SHALL BE PAYABLE TO ANY MEMBER OF THE LEGISLATURE FOR THE TIME PERIOD DURING SUCH TEMPORARY RECESS WITHOUT THE APPROVAL OF THE PRESIDENT PRO

TEMPORE OF THE SENATE OR THE SPEAKER OF THE HOUSE OF REPRESENTATIVES.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the First Regular Session of the Sixty-sixth Idaho Legislature convened on January 11, 2021, and continues in session as of the date of introduction of this concurrent resolution; and

WHEREAS, the members of the First Regular Session of the Sixty-sixth Idaho Legislature desire to recess May 6 through May 11, reconvening on May 12; and

WHEREAS, the approved motion by the Citizens' Committee on Legislative Compensation determined that, if the Legislature, by passage of a concurrent resolution, adjourns to a day certain for more than three days, no unvouchered or vouchered expense allowance shall be payable to any member of the Legislature for the time period during such temporary recess without the approval of the President Pro Tempore of the Senate or the Speaker of the House of Representatives.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-sixth Idaho Legislature, the Senate and the House of Representatives concurring therein, that the First Regular Session of the Sixty-sixth Idaho Legislature shall recess May 6 through May 11, reconvening on May 12.

BE IT FURTHER RESOLVED that no unvouchered or vouchered expense allowance shall be payable to any member of the Legislature for the time period during such temporary recess without the approval of the President Pro Tempore of the Senate or the Speaker of the House of Representatives.

[SCR 111](#) was introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

May 5, 2021

The JUDICIARY AND RULES Committee reports that [SCR 111](#) has been correctly printed.

LAKEY, Chairman

[SCR 111](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

May 5, 2021

The JUDICIARY AND RULES Committee reports that [S 1075](#), [S 1212](#), and [S 1105](#) have been correctly enrolled.

LAKEY, Chairman

The President signed Enrolled [S 1075](#), [S 1212](#), and [S 1105](#) and ordered them transmitted to the House for the signature of the Speaker.

May 5, 2021

The FINANCE Committee reports out [H 369](#), [H 395](#), [H 396](#), [H 397](#), [H 398](#), [H 399](#), [H 400](#), and [H 401](#) with the recommendation that they do pass.

BAIR, Chairman

[H 369](#), [H 395](#), [H 396](#), [H 397](#), [H 398](#), [H 399](#), [H 400](#), and [H 401](#) were filed for second reading.

May 5, 2021

The STATE AFFAIRS Committee reports out [H 394](#), [S 1217](#), and [S 1218](#) with the recommendation that they do pass.

LODGE, Chair

[H 394](#), [S 1217](#), and [S 1218](#) were filed for second reading.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Tenth Order of Business.

Motions and Resolutions

On request by Senator Anthon, granted by unanimous consent, [HCR 19](#) was placed before the Senate for final consideration at this time.

The President announced that [HCR 19](#) was before the Senate for final consideration.

Moved by President Pro Tempore Winder, seconded by Senator Anthon, that [HCR 19](#) be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burtenshaw, Cook, Crabtree, Den Hartog, Funk (Souza), Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lamar (Nelson), Lee, Lent, Lodge, Martin, Patrick, Rice, Ricks, Riggs, Stennett, Thayn, Vick, Winder, Woodward, Zito. Total - 28.

NAYS—Burgoyne, Fuller (Rabe), Lamar (Nelson), Nye, Stennett, Ward-Engelking, Wintrow. Total - 7.

Total - 35.

Whereupon the President declared [HCR 19](#) adopted, title was approved, and the resolution ordered returned to the House.

Moved by Senator Anthon, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [SCR 111](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Fuller (Rabe), Funk (Souza), Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lamar (Nelson), Lee, Lodge, Martin, Nye, Patrick, Rice, Ricks, Riggs, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS—None.

Absent and excused—Lent. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [SCR 111](#) was before the Senate for final consideration.

On motion by President Pro Tempore Winder, seconded by Senator Stennett, [SCR 111](#) was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[S 1214](#), [S 1215](#), and [S 1216](#), by Finance Committee, were read the second time at length and filed for third reading.

[H 389](#) and [H 390](#), by Ways and Means Committee, were read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

Motion to Suspend Rules

Moved by Senator Anthon, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate passage of [S 1214](#) be suspended; that the portions of Section 15, Article 3, of the Constitution of the State of Idaho requiring all bills to be read on three several days be dispensed with, this being a case of urgency, and that [S 1214](#) be read the third time at length, section by section, and be put upon its final passage. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Fuller (Rabe), Funk (Souza), Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lamar (Nelson), Lee, Lent, Lodge, Martin, Nye, Patrick, Rice, Ricks, Riggs, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended.

[S 1214](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bair arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Fuller (Rabe), Funk (Souza), Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lamar (Nelson), Lee, Lent, Lodge, Martin, Nye, Patrick, Rice, Ricks, Riggs, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared [S 1214](#) passed, title was approved, and the bill ordered transmitted to the House.

Moved by Senator Anthon, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [S 1215](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Fuller (Rabe), Funk (Souza), Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lamar (Nelson), Lee, Lent, Lodge, Martin, Nye, Patrick, Rice, Ricks, Riggs, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [S 1215](#) was before the Senate for final consideration.

[S 1215](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Crabtree arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Fuller (Rabe), Funk (Souza), Grow, Guthrie, Heider, Johnson, Lakey, Lamar (Nelson), Lee, Lent, Lodge, Martin, Nye, Patrick, Rice, Ricks, Riggs, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS—None.

Absent and excused—Harris. Total - 1.

Total - 35.

Whereupon the President declared [S 1215](#) passed, title was approved, and the bill ordered transmitted to the House.

Moved by Senator Anthon, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [S 1216](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Fuller (Rabe), Funk (Souza), Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lamar (Nelson), Lee, Lent, Lodge, Martin, Nye, Patrick, Rice, Ricks, Riggs, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [S 1216](#) was before the Senate for final consideration.

[S 1216](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Grow arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Fuller (Rabe), Funk (Souza), Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lamar (Nelson), Lee, Lent, Lodge, Martin, Nye, Patrick, Rice, Ricks, Riggs, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared [S 1216](#) passed, title was approved, and the bill ordered transmitted to the House.

Moved by Senator Anthon, seconded by Senator Lee, that all rules of the Senate interfering with the immediate consideration of [H 389](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burtenshaw, Cook, Crabtree, Den Hartog, Funk (Souza), Grow, Guthrie, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nye, Patrick, Rice, Ricks, Riggs, Thayn, Vick, Winder, Woodward, Zito. Total - 28.

NAYS—Burgoyne, Fuller (Rabe), Lamar (Nelson), Stennett, Ward-Engelking, Wintrow. Total - 6.

Absent and excused—Harris. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [H 389](#) was before the Senate for final consideration.

[H 389](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Rice arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senator Anthon disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Bayer, Burtenshaw, Cook, Crabtree, Den Hartog, Funk (Souza), Grow, Heider, Lent, Martin, Patrick, Rice, Ricks, Riggs, Thayn, Vick, Winder, Woodward, Zito. Total - 19.

NAYS—Agenbroad, Anthon, Bair, Burgoyne, Fuller (Rabe), Guthrie, Harris, Johnson, Lakey, Lamar (Nelson), Lee, Lodge, Nye, Stennett, Ward-Engelking, Wintrow. Total - 16.

Total - 35.

Whereupon the President declared [H 389](#) passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Anthon, seconded by Senator Lee, that all rules of the Senate interfering with the immediate consideration of [H 390](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burtenshaw, Cook, Crabtree, Den Hartog, Funk (Souza), Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nye, Patrick, Rice, Ricks, Riggs, Thayn, Vick, Winder, Wintrow, Woodward, Zito. Total - 30.

NAYS—Burgoyne, Fuller (Rabe), Lamar (Nelson), Stennett, Ward-Engelking. Total - 5.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [H 390](#) was before the Senate for final consideration.

[H 390](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ricks arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Den Hartog, Funk (Souza), Grow, Lakey, Lee, Nye, Rice, Ricks, Winder. Total - 9.

NAYS—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Fuller (Rabe), Guthrie, Harris, Heider, Johnson, Lamar (Nelson), Lent, Lodge, Martin, Patrick, Riggs, Stennett, Thayn, Vick, Ward-Engelking, Wintrow, Woodward, Zito. Total - 26.

Total - 35.

Whereupon the President declared that [H 390](#) had failed to pass the Senate and ordered the bill returned to the House.

On request by Senator Anthon, granted by unanimous consent, the Senate returned to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

May 5, 2021

Dear Madam President:

I return herewith Enrolled [S 1075](#), [S 1212](#), and [S 1105](#), which have been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [S 1075](#), [S 1212](#), and [S 1105](#) were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

Motion to Suspend Rules

Moved by Senator Anthon, seconded by Senator Lee, that all rules of the Senate interfering with the immediate passage of [H 391](#) be suspended; that the portions of Section 15, Article 3, of the Constitution of the State of Idaho requiring all bills to be read on three several days be dispensed with, this being a case of urgency, and that [H 391](#) be read the second time by title and the third time at length, section by section, and be put upon its final passage. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burtenshaw, Cook, Crabtree, Den Hartog, Funk (Souza), Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nye, Patrick, Rice, Ricks, Riggs, Thayn, Vick, Winder, Woodward, Zito. Total - 29.

NAYS—Burgoyne, Fuller (Rabe), Lamar (Nelson), Ward-Engelking, Wintrow. Total - 5.

Absent and excused—Stennett. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended.

[H 391](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Anthon arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burtenshaw, Cook, Crabtree, Den Hartog, Funk (Souza), Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Patrick, Rice, Ricks, Riggs, Thayn, Vick, Winder, Woodward, Zito. Total - 28.

NAYS—Burgoyne, Fuller (Rabe), Lamar (Nelson), Nye, Stennett, Ward-Engelking, Wintrow. Total - 7.

Total - 35.

Whereupon the President declared [H 391](#) passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Anthon, seconded by Senator Lee, that all rules of the Senate interfering with the immediate consideration of [H 392](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burtenshaw, Cook, Crabtree, Den Hartog, Funk (Souza), Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Patrick, Rice, Ricks, Riggs, Thayn, Vick, Winder, Woodward, Zito. Total - 28.

NAYS—Burgoyne, Fuller (Rabe), Lamar (Nelson), Nye, Stennett, Ward-Engelking, Wintrow. Total - 7.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [H 392](#) was before the Senate for final consideration.

[H 392](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lee arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burtenshaw, Cook, Crabtree, Den Hartog, Funk (Souza), Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Patrick, Rice, Ricks, Riggs, Thayn, Vick, Winder, Woodward, Zito. Total - 28.

NAYS—Burgoyne, Fuller (Rabe), Lamar (Nelson), Nye, Stennett, Ward-Engelking, Wintrow. Total - 7.

Total - 35.

Whereupon the President declared [H 392](#) passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Anthon, seconded by Senator Lee, that all rules of the Senate interfering with the immediate consideration of [H 393](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burtenshaw, Cook, Crabtree, Den Hartog, Funk (Souza), Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Patrick, Rice, Ricks, Riggs, Thayn, Vick, Winder, Woodward, Zito. Total - 28.

NAYS—Burgoyne, Fuller (Rabe), Lamar (Nelson), Nye, Stennett, Ward-Engelking, Wintrow. Total - 7.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [H 393](#) was before the Senate for final consideration.

[H 393](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Harris arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burtenshaw, Cook, Crabtree, Den Hartog, Funk (Souza), Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Patrick, Rice, Ricks, Riggs, Thayn, Vick, Winder, Woodward, Zito. Total - 28.

NAYS—Burgoyne, Fuller (Rabe), Lamar (Nelson), Nye, Stennett, Ward-Engelking, Wintrow. Total - 7.

Total - 35.

Whereupon the President declared [H 393](#) passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Anthon, seconded by Senator Lee, that all rules of the Senate interfering with the immediate consideration of [S 1217](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burtenshaw, Cook, Crabtree, Den Hartog, Funk (Souza), Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Patrick, Rice, Ricks, Riggs, Thayn, Vick, Winder, Woodward, Zito. Total - 28.

NAYS—Burgoyne, Fuller (Rabe), Lamar (Nelson), Nye, Stennett, Ward-Engelking, Wintrow. Total - 7.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [S 1217](#) was before the Senate for final consideration.

[S 1217](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Anthon arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burtenshaw, Cook, Crabtree, Den Hartog, Funk (Souza), Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Patrick, Rice, Ricks, Riggs, Thayn, Vick, Winder, Woodward, Zito. Total - 28.

NAYS—Burgoyne, Fuller (Rabe), Lamar (Nelson), Nye, Stennett, Ward-Engelking, Wintrow. Total - 7.

Total - 35.

Whereupon the President declared [S 1217](#) passed, title was approved, and the bill ordered transmitted to the House.

Moved by Senator Anthon, seconded by Senator Lee, that all rules of the Senate interfering with the immediate consideration of [S 1218](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burtenshaw, Cook, Crabtree, Den Hartog, Funk (Souza), Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Patrick, Rice, Ricks, Riggs, Thayn, Vick, Winder, Woodward, Zito. Total - 28.

NAYS—Burgoyne, Fuller (Rabe), Lamar (Nelson), Nye, Stennett, Ward-Engelking, Wintrow. Total - 7.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [S 1218](#) was before the Senate for final consideration.

[S 1218](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Grow arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Burtenshaw, Cook, Crabtree, Funk (Souza), Grow, Guthrie, Harris, Heider, Lakey, Lee, Lent, Lodge, Martin, Rice, Ricks, Thayn, Winder, Woodward. Total - 21.

NAYS—Bayer, Burgoyne, Den Hartog, Fuller (Rabe), Johnson, Lamar (Nelson), Nye, Patrick, Riggs, Stennett, Vick, Ward-Engelking, Wintrow, Zito. Total - 14.

Total - 35.

Whereupon the President declared [S 1218](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Anthon, granted by unanimous consent, the Senate returned to the Ninth Order of Business.

Messages from the House

May 5, 2021

Dear Madam President:

I return herewith [S 1053](#), as amended, [S 1063](#), [S 1064](#), [S 1065](#), [S 1067](#), and [S 1213](#), which have passed the House.

MAULIN, Chief Clerk

[S 1053](#), as amended, [S 1063](#), [S 1064](#), [S 1065](#), [S 1067](#), and [S 1213](#) were referred to the Judiciary and Rules Committee for enrolling.

May 5, 2021

Dear Madam President:

I transmit herewith Enrolled [HCR 19](#) and [H 389](#) for the signature of the President.

MAULIN, Chief Clerk

The President signed Enrolled [HCR 19](#) and [H 389](#) and ordered them returned to the House.

On request by Senator Anthon, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

Reports of Standing Committees

May 5, 2021

The JUDICIARY AND RULES Committee reports that [S 1053](#), as amended, [S 1063](#), [S 1064](#), [S 1065](#), [S 1067](#), and [S 1213](#) have been correctly enrolled.

LAKEY, Chairman

The President signed Enrolled [S 1053](#), as amended, [S 1063](#), [S 1064](#), [S 1065](#), [S 1067](#), and [S 1213](#) and ordered them transmitted to the House for the signature of the Speaker.

May 5, 2021

The JUDICIARY AND RULES Committee reports that Enrolled [S 1075](#), [S 1212](#), and [S 1105](#) were delivered to the Office of the Governor at 4:30 p.m., May 5, 2021.

LAKEY, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

May 5, 2021

Dear Madam President:

I return herewith [SCR 111](#), [S 1215](#), and [S 1216](#), which have passed the House.

MAULIN, Chief Clerk

[SCR 111](#), [S 1215](#), and [S 1216](#) were referred to the Judiciary and Rules Committee for enrolling.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

Moved by Senator Anthon, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [SCR 108](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Fuller (Rabe), Funk (Souza), Guthrie, Harris, Heider, Johnson, Lakey, Lamar (Nelson), Lee, Lent, Lodge, Martin, Nye, Patrick, Rice, Ricks, Riggs, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 33.

NAYS—None.

Absent and excused—Grow, Woodward. Total - 2.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [SCR 108](#) was before the Senate for final consideration.

On motion by Senator Anthon, seconded by Senator Stennett, [SCR 108](#) was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

Moved by Senator Anthon, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [SCR 109](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Fuller (Rabe), Funk (Souza), Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nye, Patrick, Rice, Ricks, Riggs, Stennett,

Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 33.

NAYS—None.

Absent and excused—Grow, Lamar (Nelson). Total - 2.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [SCR 109](#) was before the Senate for final consideration.

On motion by Senator Anthon, seconded by Senator Stennett, [SCR 109](#) was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

Moved by Senator Anthon, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [SCR 110](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Fuller (Rabe), Funk (Souza), Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nye, Patrick, Rice, Ricks, Riggs, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 33.

NAYS—None.

Absent and excused—Grow, Lamar (Nelson). Total - 2.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [SCR 110](#) was before the Senate for final consideration.

On motion by Senator Lakey, seconded by Senator Burgoyne, [SCR 110](#) was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

Motion to Suspend Rules

Moved by Senator Anthon, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate passage of [H 369](#) be suspended; that the portions of Section 15, Article 3, of the Constitution of the State of Idaho requiring all bills to be read on three several days be dispensed with, this being a case of urgency, and that [H 369](#) be read the second time by title and the third time at length, section by section, and be put upon its final passage. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Fuller (Rabe), Funk (Souza), Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lamar (Nelson), Lee, Lent, Lodge, Martin, Nye, Patrick, Rice, Ricks, Riggs, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended.

[H 369](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Agenbroad arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Burgoyne, Burtenshaw, Cook, Crabtree, Fuller (Rabe), Funk (Souza), Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lamar (Nelson), Lee, Lent, Lodge, Martin, Nye, Patrick, Rice, Riggs, Stennett, Thayn, Ward-Engelking, Winder, Wintrow, Woodward. Total - 30.

NAYS—Bayer, Den Hartog, Ricks, Vick, Zito. Total - 5.

Total - 35.

Whereupon the President declared [H 369](#) passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Anthon, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [H 395](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Fuller (Rabe), Funk (Souza), Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lamar (Nelson), Lee, Lent, Lodge, Martin, Nye, Patrick, Rice, Ricks, Riggs, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [H 395](#) was before the Senate for final consideration.

[H 395](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Agenbroad arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Fuller (Rabe), Funk (Souza), Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lamar (Nelson), Lee, Lent, Lodge, Martin, Nye, Patrick, Rice, Ricks, Riggs, Stennett, Thayn, Ward-Engelking, Winder, Wintrow, Woodward. Total - 32.

NAYS—Bayer, Vick, Zito. Total - 3.

Total - 35.

Whereupon the President declared [H 395](#) passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Anthon, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [H 396](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Fuller (Rabe), Funk (Souza), Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lamar (Nelson), Lee, Lent, Lodge, Martin, Nye, Patrick, Rice, Ricks, Riggs, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [H 396](#) was before the Senate for final consideration.

[H 396](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Riggs arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Fuller (Rabe), Funk (Souza), Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lamar (Nelson), Lee, Lent, Lodge, Martin, Nye, Patrick, Rice, Ricks, Riggs, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

Whereupon the President declared [H 396](#) passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Anthon, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [H 398](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Fuller (Rabe), Funk (Souza), Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lamar (Nelson), Lee, Lent, Lodge, Martin, Nye, Patrick, Rice, Ricks, Riggs, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [H 398](#) was before the Senate for final consideration.

[H 398](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lent arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Fuller (Rabe), Funk (Souza), Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lamar (Nelson), Lee, Lent, Lodge, Martin, Nye, Patrick, Rice, Ricks, Riggs, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward. Total - 33.

NAYS—Bayer, Zito. Total - 2.

Total - 35.

Whereupon the President declared [H 398](#) passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Anthon, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [H 399](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Fuller (Rabe), Funk (Souza), Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lamar (Nelson), Lee, Lent, Lodge, Martin, Nye, Patrick, Rice, Ricks,

Riggs, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [H 399](#) was before the Senate for final consideration.

[H 399](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ward-Engelking arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Fuller (Rabe), Funk (Souza), Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lamar (Nelson), Lee, Lent, Lodge, Martin, Nye, Patrick, Rice, Ricks, Riggs, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward. Total - 33.

NAYS—Bayer, Zito. Total - 2.

Total - 35.

Whereupon the President declared [H 399](#) passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Anthon, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [H 400](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Fuller (Rabe), Funk (Souza), Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lamar (Nelson), Lee, Lent, Lodge, Martin, Nye, Patrick, Rice, Ricks, Riggs, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [H 400](#) was before the Senate for final consideration.

[H 400](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Riggs arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Fuller (Rabe), Funk (Souza), Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lamar (Nelson), Lee, Lent, Lodge, Martin, Nye, Patrick, Rice, Ricks, Riggs, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward. Total - 33.

NAYS—Bayer, Zito. Total - 2.

Total - 35.

Whereupon the President declared [H 400](#) passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Anthon, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [H 401](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Fuller (Rabe), Funk (Souza), Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lamar (Nelson), Lee, Lent, Lodge, Martin, Nye, Patrick, Rice, Ricks, Riggs, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [H 401](#) was before the Senate for final consideration.

[H 401](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Woodward arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Crabtree, Den Hartog, Fuller (Rabe), Funk (Souza), Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lamar (Nelson), Lee, Lent, Lodge, Martin, Nye, Patrick, Rice, Ricks, Riggs, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward. Total - 32.

NAYS—Cook, Ricks, Zito. Total - 3.

Total - 35.

Whereupon the President declared [H 401](#) passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Anthon, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [H 394](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burtenshaw, Cook, Crabtree, Den Hartog, Fuller (Rabe), Funk (Souza), Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lamar (Nelson), Lee, Lent, Lodge, Martin, Nye, Patrick, Rice, Ricks, Riggs, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS—Burgoyne. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [H 394](#) was before the Senate for final consideration.

[H 394](#) was read the third time at length, section by section, and placed before the Senate for final consideration. President Pro Tempore Winder arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burtenshaw, Cook, Crabtree, Den Hartog, Fuller (Rabe), Funk (Souza), Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lamar (Nelson), Lee, Lent, Lodge, Martin, Nye, Patrick, Rice, Ricks, Riggs, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS—Burgoyne. Total - 1.

Total - 35.

Whereupon the President declared [H 394](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Anthon, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

Reports of Standing Committees

May 5, 2021

The JUDICIARY AND RULES Committee reports that [SCR 111](#), [S 1215](#), and [S 1216](#) have been correctly enrolled.

LAKEY, Chairman

The President signed Enrolled [SCR 111](#), [S 1215](#), and [S 1216](#) and ordered them transmitted to the House for the signature of the Speaker.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

May 5, 2021

Dear Madam President:

I return herewith Enrolled [S 1053](#), as amended, [S 1063](#), [S 1064](#), [S 1065](#), [S 1067](#), and [S 1213](#), which have been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [S 1053](#), as amended, [S 1063](#), [S 1064](#), [S 1065](#), [S 1067](#), and [S 1213](#) were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

May 5, 2021

Dear Madam President:

I return herewith [S 1217](#), which has passed the House.

MAULIN, Chief Clerk

[S 1217](#) was referred to the Judiciary and Rules Committee for enrolling.

On request by Senator Anthon, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

Reports of Standing Committees

May 5, 2021

The JUDICIARY AND RULES Committee reports that [S 1217](#) has been correctly enrolled.

LAKEY, Chairman

The President signed Enrolled [S 1217](#) and ordered it transmitted to the House for the signature of the Speaker.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

May 5, 2021

Dear Madam President:

I transmit herewith Enrolled [H 391](#), [H 392](#), [H 393](#), [H 369](#), [H 395](#), [H 396](#), [H 398](#), [H 399](#), [H 400](#), [H 401](#), and [H 394](#) for the signature of the President.

MAULIN, Chief Clerk

The President signed Enrolled [H 391](#), [H 392](#), [H 393](#), [H 369](#), [H 395](#), [H 396](#), [H 398](#), [H 399](#), [H 400](#), [H 401](#), and [H 394](#) and ordered them returned to the House.

May 5, 2021

Dear Madam President:

I return herewith Enrolled [SCR 111](#), [S 1215](#), [S 1216](#), and [S 1217](#) which have been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [SCR 111](#) was referred to the Judiciary and Rules Committee for transmittal to the Office of the Secretary of State.

Enrolled [S 1215](#), [S 1216](#), and [S 1217](#) were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Anthon, seconded by Senator Burgoyne, by voice vote, the Senate adjourned at 8:45 p.m. until the hour of 1 p.m., Wednesday, May 12, 2021.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

[Note: The following is action recorded during RECESS.]

May 5, 2021

Dear Madam President:

I return herewith [S 1178](#), which has passed the House.

MAULIN, Chief Clerk

[S 1178](#) was referred to the Judiciary and Rules Committee for enrolling.

May 6, 2021

The JUDICIARY AND RULES Committee reports that [S 1178](#) has been correctly enrolled.

LAKEY, Chairman

The President Pro Tempore signed Enrolled [S 1178](#) and ordered it transmitted to the House for the signature of the Speaker.

May 6, 2021

May 7, 2021

Dear Madam President:

I return herewith Enrolled [S 1178](#), which has been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [S 1178](#) was referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

May 6, 2021

The JUDICIARY AND RULES Committee reports that Enrolled [S 1178](#) was delivered to the Office of the Governor at 3:15 p.m., May 6, 2021.

LAKEY, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

May 6, 2021

The JUDICIARY AND RULES Committee reports that Enrolled [S 1053](#), as amended, [S 1063](#), [S 1064](#), [S 1065](#), [S 1067](#), [S 1213](#), [S 1215](#), [S 1216](#), and [S 1217](#) were delivered to the Office of the Governor at 11:30 a.m., May 6, 2021.

LAKEY, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

May 6, 2021

The JUDICIARY AND RULES Committee reports that Enrolled [SCR 111](#) was delivered to the Office of the Secretary of State at 1:27 p.m., May 6, 2021.

LAKEY, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

May 6, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that I have signed on May 5, 2021 and am transmitting to the Secretary of State the following Senate Bills, to wit:

[S 1046](#), as amended, as amended, [S 1185](#),
[S 1200](#), as amended in the House, [S 1202](#),
[S 1203](#), and [S 1211](#)

Sincerely,
/s/ Brad Little
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that I have signed on May 6, 2021 and am transmitting to the Secretary of State the following Senate Bills, to wit:

[S 1173](#) and [S 1209](#)

Sincerely,
/s/ Brad Little
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

SENATE JOURNAL OF THE IDAHO LEGISLATURE

May 10, 2021

FIRST REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

ONE HUNDRED TWENTY-SECOND LEGISLATIVE DAY WEDNESDAY, MAY 12, 2021

Senate Chamber

President McGeachin called the Senate to order at 1 p.m.

Roll call showed all members present except Senators Bair, Den Hartog, and Vick, absent and formally excused by the Chair; and Senators Agenbroad, Cook, Crabtree, Grow, Lent, Nye, Riggs, Thayne, Ward-Engelking, and Woodward, absent and excused.

Prayer and Pledge of Allegiance was offered by Chaplain Doug Armstrong.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of May 5, 2021, was read and approved as corrected.

LAKEY, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

May 10, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho Legislature

Dear Madam President:

I have the honor to inform you that I have signed on May 10, 2021 and am transmitting to the Secretary of State the following Senate Bills, to wit:

[S 1053](#), as amended, [S 1063](#), [S 1064](#), [S 1065](#),
[S 1067](#), [S 1075](#), [S 1105](#), [S 1178](#), [S 1205](#),
[S 1212](#), [S 1213](#), [S 1215](#), and [S 1216](#)

Sincerely,
/s/ Brad Little
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that I have signed on May 10, 2021 and am transmitting to the Secretary of State the following Senate Bill, to wit:

[S 1204](#)

I am concerned the language in S 1204 is in conflict with Idaho Code 67-3516(2) allowing the administrator of the Division of Financial Management, the Board of Examiners, and the State Controller's Office to grant non-state fund spending authority "if not cognizable at the time when appropriations were made." This statutory authority is longstanding.

The bill declares all funds resulting from the American Rescue Plan Act (ARPA) are cognizable, although the Legislative Services Office identified in Idaho Report 21-01 that there are programs for "which there are not specified dollar amounts for funding awards or sufficient guidance..." Thus, by the Legislature's own admission, certain funds are not cognizable, notwithstanding this bill's declaration to the contrary. As such, critical funding for issues such as suicide prevention and funding to the aging population are at risk of timely distribution.

I have made clear my commitment to work collaboratively with the Legislature on the discretionary funds and look forward to working together on investments that will benefit our children and grandchildren. However, limiting the authority to use non-discretionary grant funds for specific programs that are demonstrably not cognizable at the time of appropriations will mean that there will be significant delays for programs that may be needed to facilitate our economic rebound.

Sincerely,
/s/ Brad Little
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

May 10, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that I have signed on May 10, 2021 and am transmitting to the Secretary of State the following Senate Bill, to wit:

[S 1217](#)

Unlike Senate Bill 1136a, which I previously vetoed this legislative session, Senate Bill 1217 preserves the ability of future Governors to take timely and necessary action to protect Idahoans in future extreme emergencies, such as destructive earthquakes and cyberattacks, while also creating a responsible process to ensure the legislature is involved and able to assist with the state's response efforts. Further, Senate Bill 1217 better complements our state constitution and safeguards the separation of powers between the legislative and executive branches.

Thank you to my colleagues and friends in the Senate who worked with my office to improve and modernize Idaho Code § 46-601. I am also grateful to all of those in legislature who listened to my concerns as well as those of Major General Michael Garshak and Director Brad Richey. I also commend Senate leadership for their recent collaboration and willingness to compromise in the legislative process that resulted in broad support for Senate Bill 1217.

Sincerely,
/s/ Brad Little
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Senate advanced to the Ninth Order of Business.

Messages from the House

May 5, 2021

Dear Madam President:

I transmit herewith [H 319](#), as amended, which has passed the House.

MAULIN, Chief Clerk

[H 319](#), as amended, was filed for first reading.

May 5, 2021

Dear Madam President:

I return herewith [S 1150](#), as amended in the House, which has passed the House.

MAULIN, Chief Clerk

Senator Lodge requested unanimous consent that [S 1150](#), as amended in the House, be referred to the Tenth Order of Business, Motions and Resolutions, for consideration as to possible concurrence in the House amendments.

Senator Stennett objected.

On motion by Senator Lodge, seconded by Senator Anthon, by voice vote, [S 1150](#), as amended in the House, was referred to the Tenth Order of Business, Motions and Resolutions, for consideration as to possible concurrence in the House amendments.

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote the Senate recessed at 1:28 p.m. until the hour of 2:30 p.m. of this day.

RECESS AFTERNOON SESSION

The Senate reconvened at 2:30 p.m., pursuant to recess, President McGeachin presiding.

Roll call showed all members present except Senators Bair, Den Hartog, and Vick, absent and formally excused by the Chair; and Senator Stennett, absent and excused.

Prior to recess the Senate was at the Ninth Order of Business, Messages from the House.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President announced that the House amendments to [S 1150](#), as amended in the House, were before the Senate for consideration as to possible concurrence, the question being, "Shall the Senate concur in the House amendments to [S 1150](#), as amended in the House?"

Senator Lodge requested unanimous consent that the Senate concur by voice vote in the House amendments to [S 1150](#), as amended in the House.

Senator Burgoyne objected.

On motion by Senator Lodge, seconded by Senator Anthon, the Senate concurred by voice vote in the House amendments to [S 1150](#), as amended in the House.

[S 1150](#), as amended in the House, was referred to the Judiciary and Rules Committee for engrossing.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[H 397](#), by Appropriations Committee, was read the second time at length and filed for third reading.

On request by Senator Anthon, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

Reports of Standing Committees

May 12, 2021

The JUDICIARY AND RULES Committee reports that [S 1150](#), as amended in the House, has been correctly engrossed.

LAKEY, Chairman

[S 1150](#), as amended in the House, was filed for first reading.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1219 BY FINANCE COMMITTEE AN ACT

RELATING TO THE APPROPRIATION TO THE OFFICE OF THE STATE CONTROLLER FOR FISCAL YEAR 2021; APPROPRIATING ADDITIONAL MONEYS TO THE OFFICE OF THE STATE CONTROLLER FOR FISCAL YEAR 2021; AND DECLARING AN EMERGENCY.

S 1220 BY STATE AFFAIRS COMMITTEE AN ACT

RELATING TO 2021 EFFECTIVE DATES; AMENDING CHAPTER 290, LAWS OF 2021, BY THE ADDITION OF A NEW SECTION 2, CHAPTER 290, LAWS OF 2021, TO DECLARE AN EMERGENCY AND TO PROVIDE AN EFFECTIVE DATE; AMENDING CHAPTER 291, LAWS OF 2021, BY THE ADDITION OF A NEW SECTION 3, CHAPTER 291, LAWS OF 2021, TO DECLARE AN EMERGENCY AND TO PROVIDE AN EFFECTIVE DATE; AMENDING CHAPTER 292, LAWS OF 2021, BY THE ADDITION OF A NEW SECTION 7, CHAPTER 292, LAWS OF 2021, TO DECLARE AN EMERGENCY AND TO PROVIDE AN

EFFECTIVE DATE; AMENDING CHAPTER 294, LAWS OF 2021, BY THE ADDITION OF A NEW SECTION 3, CHAPTER 294, LAWS OF 2021, TO DECLARE AN EMERGENCY AND TO PROVIDE AN EFFECTIVE DATE; AMENDING CHAPTER 295, LAWS OF 2021, BY THE ADDITION OF A NEW SECTION 5, CHAPTER 295, LAWS OF 2021, TO DECLARE AN EMERGENCY AND TO PROVIDE AN EFFECTIVE DATE; AMENDING SECTION 7, CHAPTER 296, LAWS OF 2021, TO PROVIDE AN EFFECTIVE DATE; AMENDING SECTION 3, CHAPTER 297, LAWS OF 2021, TO PROVIDE AN EFFECTIVE DATE; AMENDING CHAPTER 298, LAWS OF 2021, BY THE ADDITION OF A NEW SECTION 4, CHAPTER 298, LAWS OF 2021, TO DECLARE AN EMERGENCY AND TO PROVIDE AN EFFECTIVE DATE; AMENDING CHAPTER 299, LAWS OF 2021, BY THE ADDITION OF A NEW SECTION 4, CHAPTER 299, LAWS OF 2021, TO DECLARE AN EMERGENCY AND TO PROVIDE AN EFFECTIVE DATE; AMENDING CHAPTER 300, LAWS OF 2021, BY THE ADDITION OF A NEW SECTION 4, CHAPTER 300, LAWS OF 2021, TO DECLARE AN EMERGENCY AND TO PROVIDE AN EFFECTIVE DATE; AMENDING SECTION 3, CHAPTER 301, LAWS OF 2021, TO PROVIDE AN EFFECTIVE DATE; AMENDING CHAPTER 302, LAWS OF 2021, BY THE ADDITION OF A NEW SECTION 2, CHAPTER 302, LAWS OF 2021, TO DECLARE AN EMERGENCY AND TO PROVIDE AN EFFECTIVE DATE; AMENDING CHAPTER 303, LAWS OF 2021, BY THE ADDITION OF A NEW SECTION 11, CHAPTER 303, LAWS OF 2021, TO DECLARE AN EMERGENCY AND TO PROVIDE AN EFFECTIVE DATE; AMENDING CHAPTER 305, LAWS OF 2021, BY THE ADDITION OF A NEW SECTION 8, CHAPTER 305, LAWS OF 2021, TO DECLARE AN EMERGENCY AND TO PROVIDE AN EFFECTIVE DATE; AMENDING CHAPTER 307, LAWS OF 2021, BY THE ADDITION OF A NEW SECTION 6, CHAPTER 307, LAWS OF 2021, TO DECLARE AN EMERGENCY AND TO PROVIDE AN EFFECTIVE DATE; AMENDING CHAPTER 308, LAWS OF 2021, BY THE ADDITION OF A NEW SECTION 10, CHAPTER 308, LAWS OF 2021, TO DECLARE AN EMERGENCY AND TO PROVIDE AN EFFECTIVE DATE; AMENDING CHAPTER 309, LAWS OF 2021, BY THE ADDITION OF A NEW SECTION 2, CHAPTER 309, LAWS OF 2021, TO DECLARE AN EMERGENCY AND TO PROVIDE AN EFFECTIVE DATE; AMENDING CHAPTER 310, LAWS OF 2021, BY THE ADDITION OF A NEW SECTION 2, CHAPTER 310, LAWS OF 2021, TO DECLARE AN EMERGENCY AND TO PROVIDE AN EFFECTIVE DATE; AMENDING SECTION 6, CHAPTER 312, LAWS OF 2021, TO PROVIDE AN EFFECTIVE DATE; AMENDING SECTION 18, CHAPTER 313, LAWS OF 2021, TO PROVIDE AN EFFECTIVE DATE; AMENDING CHAPTER 314, LAWS OF 2021, BY THE ADDITION OF A NEW SECTION 12, CHAPTER 314, LAWS OF 2021, TO DECLARE AN EMERGENCY AND TO PROVIDE AN EFFECTIVE DATE; AMENDING SECTION 7, CHAPTER 315, LAWS OF 2021, TO PROVIDE AN EFFECTIVE DATE; AMENDING CHAPTER 316, LAWS OF 2021, BY THE ADDITION OF A NEW SECTION 2, CHAPTER 316, LAWS OF 2021, TO DECLARE AN EMERGENCY AND TO PROVIDE AN EFFECTIVE DATE; AMENDING CHAPTER 317, LAWS OF 2021, BY THE ADDITION OF A NEW SECTION 2, CHAPTER 317, LAWS OF 2021, TO DECLARE AN EMERGENCY AND TO PROVIDE AN EFFECTIVE DATE; AMENDING SECTION 4, CHAPTER 318, LAWS OF 2021, TO PROVIDE AN EFFECTIVE DATE; AMENDING CHAPTER 321, LAWS OF 2021, BY THE

ADDITION OF A NEW SECTION 43, CHAPTER 321, LAWS OF 2021, TO DECLARE AN EMERGENCY AND TO PROVIDE AN EFFECTIVE DATE; AMENDING CHAPTER 322, LAWS OF 2021, BY THE ADDITION OF A NEW SECTION 2, CHAPTER 322, LAWS OF 2021, TO DECLARE AN EMERGENCY AND TO PROVIDE AN EFFECTIVE DATE; AMENDING CHAPTER 323, LAWS OF 2021, BY THE ADDITION OF A NEW SECTION 2, CHAPTER 323, LAWS OF 2021, TO DECLARE AN EMERGENCY AND TO PROVIDE AN EFFECTIVE DATE; AMENDING CHAPTER 324, LAWS OF 2021, BY THE ADDITION OF A NEW SECTION 2, CHAPTER 324, LAWS OF 2021, TO DECLARE AN EMERGENCY AND TO PROVIDE AN EFFECTIVE DATE; AMENDING CHAPTER 325, LAWS OF 2021, BY THE ADDITION OF A NEW SECTION 15, CHAPTER 325, LAWS OF 2021, TO DECLARE AN EMERGENCY AND TO PROVIDE AN EFFECTIVE DATE; AMENDING CHAPTER 326, LAWS OF 2021, BY THE ADDITION OF A NEW SECTION 2, CHAPTER 326, LAWS OF 2021, TO DECLARE AN EMERGENCY AND TO PROVIDE AN EFFECTIVE DATE; AMENDING CHAPTER 327, LAWS OF 2021, BY THE ADDITION OF A NEW SECTION 3, CHAPTER 327, LAWS OF 2021, TO DECLARE AN EMERGENCY AND TO PROVIDE AN EFFECTIVE DATE; AMENDING CHAPTER 330, LAWS OF 2021, BY THE ADDITION OF A NEW SECTION 5, CHAPTER 330, LAWS OF 2021, TO DECLARE AN EMERGENCY AND TO PROVIDE AN EFFECTIVE DATE; AMENDING CHAPTER 335, LAWS OF 2021, BY THE ADDITION OF A NEW SECTION 2, CHAPTER 335, LAWS OF 2021, TO DECLARE AN EMERGENCY AND TO PROVIDE AN EFFECTIVE DATE; AMENDING CHAPTER 337, LAWS OF 2021, BY THE ADDITION OF A NEW SECTION 2, CHAPTER 337, LAWS OF 2021, TO DECLARE AN EMERGENCY AND TO PROVIDE AN EFFECTIVE DATE; AMENDING SECTION 13, CHAPTER 338, LAWS OF 2021, TO PROVIDE AN EFFECTIVE DATE; AMENDING CHAPTER 339, LAWS OF 2021, BY THE ADDITION OF A NEW SECTION 3, CHAPTER 339, LAWS OF 2021, TO DECLARE AN EMERGENCY AND TO PROVIDE AN EFFECTIVE DATE; AMENDING CHAPTER 340, LAWS OF 2021, BY THE ADDITION OF A NEW SECTION 6, CHAPTER 340, LAWS OF 2021, TO DECLARE AN EMERGENCY AND TO PROVIDE AN EFFECTIVE DATE; AMENDING CHAPTER 341, LAWS OF 2021, BY THE ADDITION OF A NEW SECTION 3, CHAPTER 341, LAWS OF 2021, TO DECLARE AN EMERGENCY AND TO PROVIDE AN EFFECTIVE DATE; AMENDING CHAPTER 344, LAWS OF 2021, BY THE ADDITION OF A NEW SECTION 4, CHAPTER 344, LAWS OF 2021, TO DECLARE AN EMERGENCY AND TO PROVIDE AN EFFECTIVE DATE; AND DECLARING AN EMERGENCY.

[S 1219](#) and [S 1220](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

Senator Stennett was recorded present at this order of business.

[S 1150](#), as amended in the House, by State Affairs Committee, was read the first time at length and filed for second reading.

H 319, as amended, by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

On request by Senator Anthon, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

Reports of Standing Committees

May 12, 2021

The JUDICIARY AND RULES Committee reports that S 1219 and S 1220 have been correctly printed.

LAKEY, Chairman

S 1219 was referred to the Finance Committee.

S 1220 was referred to the State Affairs Committee.

May 12, 2021

The FINANCE Committee reports out S 1219 with the recommendation that it do pass.

BAIR, Chairman

S 1219 was filed for second reading.

May 12, 2021

The STATE AFFAIRS Committee reports out S 1220 with the recommendation that it do pass.

LODGE, Chair

S 1220 was filed for second reading.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

Motion to Suspend Rules

Moved by Senator Anthon, seconded by Senator Lee, that all rules of the Senate interfering with the immediate passage of S 1150, as amended in the House, be suspended; that the portions of Section 15, Article 3, of the Constitution of the State of Idaho requiring all bills to be read on three several days be dispensed with, this being a case of urgency, and that S 1150, as amended in the House, be read the second time by title and the third time at length, section by section, and be put upon its final passage. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Funk (Souza), Grow, Guthrie, Harris, Heider, Lakey, Lee, Lent, Lodge, Martin, Nelson, Patrick, Rice, Ricks, Riggs, Stennett, Ward-Engelking, Winder, Woodward, Zito. Total - 27.

NAYS—Nye, Rabe, Wintrow. Total - 3.

Absent and excused—Bair, Den Hartog, Johnson, Thayn, Vick. Total - 5.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended.

S 1150, as amended in the House, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lodge arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bayer, Burtenshaw, Cook, Crabtree, Funk (Souza), Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Patrick, Rice, Ricks, Riggs, Thayn, Winder, Woodward, Zito. Total - 25.

NAYS—Burgoyne, Nelson, Nye, Rabe, Stennett, Ward-Engelking, Wintrow. Total - 7.

Absent and excused—Bair, Den Hartog, Vick. Total - 3.

Paired and voting included in roll call:

AYE - Thayn NAY - Nelson

Total - 35.

Whereupon the President declared S 1150, as amended in the House, passed, title was approved, and the bill referred to Judiciary and Rules Committee for enrolling.

Moved by Senator Anthon, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of S 1219 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Funk (Souza), Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Stennett, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 31.

NAYS—None.

Absent and excused—Bair, Den Hartog, Thayn, Vick. Total - 4.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that S 1219 was before the Senate for final consideration.

S 1219 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Woodward arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Funk (Souza), Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Stennett, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 31.

NAYS—None.

Absent and excused—Bair, Den Hartog, Thayn, Vick. Total - 4.

Total - 35.

Whereupon the President declared S 1219 passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Anthon, granted by unanimous consent, the Senate returned to the Ninth Order of Business.

Messages from the House

May 12, 2021

Dear Madam President:

I transmit herewith [HCR 23](#), which has passed the House.

MAULIN, Chief Clerk

[HCR 23](#) was filed for first reading.

May 12, 2021

Dear Madam President:

I return herewith [S 1214](#), which has passed the House.

MAULIN, Chief Clerk

[S 1214](#) was referred to the Judiciary and Rules Committee for enrolling.

On request by Senator Anthon, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

Reports of Standing Committees

May 12, 2021

The JUDICIARY AND RULES Committee reports that [S 1150](#), as amended in the House, and [S 1214](#) have been correctly enrolled.

LAKEY, Chairman

The President signed Enrolled [S 1150](#), as amended in the House, and [S 1214](#) and ordered them transmitted to the House for the signature of the Speaker.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

[HCR 23](#), by Ways and Means Committee, was introduced, read at length, and referred to the State Affairs Committee.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote the Senate recessed at 4:27 p.m. until the hour of 5:30 p.m. of this day.

RECESS AFTERNOON SESSION

On request by Senator Anthon, granted by unanimous consent, the Senate returned to the Ninth Order of Business.

Messages from the House

May 12, 2021

Dear Madam President:

I transmit herewith [H 407](#), which has passed the House.

MAULIN, Chief Clerk

[H 407](#) was filed for first reading.

May 12, 2021

Dear Madam President:

I return herewith Enrolled [S 1150](#), as amended in the House, and [S 1214](#), which have been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [S 1150](#), as amended in the House, and [S 1214](#) were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

[H 407](#), by Ways and Means Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

On request by Senator Anthon, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

Reports of Standing Committees

May 12, 2021

The STATE AFFAIRS Committee reports out [H 407](#) with the recommendation that it do pass.

LODGE, Chair

[H 407](#) was filed for second reading.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

Motion to Suspend Rules

Moved by Senator Anthon, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate passage of [H 407](#) be suspended; that the portions of Section 15, Article 3, of the Constitution of the State of Idaho requiring all bills to be read on three several days be dispensed with, this being a case of urgency, and that [H 407](#) be read the second time by title and the third time at length, section by section, and be put upon its final passage. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bayer, Burgoyne, Burtenshaw, Cook, Funk (Souza), Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Stennett, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 29.

NAYS—None.

Absent and excused—Bair, Crabtree, Den Hartog, Nelson, Thayn, Vick. Total - 6.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended.

[H 407](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator

Anthon arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bayer, Burgoyne, Burtenshaw, Cook, Funk (Souza), Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Stennett, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 29.

NAYS—None.

Absent and excused—Bair, Crabtree, Den Hartog, Nelson, Thayn, Vick. Total - 6.

Total - 35.

Whereupon the President declared [H 407](#) passed, title was approved, and the bill ordered returned to the House.

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote the Senate recessed at 7:12 p.m. until the hour of 8 p.m. of this day.

RECESS AFTERNOON SESSION

The Senate reconvened at 8 p.m., pursuant to recess, President McGeachin presiding.

Roll call showed all members present except Senators Bair, Crabtree, Den Hartog, Heider, Johnson, Nelson, Thayn, and Vick, absent and excused.

Prior to recess the Senate was at the Twelfth Order of Business, Second Reading of Bills.

On request by Senator Anthon, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

Reports of Standing Committees

May 12, 2021

The JUDICIARY AND RULES Committee reports that Enrolled [S 1150](#), as amended in the House, and [S 1214](#) were delivered to the Office of the Governor at 7:12 p.m., May 12, 2021.

LAKEY, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

May 12, 2021

Dear Madam President:

I transmit herewith [H 408](#), which has passed the House.

MAULIN, Chief Clerk

[H 408](#) was filed for first reading.

May 12, 2021

Dear Madam President:

I return herewith [S 1219](#), which has passed the House.

MAULIN, Chief Clerk

[S 1219](#) was referred to the Judiciary and Rules Committee for enrolling.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

[H 408](#), by Appropriations Committee, was introduced, read the first time at length, and referred to the Finance Committee.

On request by Senator Anthon, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

Reports of Standing Committees

May 12, 2021

The JUDICIARY AND RULES Committee reports that [S 1219](#) has been correctly enrolled.

LAKEY, Chairman

The President signed Enrolled [S 1219](#) and ordered it transmitted to the House for the signature of the Speaker.

May 12, 2021

The FINANCE Committee reports out [H 408](#) with the recommendation that it do pass.

BAIR, Chairman

[H 408](#) was filed for second reading.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

Motion to Suspend Rules

Moved by Senator Anthon, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate passage of [H 408](#) be suspended; that the portions of Section 15, Article 3, of the Constitution of the State of Idaho requiring all bills to be read on three several days be dispensed with, this being a case of urgency, and that [H 408](#) be read the second time by title and the third time at length, section by section, and be put upon its final passage. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bayer, Burgoyne, Burtenshaw, Cook, Funk (Souza), Grow, Guthrie, Harris, Lakey, Lee, Lent, Lodge, Martin, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Stennett, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 27.

NAYS—None.

Absent and excused—Bair, Crabtree, Den Hartog, Heider, Johnson, Nelson, Thayn, Vick. Total - 8.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended.

[H 408](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Agenbroad arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bayer, Burgoyne, Burtenshaw, Cook, Funk (Souza), Grow, Guthrie, Harris, Lakey, Lee, Lent, Lodge, Martin, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Stennett, Ward-Engelking, Winder, Wintrow, Woodward. Total - 26.

NAYS—Zito. Total - 1.

Absent and excused—Bair, Crabtree, Den Hartog, Heider, Johnson, Nelson, Thayne, Vick. Total - 8.

Total - 35.

Whereupon the President declared [H 408](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Anthon, granted by unanimous consent, the Senate returned to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

SCR 112

BY STATE AFFAIRS COMMITTEE

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND PROVIDING THAT NO UNVOUCHERED OR VOUCHERED EXPENSE ALLOWANCE SHALL BE PAYABLE TO ANY MEMBER OF THE LEGISLATURE FOR ANY TIME PERIOD DURING A TEMPORARY ADJOURNMENT FOLLOWING THE PASSAGE OF THREE DAYS FROM THE DATE OF ADOPTION OF THIS CONCURRENT RESOLUTION WITHOUT THE APPROVAL OF THE PRESIDENT PRO TEMPORE OF THE SENATE OR THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, RESPECTIVELY.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the First Regular Session of the Sixty-sixth Idaho Legislature convened on January 11, 2021, and continues in session as of the date of introduction of this concurrent resolution; and

WHEREAS, the approved motion by the Citizens' Committee on Legislative Compensation determined that, if the Legislature, by passage of a concurrent resolution, adjourns for more than three days, no unvouchered or vouchered expense allowance shall be payable to any member of the Legislature for the time period during such temporary adjournment without the approval of the President Pro Tempore of the Senate or the Speaker of the House of Representatives, respectively.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-sixth Idaho Legislature, the Senate and the House of Representatives concurring therein, that no unvouchered or vouchered expense allowance shall be payable to any member of the Legislature for any time period during a temporary adjournment following the passage of three days from the date of adoption of this concurrent resolution without the approval of the President Pro Tempore of the Senate or the Speaker of the House of Representatives, respectively.

[SCR 112](#) was introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

May 12, 2021

The JUDICIARY AND RULES Committee reports that [SCR 112](#) has been correctly printed.

LAKEY, Chairman

[SCR 112](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

May 12, 2021

Dear Madam President:

I transmit herewith Enrolled [H 407](#) and [H 408](#) for the signature of the President.

MAULIN, Chief Clerk

The President signed Enrolled [H 407](#) and [H 408](#) and ordered them returned to the House.

May 12, 2021

Dear Madam President:

I return herewith Enrolled [S 1219](#), which has been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [S 1219](#) was referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

Moved by Senator Anthon, seconded by Senator Burgoyne, that all rules of the Senate interfering with the immediate consideration of [SCR 112](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bayer, Burgoyne, Burtenshaw, Cook, Funk (Souza), Grow, Guthrie, Harris, Lakey, Lee, Lent, Lodge, Martin, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 26.

NAYS—None.

Absent and excused—Bair, Crabtree, Den Hartog, Heider, Johnson, Nelson, Stennett, Thayne, Vick. Total - 9.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [SCR 112](#) was before the Senate for final consideration.

On motion by Senator Anthon, seconded by Senator Harris, [SCR 112](#) was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

On request by Senator Anthon, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

Reports of Standing Committees

May 12, 2021

The JUDICIARY AND RULES Committee reports that Enrolled [S 1219](#) was delivered to the Office of the Governor at 10:32 p.m., May 12, 2021.

LAKEY, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On request by Senator Anthon, granted by unanimous consent, the President appointed a committee consisting of Senator Lakey, Chairman, and Senators Lent and Stennett to notify the Governor that the Senate had completed its business and was ready to adjourn *Sine Die*. The committee was excused.

On request by Senator Anthon, granted by unanimous consent, the President appointed a committee consisting of Senator Agenbroad, Chairman, and Senators Riggs and Burgoyne to notify the House of Representatives that the Senate had completed its business and was ready to adjourn *Sine Die*. The committee was excused.

The committee appointed to wait upon the Governor returned and reported that it had delivered the Senate's message. The committee conveyed the Governor's response to the President and the members of the Senate.

The President thanked and discharged the committee.

The committee appointed to wait upon the House of Representatives returned and reported that it had delivered the Senate's message. The committee conveyed the Speaker's response to the President and the members of the Senate.

The President thanked and discharged the committee.

On motion by Senator Anthon, seconded by Senator Stennett, that the Senate adjourn the First Regular Session of the Sixty-sixth Legislature of the Idaho Senate *Sine Die*.

Roll call vote was requested by Senator Zito.

President Pro Tempore Winder and Senator Bayer stood in support.

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Burgoyne, Burtenshaw, Cook, Funk (Souza), Grow, Guthrie, Harris, Lakey, Lee, Lent, Lodge, Martin, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Stennett, Ward-Engelking, Winder, Wintrow, Woodward. Total - 25.

NAYS—Bayer, Zito. Total - 2.

Absent and excused—Bair, Crabtree, Den Hartog, Heider, Johnson, Nelson, Thayne, Vick. Total - 8.

Total - 35.

Whereupon the President declared that a majority having voted in the affirmative, the First Regular Session of the Sixty-sixth Legislature of the Idaho Senate adjourned *Sine Die* at 11 p.m., Wednesday, May 12, 2021.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

[Note: The following is action recorded after Senate recess]

Pursuant to Mason's Manual:

Section 204(3), RIGHT TO ADJOURN: Neither the Senate nor the House can constitutionally adjourn sine die without the consent of the other.

Section 445(2), MOTION TO ADJOURN SINE DIE: Neither the Senate nor the House can constitutionally adjourn sine die without the consent of the other.

Section 783(2), ADJOURNMENT FOR MORE THAN A SPECIFIED NUMBER OF DAYS: Either house's adoption of a motion to adjourn for more than the constitutionally limited days is a nullity and void *ab initio* (from the beginning).

May 13, 2021

Dear Madam President:

I return herewith [SCR 112](#), which has passed the House.

MAULIN, Chief Clerk

[SCR 112](#) was referred to the Judiciary and Rules Committee for enrolling.

May 13, 2021

The JUDICIARY AND RULES Committee reports that [SCR 112](#) has been correctly enrolled.

LAKEY, Chairman

The President Pro Tempore signed Enrolled [SCR 112](#) and ordered it transmitted to the House for the signature of the Speaker.

May 13, 2021

Dear Madam President:

I return herewith Enrolled [SCR 112](#), which has been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [SCR 112](#) was referred to the Judiciary and Rules Committee for transmittal to the Office of the Secretary of State.

May 13, 2021

The JUDICIARY AND RULES Committee reports that Enrolled [SCR 112](#) was delivered to the Office of the Secretary of State at 2:32 p.m., May 13, 2021.

LAKEY, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

May 17, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that I have signed on May 17, 2021 and am transmitting to the Secretary of State the following Senate Bills, to wit:

[S 1219](#) and [S 1214](#)

Sincerely,
/s/ Brad Little
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

May 18, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I hereby advise you that I have returned without my approval, disapproved and vetoed, the following Senate Bill, to wit:

[S 1150](#), as amended in the House

I am primarily concerned with the constitutionality and fairness of this bill. As amended, Senate Bill 1150a provides that signatures gathered outside of Idaho may only be collected from military members and missionaries. This is discriminatory and unfair to other qualified voters who wish to participate in Idaho's initiative and referendum process but find themselves temporarily out of the state when the opportunity arises. For example, families of military members deployed overseas should be afforded the same convenience to exercise their Article III, Section 1 rights when doing so presents no concerns for the security or integrity of the process. Further, as I articulated when I signed Senate Bill 1110 earlier this session, I support efforts to increase participation of all Idahoans - not just those living in urban areas - in our initiative and referendum process. I believe Senate Bill 1150 will frustrate that laudable goal.

Sincerely,
/s/ Brad Little
Governor of Idaho

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

**THREE HUNDRED NINTH LEGISLATIVE DAY
MONDAY, NOVEMBER 15, 2021**

Senate Chamber

President McGeachin called the Senate to order at 10 a.m.

Roll call showed all members present except Senator Agenbrood, absent and formally excused by the Chair. [District 17 seat is temporarily vacant.]

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Sarah Jane McDonald, Sergeant-at-Arms.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of May 12, 2021, was read and approved as corrected.

LAKEY, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

Senator Burgoyne inquired if the office of the Secretary of the Senate received an Order from any Idaho Court nullifying the Senate's Sine Die adjournment of May 12, 2021.

Madam President responded that the Secretary of the Senate had not received any Order from any Idaho Court.

Senator Burgoyne further inquired if the office of the Secretary of the Senate received from the Idaho House of Representatives any notice of non-concurrence or non-consent to the Senate's Sine die adjournment of May 12, 2021.

Madam President responded that the only notification the Secretary received on behalf of the Senate was the passage of House Resolution 4.

Senator Burgoyne questioned if the office of the Secretary of the Senate received from the Governor any notice calling the Legislature back into special session since the Senate's Sine die adjournment of May 12, 2021.

Madam President responded the Secretary of the Senate had not received any notice from the Governor.

Moved by Senator Burgoyne, seconded by Senator Stennett that the Senate recognized that it adjourned Sine Die on May 12, 2021. That no further proceedings of the Senate may be had until the next regular legislative session which convenes on January

10, 2022, unless a Court order nullifying its May 12, 2021 Sine Die adjournment is first received by the Senate, and that this purported convening of the Senate is therefore adjourned.

Roll call vote was requested by Senator Burgoyne. Senators Stennett, Ward-Engelking, Nelson, and Wintrow stood in support.

AYES—Burgoyne, Nelson, Nye, Stennett, Ward-Engelking, Wintrow. Total - 6.

NAYS—Anthon, Bair, Bayer, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Patrick, Rice, Ricks, Riggs, Souza, Thayn, Vick, Winder, Woodward, Zito. Total - 27.

Absent and excused—Agenbrood. Total - 1.

Total - 34 [District 17 seat is temporarily vacant.]

The Senate advanced to the Fourth Order of Business.

Reading of Communications

November 5, 2021

The Honorable Chuck Winder
President Pro Tempore
Idaho State Senate
P.O. Box 83720
Boise, Idaho 83720-0081

Dear Senator Winder,

I am no longer a resident of District 17 as of Friday, November 5, 2021. Thus my seat is vacant pursuant to 59-901(e).

I have truly enjoyed my time in the Senate and getting to know all of my Senate colleagues. I appreciate the moderate, collegial, and civil body the Senate strives to be. I hope this body can continue to ensure Idaho is a fair, safe, and prosperous State. I hope to see everyone again very soon.

Best regards,
Ali Rabe

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Senate advanced to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

SCR 113

BY STATE AFFAIRS COMMITTEE

A CONCURRENT RESOLUTION
STATING FINDINGS OF THE LEGISLATURE AND
AUTHORIZING THE PRESIDENT PRO TEMPORE OF
THE IDAHO SENATE AND THE SPEAKER OF THE
IDAHO HOUSE OF REPRESENTATIVES TO USE MONEYS
FROM THE FEDERAL OVERREACH LEGAL DEFENSE
FUND TO ENGAGE COUNSEL TO SUE THE FEDERAL
GOVERNMENT TO HAVE A FEDERAL COURT DECLARE
THE COVID-19 VACCINATION MANDATES UNLAWFUL.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, on September 9, 2021, President Biden announced that his patience was "wearing thin" with Americans who are not vaccinated against COVID-19; and

WHEREAS, on that date, President Biden issued two executive orders setting out his "Action Plan" that included, among other things, a directive to the United States Department of Labor's Occupational Safety and Health Administration (OSHA) to develop a federal regulation requiring all United States employers with 100 or more employees to ensure their workforce is fully vaccinated or require any workers who remain unvaccinated to produce a negative test result on at least a weekly basis before coming to work or be fired; and

WHEREAS, the President Pro Tempore of the Idaho Senate, the Speaker of the Idaho House of Representatives, Governor Little, and the Idaho Attorney General jointly responded to the President by letter dated September 17, 2021, objecting to the proposed regulation because it has no legal basis and asking the President to rescind his directive to the Department of Labor; and

WHEREAS, the Idaho constitutional and legislative officers strongly opposed the mandates because: (1) the power to promulgate and enforce vaccination policies in Idaho belongs to the state; (2) the Department of Labor lacks the requisite legal authority to issue the President's vaccination mandates; and (3) cooperative federalism requires the Department of Labor not to issue the workplace vaccination mandates; and

WHEREAS, the COVID-19 Vaccination and Testing Emergency Temporary Standard issued by OSHA, published in the Federal Register on November 5, 2021, at Volume 86, pages 61402 through 61555, has serious legal flaws that will be foisted on Idaho unless remedied by a federal court; and

WHEREAS, companion legislation establishing and funding the Federal Overreach Legal Defense Fund has been proposed by this Legislature to pay for litigation defending Idaho from the overreach of the federal government.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-sixth Idaho Legislature, the Senate and the House of Representatives concurring therein, that the Legislature authorizes the President Pro Tempore of the Senate and the Speaker of the House of Representatives to use moneys from the Federal Overreach Legal Defense Fund to engage counsel to sue the federal government on behalf of their offices and the Legislature to have a federal court declare the federal vaccine mandates unlawful and to enjoin the mandates or otherwise prevent them from having any effect on Idaho employers and employees.

SJM 105

BY STATE AFFAIRS COMMITTEE A JOINT MEMORIAL

TO PRESIDENT JOE BIDEN, TO THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE UNITED STATES IN CONGRESS ASSEMBLED, AND TO THE CONGRESSIONAL DELEGATION REPRESENTING THE STATE OF IDAHO IN THE CONGRESS OF THE UNITED STATES.

We, your Memorialists, the Senate and the House of Representatives of the State of Idaho assembled in the First Regular Session of the Sixty-sixth Idaho Legislature, do hereby respectfully represent that:

WHEREAS, on September 9, 2021, President Joe Biden issued two executive orders mandating COVID-19 vaccines for federal workers and contractors and further unveiled new vaccine or testing requirements for health care providers and employers with 100 or more employees; and

WHEREAS, such an effort to compel Americans to submit to vaccination by using the force of federal government is an

overreach of the power the several states entrusted to that central government under the principles of American federalism; and

WHEREAS, in addition to the moral and constitutional concerns inherent in such a sweeping, invasive mandate, the Biden Administration's plan would place an onerous burden on employers, particularly health care providers, by forcing these employers to choose between complying with federal orders or maintaining their workforce. Many health care employees and other segments of the workforce have found it necessary to stage protests or otherwise communicate their disapproval of a vaccine mandate. When viewed in the present context of nationwide labor shortages and political divisiveness, the plan is remarkably ill-timed; and

WHEREAS, the Legislature finds that inoculation is a personal medical choice, and an attack on such choice is to chisel away at the freedom and liberty upon which this nation was founded. Vaccination should not be required as a condition of employment, public or private, and religious exemptions should always be honored; and

WHEREAS, the Legislature finds it necessary and proper to voice its opposition to the Biden Administration's COVID-19 vaccine mandate and to state its position that President Biden's plan to fine large employers that do not require their employees to be vaccinated or submit to weekly COVID-19 testing is an unconstitutional overreach of executive authority as set forth in Article II of the United States Constitution.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-sixth Idaho Legislature, the Senate and the House of Representatives concurring therein, that the Idaho Legislature strongly opposes the Biden Administration's vaccine mandate for federal workers and contractors as well as the proposed requirements for large employers and health care employers to require vaccination and testing as erosions of the freedom and liberty of the people of this state and nation.

BE IT FURTHER RESOLVED that the Secretary of the Senate be, and she is hereby authorized and directed to forward a copy of this Memorial to President Joe Biden, the President of the Senate and the Speaker of the House of Representatives of Congress, and to the congressional delegation representing the State of Idaho in the Congress of the United States.

[SCR 113](#) and [SJM 105](#) were introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1221

BY STATE AFFAIRS COMMITTEE AN ACT

RELATING TO THE FEDERAL OVERREACH LEGAL DEFENSE FUND; AMENDING CHAPTER 4, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-451B, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING THE FEDERAL OVERREACH LEGAL DEFENSE FUND; PROVIDING FOR AN APPROPRIATION TO THE FEDERAL OVERREACH LEGAL DEFENSE FUND; AND DECLARING AN EMERGENCY.

S 1222**BY STATE AFFAIRS COMMITTEE
AN ACT**

RELATING TO COVID-19; AMENDING TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 97, TITLE 67, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING CERTAIN COVID-19-RELATED FUNDING; AND DECLARING AN EMERGENCY.

S 1223**BY STATE AFFAIRS COMMITTEE
AN ACT**

RELATING TO THE IDAHO HEALTH FREEDOM ACT; AMENDING SECTION 39-9002, IDAHO CODE, TO DEFINE TERMS; AMENDING CHAPTER 90, TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 39-9003A, IDAHO CODE, TO PROHIBIT THE TERMINATION OF EMPLOYMENT BASED ON HEALTH CARE SERVICES PREFERENCE; AMENDING SECTION 39-9004, IDAHO CODE, TO REVISE PROVISIONS REGARDING ENFORCEMENT; PROVIDING SEVERABILITY; AND DECLARING AN EMERGENCY.

S 1224**BY STATE AFFAIRS COMMITTEE
AN ACT**

RELATING TO EMPLOYERS AND EMPLOYEES; AMENDING CHAPTER 9, TITLE 44, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 44-906, IDAHO CODE, TO PROVIDE THAT AN EMPLOYER THAT REQUIRES COVID-19 IMMUNIZATION AS A CONDITION OF EMPLOYMENT MUST ALLOW CERTAIN EXEMPTIONS FOR EMPLOYEES AND TO PROVIDE FOR CERTAIN INFORMATION IN COMMUNICATIONS REGARDING REQUIRED IMMUNIZATION; PROVIDING SEVERABILITY; AND DECLARING AN EMERGENCY.

S 1225**BY STATE AFFAIRS COMMITTEE
AN ACT**

RELATING TO EMPLOYERS AND EMPLOYEES; AMENDING CHAPTER 9, TITLE 44, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 44-907, IDAHO CODE, TO PROVIDE THAT AN EMPLOYER THAT REQUIRES COVID-19 IMMUNIZATION AS A CONDITION OF EMPLOYMENT MUST ALLOW A CERTAIN EXEMPTION FOR EMPLOYEES AND TO PROVIDE FOR CERTAIN INFORMATION IN COMMUNICATIONS REGARDING REQUIRED COVID-19 IMMUNIZATIONS; PROVIDING SEVERABILITY; AND DECLARING AN EMERGENCY.

[S 1221](#), [S 1222](#), [S 1223](#), [S 1224](#), and [S 1225](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

On request by Senator Anthon, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

Reports of Standing Committees

November 15, 2021

The JUDICIARY AND RULES Committee reports that [SCR 113](#), [SJM 105](#), [S 1221](#), [S 1222](#), [S 1223](#), [S 1224](#), and [S 1225](#) have been correctly printed.

LAKEY, Chairman

[SCR 113](#) and [SJM 105](#) were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

[S 1221](#) was referred to the Finance Committee.

[S 1222](#), [S 1223](#), [S 1224](#), and [S 1225](#) were referred to the State Affairs Committee.

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote the Senate recessed at 11 a.m. until the hour of 3 p.m. of this day.

**RECESS
AFTERNOON SESSION**

The Senate reconvened at 3 p.m., pursuant to recess, President McGeachin presiding.

Roll call showed all members present except Senator Agenbroad, absent and formally excused by the Chair. [District 17 seat is temporarily vacant.]

Prior to recess the Senate was at the Sixth Order of Business, Reports of Standing Committees.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the Senate adjourned at 3:15 p.m. until the hour of 10 a.m., Tuesday, November 16, 2021.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

**THREE HUNDRED TENTH LEGISLATIVE DAY
TUESDAY, NOVEMBER 16, 2021**

Senate Chamber

President McGeachin called the Senate to order at 10 a.m.

Roll call showed all members present. [District 17 seat temporarily vacant.]

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Catherine Lewers, Minority Chief of Staff.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of November 15, 2021, was read and approved as corrected.

LAKEY, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Tenth Order of Business.

Motions and Resolutions

On request by Senator Anthon, granted by unanimous consent, [SJM 105](#) was placed before the Senate for final consideration. The question being, "Shall the memorial be adopted?"

On motion by President Pro Tempore Winder, seconded by Senator Anthon, [SJM 105](#) was adopted by voice vote, title was approved, and the memorial ordered transmitted to the House.

On request by Senator Anthon, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

Reports of Standing Committees

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote the Senate recessed at 11:14 a.m. until the hour of 2:30 p.m. of this day.

RECESS AFTERNOON SESSION

The Senate reconvened at 2:30 p.m., pursuant to recess, President McGeachin presiding.

Roll call showed all members present except Senator Grow, absent and formally excused by the Chair; and Senators Cook and Crabtree, absent and excused. [District 17 seat temporarily vacant.]

Prior to recess the Senate was at the Sixth Order of Business, Reports of Standing Committees.

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote the Senate recessed at 3:10 p.m. until the hour of 5 p.m. of this day.

RECESS AFTERNOON SESSION

The Senate reconvened at 5 p.m., pursuant to recess, President McGeachin presiding.

Roll call showed all members present except Senators Lakey and Patrick, absent and formally excused by the Chair; and Senators Agenbroad, Burtenshaw, Crabtree, Lodge, and Woodward, absent and excused. [District 17 seat temporarily vacant.]

Prior to recess the Senate was at the Sixth Order of Business, Reports of Standing Committees.

Senator Lodge was recorded present at this order of business.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

Senators Agenbroad, Burtenshaw, Crabtree, and Woodward were recorded present at this order of business.

November 16, 2021

Dear Madam President:

I transmit herewith [H 417](#), [H 412](#), [H 414](#), [H 429](#), and [H 419](#), which have passed the House.

MAULIN, Chief Clerk

[H 417](#), [H 412](#), [H 414](#), [H 429](#), and [H 419](#) were filed for first reading.

November 16, 2021

Dear Madam President:

I return herewith [SJM 105](#), which has passed the House.

MAULIN, Chief Clerk

[SJM 105](#) was referred to the Judiciary and Rules Committee for enrolling.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

[H 417](#), [H 412](#), [H 414](#), [H 429](#), and [H 419](#), by Ways and Means Committee, were introduced, read the first time at length, and referred to the State Affairs Committee.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the Senate adjourned at 5:32 p.m. until the hour of 10 a.m., Wednesday, November 17, 2021.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

**THREE HUNDRED ELEVENTH LEGISLATIVE DAY
WEDNESDAY, NOVEMBER 17, 2021**

Senate Chamber

President McGeachin called the Senate to order at 10 a.m.

Roll call showed all members present except Senator Guthrie, absent and formally excused by the Chair. [District 17 seat temporarily vacant]

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Rellie Wisdom, Administrative Assistant to the President Pro Tempore.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of November 16, 2021, was read and approved as corrected.

LAKEY, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

November 17, 2021

The JUDICIARY AND RULES Committee reports that [SJM 105](#) has been correctly enrolled.

LAKEY, Chairman

The President signed Enrolled [SJM 105](#) and ordered it transmitted to the House for the signature of the Speaker.

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote the Senate recessed at 1:44 p.m. until the hour of 2:30 p.m. of this day.

RECESS AFTERNOON SESSION

The Senate reconvened at 2:30 p.m., pursuant to recess, President McGeachin presiding.

Roll call showed all members present except Senator Guthrie, absent and formally excused by the Chair. [District 17 seat temporarily vacant]

Prior to recess the Senate was at the Sixth Order of Business, Reports of Standing Committees.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

November 16, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

Pursuant to Idaho Code 67-504, I hereby notify the Senate that I delivered without my approval, disapproved, and vetoed the following Senate Bill, to wit:

Senate Bill 1150aaH

This vetoed legislation and my objections were hand delivered during the legislative recess on May 18, 2021, to Jennifer Novak, Secretary of the Senate, and Senator Grant Burgoyne. This notice shall serve as the requirement under Idaho Code 67-504 as to whom the vetoed legislation was delivered to, as well as the date and time of its delivery.

Sincerely,
/s/ Brad Little
Governor

On request by Senator Anthon, granted by unanimous consent, [S 1150](#), as amended in the House, was recommitted to the State Affairs Committee.

November 16, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that I have appointed Carol Guthrie of Inkom, Idaho, to the office of Acting State Senator for Legislative District 28, Bannock and Power Counties, State of Idaho.

This appointment is effective Wednesday, November 17, 2021, and will continue for as long as necessary.

Sincerely,
/s/ Brad Little
Governor

THE OFFICE OF THE GOVERNOR
EXECUTIVE DEPARTMENT
BOISE, IDAHO
CERTIFICATE OF APPOINTMENT

KNOW ALL PEOPLE that pursuant to the provisions of Section 59-917, *Idaho Code*, Jim Guthrie, State Senator, District 28, Bannock and Power Counties, State of Idaho, has nominated Carol Guthrie of Inkom, Idaho, to perform the duties of this office temporarily as Acting State Senator, District 28, Bannock and Power Counties, State of Idaho.

NOW, THEREFORE, I, BRAD LITTLE, Governor of the State of Idaho, by virtue of the authority vested in me do hereby appoint Carol Guthrie of Inkom, Idaho to the office of Acting State Senator, District 28, for a term commencing on Wednesday, November 17, 2021, and will continue for as long as necessary.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho at the Capitol in Boise on this 16th day of November, in the year of our Lord two thousand and twenty-one and of the Independence of the United States of America the two hundred forty-sixth and of the Statehood of Idaho the one hundred thirty-second.

/s/ BY THE GOVERNOR BRAD LITTLE
/s/ SECRETARY OF STATE LAWRENCE DENNEY

The correspondence and Certificate of Appointment were ordered filed in the office of the Secretary of the Senate.

The President announced that the Oath of Office had been administered previously to Acting Senator Guthrie, and she was recorded present at this order of business.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On request by Senator Anthon, granted by unanimous consent, the President appointed a committee consisting of Senator Den Hartog, Chairman, and Senators Burtenshaw and Wintrow to notify the House of Representatives that the Senate had completed its business and was ready to adjourn *Sine Die*. The committee was excused.

On request by Senator Anthon, granted by unanimous consent, the President appointed a committee consisting of Senator Crabtree, Chairman, and Senators Grow and Stennett to notify the Governor that the Senate had completed its business and was ready to adjourn *Sine Die*. The committee was excused.

The committee appointed to wait upon the House of Representatives returned and reported that it had delivered the Senate's message. The committee conveyed the Speaker's response to the President and the members of the Senate.

The President thanked and discharged the committee.

The committee appointed to wait upon the Governor returned and reported that it had delivered the Senate's message. The committee conveyed the Governor's response to the President and the members of the Senate.

The President thanked and discharged the committee.

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote the First Regular Session of the Sixty-sixth Legislature of the Idaho Senate adjourned *Sine Die* at 3:46 p.m., Wednesday, November 17, 2021.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

[Note: The following is action recorded after Senate *Sine Die*:]

November 17, 2021

Dear Madam President:

I return herewith Enrolled [SJM 105](#), which has been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [SJM 105](#) was referred to the Judiciary and Rules Committee for transmittal to the Office of the Secretary of State.

November 17, 2021

The JUDICIARY AND RULES Committee reports that Enrolled [SJM 105](#) was delivered to the Office of the Secretary of State at 4:39 p.m., November 17, 2021.

LAKEY, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

CERTIFICATE

State of Idaho)
Senate Chamber, Boise, Idaho)

We, JANICE MCGEACHIN, President of the Senate, and JENNIFER NOVAK, Secretary of the Senate, do hereby certify and attest as follows:

That the daily Senate Journal of the proceedings of November 17, 2021, the Three hundred and eleventh Legislative Day, has been read and approved:

And, said Journal contains a true, complete, and accurate record of all Senate proceedings of said day, including final actions by the Senate and the Governor of the State of Idaho, as statutorily mandated.

IN WITNESS WHEREOF, we have hereunto set our hand this 19th day of November, 2021.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

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 - ORGANIZATIONAL SESSION -
 - FIRST REGULAR SESSION -

SIXTY-SIXTH IDAHO LEGISLATURE - 2021

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SECTION I-O

SIXTY-SIXTH LEGISLATURE - ORGANIZATIONAL SESSION - 2021
OFFICERS AND ADMINISTRATION OF THE SENATE

Name	Address
MCGEACHIN, JANICE Lieutenant Governor/President of the Senate	Idaho Falls
WINDER, CHUCK President Pro Tempore	Boise
ANTHON, KELLY ARTHUR Majority Leader	Burley
LEE, ABBY Assistant Majority Leader	Fruitland
HARRIS, MARK Majority Caucus Chair	Soda Springs
STENNETT, MICHELLE Minority Leader	Ketchum
BURGOYNE, GRANT Assistant Minority Leader	Boise
WARD-ENGELKING, JANIE Minority Caucus Chair	Boise
NOVAK, JENNIFER Secretary of the Senate	Boise
ROURK, JACOB Journal Clerk	Boise
JONES, MARY SUE..... Assistant to the President Pro Tem	Boise
LEWERS, CATHERINE Minority Chief of Staff	Boise
MCDONALD, SARAH JANE Sergeant-at-Arms	Boise

SECTION II-O

SENATE COMMITTEE ASSIGNMENTS
2021 LEGISLATURE

[Organizational Session: December 3, 2020]

Agricultural Affairs (9)Burtenshaw, Chairman
Bayer, Vice ChairmanPatrick
Den Hartog
Johnson
Zito
RicksNelson
Rabe**Judiciary and Rules (9)**Lakey, Chairman
Ricks, Vice ChairmanLodge
Lee
Anthon
Thayn
ZitoBurgoyne
Wintrow**Commerce and Human Resources (9)**Patrick, Chairman
Souza, Vice ChairmanMartin
Lakey
Guthrie
Agenbroad
RiggsWard-Engelking
BurgoyneVick
Lakey
Souza
Bayer
Ricks**Local Government and Taxation (9)**Rice, Chairman
Grow, Vice ChairmanNye
Rabe**Education (9)**Thayn, Chairman
Crabtree, Vice ChairmanDen Hartog
Woodward
Lent
Johnson
CookWard-Engelking
NelsonBair
Heider
Patrick
Guthrie
BurtenshawStennett
Nye**Resources and Environment (9)**Vick, Chairman
Johnson, Vice Chairman**Finance (10)**Bair, Chairman
Agenbroad, Vice ChairmanCrabtree
Grow
Woodward
Lent
Riggs
CookWard-Engelking
NyeWinder
Anthon
Harris
Lee
Heider**State Affairs (9)**Lodge, Chairman
Guthrie, Vice ChairmanStennett
Burgoyne**Health and Welfare (9)**Martin, Chairman
Riggs, Vice ChairmanHeider
Lee
Harris
Agenbroad
ZitoWintrow
RabeWinder
Lodge
Rice
Vick
CrabtreeNelson
Wintrow**Transportation (9)**Den Hartog, Chairman
Woodward, Vice Chairman

SENATE JOURNAL

SECTION III-O

SIXTY-SIXTH IDAHO LEGISLATURE

ORGANIZATIONAL SESSION

2021 LEGISLATIVE SESSION

December 3, 2020

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Former Pro Tempore, Senator Brent Hill.....	1
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WINDER, CHARLES	
Elected by the Senate	1
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Secretary of the Senate:	
NOVAK, JENNIFER L.	
Elected by the Senate	1
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SECTION I

SIXTY-SIXTH LEGISLATURE - FIRST REGULAR SESSION - 2021
OFFICERS AND ADMINISTRATION OF THE SENATE

Name	Address
MCGEACHIN, JANICE Lieutenant Governor/President of the Senate	Idaho Falls
WINDER, CHUCK President Pro Tempore	Boise
ANTHON, KELLY ARTHUR Majority Leader	Burley
LEE, ABBY Assistant Majority Leader	Fruitland
HARRIS, MARK Majority Caucus Chair	Soda Springs
STENNETT, MICHELLE Minority Leader	Ketchum
BURGOYNE, GRANT Assistant Minority Leader	Boise
WARD-ENGELKING, JANIE Minority Caucus Chair	Boise
NOVAK, JENNIFER Secretary of the Senate	Boise
THOMAS, ALEXANDER Secretary to the Secretary of the Senate	Boise
ROURK, JACOB Journal Clerk	Boise
ORZECK, KURT Assistant Clerk	Boise
JONES, MARY SUE Administrative Assistant to the President Pro Tem	Boise
LEWERS, CATHERINE Minority Chief of Staff	Boise
MCDONALD, SARAH JANE Sergeant-at-Arms	Boise
CSUTORAS, JERRY Assistant Sergeant-at-Arms	Boise
ARMSTRONG, DOUG Chaplain	Boise
JONES, LARRY Doorkeeper	Boise

SECTION II - Continued

**SENATE COMMITTEE ASSIGNMENTS
2021 LEGISLATURE**

Agricultural Affairs (8)

Burtenshaw, Chairman
Bayer, Vice Chairman

Patrick
Den Hartog
Johnson
Zito
Ricks

Nelson
Rabe

Judiciary and Rules (9)

Lakey, Chairman
Ricks, Vice Chairman

Lodge
Lee
Anthon
Thayn
Zito

Burgoyne
Wintrow

Commerce and Human Resources (9)

Patrick, Chairman
Souza, Vice Chairman

Martin
Lakey
Guthrie
Agenbroad
Riggs

Ward-Engelking
Burgoyne

Local Government and Taxation (8)

Rice, Chairman
Grow, Vice Chairman

Vick
Lakey
Souza
Bayer
Ricks

Nye
Rabe

Education (9)

Thayn, Chairman
Crabtree, Vice Chairman

Den Hartog
Woodward
Lent
Johnson
Cook

Ward-Engelking
Nelson

Resources and Environment (8)

Vick, Chairman
Johnson, Vice Chairman

Bair
Heider
Patrick
Guthrie
Burtenshaw

Stennett
Rabe

Finance (10)

Agenbroad, Chairman
Bair, Chairman
Crabtree, Vice Chairman

Grow
Woodward
Lent
Riggs
Cook

Ward-Engelking
Nye

State Affairs (9)

Lodge, Chairman
Guthrie, Vice Chairman

Winder
Anthon
Harris
Lee
Heider

Stennett
Burgoyne

Transportation (9)

Den Hartog, Chairman
Woodward, Vice Chairman

Health and Welfare (9)

Martin, Chairman
Riggs, Vice Chairman

Heider
Lee
Harris
Agenbroad
Zito

Stennett
Wintrow

Winder
Lodge
Rice
Vick
Crabtree

Nelson
Wintrow

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<u>Name</u>	<u>Position</u>
ARMSTRONG, DOUG.....	Chaplain
BENNETT, GAYE.....	Assistant to the Majority Caucus Chairman
BROCKMAN, CHARLOTTE	*Page
BUDELL, JUANITA.....	Resources and Environment Committee Secretary
CARLISLE, EMILY	Transportation Committee Secretary
CORNWALL, CAROL.....	Majority Staff Assistant
CRAIG, TUCKER.....	Majority Staff Assistant
CSUTORAS, JERRY	Assistant Sergeant-at-Arms
CURTRIGHT, MADELEINE.....	Minority Staff Assistant
GRIFFIN, JAXON.....	Page
HAMILTON, MACHELE.....	Local Government and Taxation Committee Secretary
HARRIS, JAYLEE	Page
HEATON, PRISCILLA	Assistant to the Asst. Maj. Leader
JACKSON, BRIGGS.....	Minority Staff Assistant
JACKSON-HEIM, JEANNE.....	Health and Welfare Committee Secretary
JONES, LARRY	Doorkeeper
JONES, MARY S.	**Administrative Assistant to the President Pro Tempore
JONES, OLIVIA.....	Page
KAMBEITZ, LINDA	Commerce and Human Resources Committee Secretary
KEDDINGTON, CURTIS	Page
KUHN, GRACE	*Page
LEWERS, CATHERINE	**Minority Chief of Staff
LINCE, FLORENCE.....	Education Committee Secretary
LIND, SOPHIA	Page
LUEKENGA, ELLA	*Page
MCDONALD, SARAH JANE.....	Sergeant-at-Arms
MCNEIL, DENISE.....	Finance Committee Secretary
MELENDEZ, JULISSA	*Page
MELTON, TWYLA.....	State Affairs Committee Secretary
MILLER, ERIN	Majority Staff Assistant
MILLER, JACOB.....	Majority Staff Assistant
MOYER, PEGGY.....	Assistant to the Majority Leader
NELSON, JOSH.....	Page
NOVAK, JENNIFER.....	**Secretary of the Senate

<u>Name</u>	<u>Position</u>
ORZECK, KURT.....	Assistant Clerk
PANTERA, HEIDI.....	Minority Staff Assistant
PENNINGTON, SHARON.....	Judiciary and Rules Committee Secretary
PFEIFFER, HANA.....	Page
RIETEMA, COLTON.....	*Page
ROURK, JACOB.....	Journal Clerk
STEPHENSON, HANNAH.....	Page
THOMAS, ALEXANDER.....	Secretary to the Secretary of the Senate
TIPPETS, TYLER.....	*Page
TURLEY, SHELLEY.....	Majority Staff Assistant
WISDOM, RELLIE.....	Agricultural Affairs Committee Secretary

Attache sworn in January 13, 2021

* Attache sworn in February 24, 2021

** Permanent Full-Time Employees

SECTION IV

TOPICAL INDEX

[ALPHABETICALLY ARRANGED]

This Topical Index alphabetically lists subject matter for **ALL** Senate bills, and **ONLY** those House bills introduced in the Senate. Nonlegislative subject matter is included and referred to by page number only.

Since the Senate Journal **only** covers the actions of House bills transmitted to the Senate, this topical index does not refer to every House bill introduced in the House. Separate indices in this volume list, in numerical order, all House bills, memorials, resolutions, and proclamations received by the Senate and show action taken by the Senate thereon. If a particular subject matter does not appear in this index, refer to the House Journal Alphabetical Index. Session law numbers for legislation passing both Senate and House, and becoming law, are included for all Senate bills within the Numerical Index Section V.

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Water right, change of ownership, notice	H 184	140	207
Water, stockwater use on federal land, priority date	H 186	140	207
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SECTION V

NUMERICAL INDEX OF SENATE BILLS

The following index lists in numerical order all bills which were introduced in the Senate, together with the name of the author and a brief description of the subject matter. The numbers in the Introduction column cite the page where the complete title may be found and the date of introduction of the bill. The numbers in the Vote or Disposition columns cite the page where the Senate's Final Vote or Final Disposition can be found. Amendments to a bill are noted at the bottom of the subject matter and the number opposite is the page in the Journal where the Senate amendments are recorded. Session Law chapter numbers for bills which became law are also noted. House amendments to Senate bills can be found in the House Journal.

Senate Bill	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1001	State Affairs	S St Aff	STATE DISASTER PREPAREDNESS ACT - Amends existing law to revise the definitions of "disaster" and "disaster emergency account."	14	-	16
1002	State Affairs	S St Aff	STATE DISASTER PREPAREDNESS ACT - Amends existing law to provide for the payment of obligations and expenses incurred by the state of Idaho through the Idaho Office of Emergency Management arising out of a declared state of disaster emergency.	14	-	16
1003	State Affairs	S St Aff	MARTIAL LAW - Amends existing law to revise provisions regarding the authority of the governor during a state of extreme peril and to provide that the governor may not alter, adjust, or suspend any provision of the Idaho Code in certain instances.	14	-	16
1004	State Affairs	LAW	TWENTY-SEVENTH PAYROLL FUND - Adds to existing law to establish the Twenty-seventh Payroll Fund. Session Law Chapter No. 3	20	37	82
1005	Resources and Environment	LAW	WATER DISTRICTS - Amends existing law to authorize water districts to charge fees to certain water delivery organizations and water users. Session Law Chapter No. 107	21	81	201
1006	Education	LAW	IDAHO LITERACY ACHIEVEMENT AND ACCOUNTABILITY ACT - Amends, repeals, and adds to existing law to enact the Idaho Literacy Achievement and Accountability Act. Session Law Chapter No. 292	21	37	269
1007	Education	H Educ	EDUCATION - Amends existing law to provide that local salary schedules for public school staff salaries shall include certain minimum amounts and to clarify eligibility requirements for professional endorsements and advanced professional endorsements.	22	37	37
1008	Finance	LAW	APPROPRIATIONS - OFFICE OF THE STATE BOARD OF EDUCATION - Relates to the appropriation to the Office of the State Board of Education for fiscal year 2021. Session Law Chapter No. 1	22	37	74
1009	Commerce and Human Resources	LAW	STATE FIRE MARSHAL - Amends existing law to clarify that the state fire marshal and the state fire marshal's deputies are considered firefighters for purposes of the Public Employee Retirement System (PERSI) and certain worker's compensation benefits for first responders. Session Law Chapter No. 83	23	67	196

Senate Bill	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1010	Commerce and Human Resources	LAW	WORKER'S COMPENSATION - Amends existing law to revise provisions regarding burial expenses. Session Law Chapter No. 82	23	81	194
1011	Commerce and Human Resources	LAW	LAND SURVEYING - Amends existing law to revise provisions regarding plane coordinate systems used in Idaho. Session Law Chapter No. 174	23	80	239
1012	Commerce and Human Resources	LAW	DENTISTRY - Amends existing law to remove obsolete language and to prohibit certain limitations on filing a complaint with the board. Session Law Chapter No. 7	24	58	102
1013	Commerce and Human Resources	H Com/HuRes	COMMERCIAL TRANSACTIONS - Amends existing law to revise the regulations and requirements regarding commercial transactions.	24	67	67
1014	Commerce and Human Resources	H Bus	COLLECTION AGENCIES - Amends existing law to revise the regulations and requirements for collection agencies. Amended in the Senate	24 99	- 111	111
1015	Health and Welfare	LAW	DOMESTIC WATER - Repeals existing law relating to the protection of domestic water. Session Law Chapter No. 108	24	58	201
1016	Health and Welfare	LAW	RESPIRATORY CARE PRACTICE ACT - Repeals and adds to existing law to replace the Respiratory Care Practice Act. Session Law Chapter No. 21	24	76	153
1017	Health and Welfare	LAW	CONTROLLED SUBSTANCES - Amends existing law to provide for certain synthetic drugs and controlled substances. Session Law Chapter No. 11	25	66	124
1018	State Affairs	H St Aff	STATE HISTORICAL SOCIETY - Repeals and amends existing law to remove provisions relating to the State Historical Society.	25	71	71
1019	Resources and Environment	S Res/Env	FISH AND GAME - Amends existing law to provide for meeting notices and to provide for public input.	27	-	29
1020	Resources and Environment	LAW	LANDOWNERS - Amends existing law regarding the limitation of liability of landowners toward persons entering land for recreational purposes. Session Law Chapter No. 109	27	81	201
1021	Local Government and Taxation	S Loc Gov	TAXING DISTRICT BUDGETS - Amends existing law to revise provisions regarding limitations on taxing district budgets.	27	-	29
1022	Finance	LAW	APPROPRIATIONS - LEGISLATIVE BRANCH - Appropriates and transfers \$4,000,000 from the General Fund to the Legislative Legal Defense Fund for fiscal year 2021. Session Law Chapter No. 144	27	44	202

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Senate Bill	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1023	Finance	LAW	APPROPRIATIONS - Appropriates and transfers \$279,000 from the General Fund to the Pest Control Deficiency Fund for fiscal year 2021. Session Law Chapter No. 2	27	45	74
1024	Commerce and Human Resources	LAW	OCCUPATIONAL LICENSING - Amends existing law to remove hiring authority from various individual licensing boards. Session Law Chapter No. 221	30	93	240
1025	Commerce and Human Resources	S Com/HuRes	OCCUPATIONAL LICENSES - Amends existing law to provide that licensing boards and entities under the Department of Self-Governing Agencies shall be organized under the Division of Occupational and Professional Licenses.	30	-	34
1026	Commerce and Human Resources	LAW	OCCUPATIONAL LICENSING - Amends existing law to provide that various occupational licensing boards shall be integrated into the Division of Occupational and Professional Licensing. Session Law Chapter No. 222	32	93	240
1027	Judiciary and Rules	LAW	IDAHO WRONGFUL CONVICTION ACT - Adds to existing law to provide for a claim of compensation for a wrongful conviction. Session Law Chapter No. 17	33	56	153
1028	Burgoyne	S St Aff	MINIMUM WAGE - Amends existing law to increase the minimum wage.	33	-	34
1029	Ward-Engelking	S Loc Gov	SALES TAX - Amends existing law to provide that the sales tax from internet sales shall be distributed in the same manner as all other sales and use tax revenue.	33	-	34
1030	Wintrow	S St Aff	CIVIL RIGHTS - Amends existing law to provide that freedom from discrimination because of sexual orientation or gender identity is a civil right.	33	-	34
1031	State Affairs	S St Aff	STATE DISASTER EMERGENCY ACCOUNT - Amends existing law to revise provisions regarding the Disaster Emergency Account.	33	-	34
1032	State Affairs	S St Aff	LEGISLATURE - Amends existing law to revise provisions regarding the adjournment of the Idaho Legislature.	33	-	34
1033	Finance	LAW	LEGISLATURE - Amends existing law to revise Legislative Account distributions. Session Law Chapter No. 23	33	66	156
1034	Finance	LAW	APPROPRIATIONS - COMMISSION OF PARDONS AND PAROLE - Relates to the appropriation to the Commission of Pardons and Parole for fiscal year 2021. Session Law Chapter No. 5	35	58	98
1035	Judiciary and Rules	LAW	STATE APPELLATE PUBLIC DEFENDER ACT - Adds to and repeals existing law relating to the State Appellate Public Defender Act. Session Law Chapter No. 164	36	106	236

Senate Bill	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1036	Judiciary and Rules	LAW	TEMPORARY GUARDIANS - Amends existing law to revise a provision regarding a hearing on the appropriateness of an appointment. Session Law Chapter No. 10	36	76	124
1037	Judiciary and Rules	LAW	HOSPITALIZATION OF THE MENTALLY ILL - Amends existing law to revise a provision regarding when a court may continue a hearing. Session Law Chapter No. 9	36	76	124
1038	Health and Welfare	LAW	PUBLIC ASSISTANCE - Repeals and amends existing law to remove provisions relating to obsolete public assistance programs. Session Law Chapter No. 22	36	76	153
1039	Education	LAW	EDUCATION - Adds to existing law to provide for a workforce readiness diploma. Amended in the House (See House Journal) Session Law Chapter No. 287	37	67 245	265
1040	Transportation	S Transp	TRANSPORTATION - Amends existing law to allow for certain designations on veterans license plates.	39	-	44
1041	Commerce and Human Resources	LAW	CONSUMER PROTECTION - Amends existing law to revise provisions regarding excessive increased prices during an emergency. Session Law Chapter No. 57	39	77	194
1042	Commerce and Human Resources	LAW	PUBLIC CONTRACTS - Amends existing law to revise provisions regarding professional service contracts. Amended in the Senate Session Law Chapter No. 217	39 99	- 111	239
1043	Education	LAW	EDUCATION - Amends existing law to provide that school board hearings on student discipline must be held in executive session. Amended in the Senate Session Law Chapter No. 290	44 100	81 114	269
1044	Local Government and Taxation	LAW	URBAN RENEWAL - Amends existing law to provide a certain limitation on the use of eminent domain by an urban renewal district and to provide that property of an urban renewal agency shall revert to the municipality upon dissolution. Session Law Chapter No. 87	47	76	200
1045	Education	LAW	EDUCATION - Adds to existing law to provide advanced opportunities funding for nonpublic school students, subject to appropriation. Session Law Chapter No. 259	47	93	251
1046	Education	LAW	EDUCATION - Adds to existing law to provide for the creation of innovation classrooms in which an alternative curriculum will be taught. Amended in the Senate Amended in the Senate Session Law Chapter No. 302	47 114 134	- 147	296

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Senate Bill	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1047	State Affairs	LAW	ALCOHOL - Amends existing law to provide that waterfront resort licenses shall remain valid and may be transferred in certain instances. Session Law Chapter No. 223	50	97	240
1048	Local Government and Taxation	S Loc Gov	TAXING DISTRICTS - Amends existing law to revise provisions regarding the limitation on taxing district budget requests.	54	-	57
1049	Commerce and Human Resources	LAW	BANKING - Amends existing law to revise provisions of the Idaho Bank Act. Session Law Chapter No. 58	55	96	194
1050	Commerce and Human Resources	S Com/HuRes	INSURANCE - Adds to existing law to provide requirements for health benefit plans covering contraception.	55	-	57
1051	Commerce and Human Resources	LAW	PERSONNEL SYSTEM - Amends existing law to provide that certain information be included in an annual report submitted to the Governor and Legislature by the administrator of the Division of Human Resources. Session Law Chapter No. 271	55	107	261
1052	Education	S Educ	EDUCATION - Adds to existing law to provide for flexible school schedules for academically advanced elementary school students.	55	-	57
1053	State Affairs	LAW	CODIFIER'S CORRECTIONS - Amends existing law to make codifier's corrections. Amended in the Senate Session Law Chapter No. 321	55 100	- 111	297
1054	State Affairs	S St Aff	MARTIAL LAW - Amends existing law to revise provisions regarding the authority of the Governor during a state of extreme peril and to provide that the Governor may not alter, adjust, or suspend any provision of the Idaho Code in certain instances.	56	-	57
1055	State Affairs	LAW	SPORT SHOOTING RANGES - Amends existing law to revise the definition of "sport shooting range" and to define "expanding" and "increasing." Session Law Chapter No. 110	56	93	201
1056	Commerce and Human Resources	LAW	OCCUPATIONAL LICENSES - Amends existing law to provide that licensing boards and entities under the Department of Self-Governing Agencies shall be organized under the Division of Occupational and Professional Licenses. Session Law Chapter No. 224	61	93	240
1057	Commerce and Human Resources	S FAILED	INSURED HOMEOWNER PROTECTION ACT - Adds to existing law to implement the Insured Homeowner Protection Act regarding assignment of benefits contracts or agreements. Amended in the Senate	62 186	- 195	195
1058	Local Government and Taxation	LAW	PUBLIC LIBRARIES - Amends existing law to provide that certain persons shall not be an appointed trustee of the library board and to revise a provision regarding the hiring of library employees. Session Law Chapter No. 165	63	110	236

Senate Bill	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1059	Local Government and Taxation	S St Aff	STATE GOVERNMENT - Amends existing law to provide that no classified state employee shall be a candidate or hold elective office in any state or federal partisan election.	63	-	66
1060	Health and Welfare	LAW	PUBLIC HEALTH DISTRICTS - Amends existing law to provide for the approval or extension of orders applicable to all persons in a county or public health district and to provide for an infraction. Session Law Chapter No. 90	63	96	201
1061	State Affairs	S Not Concur	ELECTIONS - Amends existing law to revise provisions regarding certain election deadlines.	63	131	248
1062	State Affairs	LAW	ELECTIONS - Amends existing law to revise provisions regarding write-in candidates and signature verifications. Session Law Chapter No. 272	63	97	261
1063	State Affairs	LAW	SECRETARY OF STATE - Amends existing law to revise provisions regarding the storage of records belonging to the Secretary of State. Session Law Chapter No. 322	63	107	297
1064	State Affairs	LAW	ELECTIONS - Amends existing law to revise provisions regarding the issuance of absentee ballots for a primary election. Session Law Chapter No. 323	63	131	297
1065	State Affairs	LAW	NOTARIES PUBLIC - Amends existing law to remove a provision regarding the Governor's ability to use a faxed signature on notary public appointments and commissions. Session Law Chapter No. 324	63	108	297
1066	State Affairs	S St Aff	CAMPAIGN FINANCE - Amends existing law to revise provisions regarding the reporting of campaign finances.	63	-	66
1067	State Affairs	LAW	ELECTIONS - Amends existing law to revise provisions regarding the administration of elections. Session Law Chapter No. 325	63	101	297
1068	State Affairs	H St Aff	LEGISLATURE - Amends existing law to provide for an adjournment date sine die and to provide exceptions.	64	93	93
1069	State Affairs	H St Aff	ELECTIONS - Amends existing law to revise provisions regarding resolving issues with absentee ballots.	64	101	101
1070	State Affairs	H St Aff	ELECTIONS - Amends existing law to revise provisions regarding absentee ballots.	66	101	101
1071	Finance	LAW	APPROPRIATIONS - DEPARTMENT OF ENVIRONMENTAL QUALITY - Relates to the appropriation to the Department of Environmental Quality for fiscal year 2021. Session Law Chapter No. 12	70	87	124
1072	Resources and Environment	LAW	IRRIGATION DISTRICTS - Amends existing law regarding the filling of vacancies. Session Law Chapter No. 111	70	106	201
1073	Resources and Environment	LAW	IRRIGATION - Amends existing law to provide that certain real property is not subject to adverse possession. Session Law Chapter No. 112	70	106	201

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Senate Bill	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1074	Resources and Environment	H Res/Con	IRRIGATION - Repeals and amends existing law to revise right-of-way provisions.	70	106	106
1075	Education	LAW	EDUCATION - Adds to existing law to provide for a kindergarten jump-start program and training for parents..... Session Law Chapter No. 326	70	114	297
1076	Judiciary and Rules	LAW	SESSION LAWS - Amends existing law to revise provisions regarding the printing and preserving of session laws. Session Law Chapter No. 166	70	106	236
1077	Judiciary and Rules	S Jud	UNIFORM ELECTRONIC WILLS ACT - Adds to existing law to provide for the execution of an electronic will.	71	-	73
1078	Judiciary and Rules	LAW	COUNTY RECORDERS - Amends existing law to provide for the recording of death certificates and to clarify that certain documents must be recorded. Session Law Chapter No. 167	71	107	236
1079	Agricultural Affairs	LAW	ENVIRONMENTAL QUALITY - Adds to existing law to provide for the agricultural best management practices (BMP) fund. Amended in the Senate..... Session Law Chapter No. 175	71 100	- 119	239
1080	Finance	LAW	APPROPRIATIONS - HEALTH AND WELFARE - BEHAVIORAL HEALTH SERVICES - Relates to the appropriation to the Department of Health and Welfare for fiscal year 2021..... Session Law Chapter No. 24	71	96	160
1081	Finance	H FAILED	APPROPRIATIONS - CATASTROPHIC HEALTH CARE PROGRAM - Relates to the appropriation to the Catastrophic Health Care Program for fiscal year 2021.	71	96	139
1082	Commerce and Human Resources	H Com/HuRes	INSURANCE - Amends and repeals existing law to provide that the manager of the State Insurance Fund shall be the custodian of the fund and to provide that employees of the fund hired after a certain date shall participate in a certain sick leave program.	75	119	119
1083	Commerce and Human Resources	LAW	OCCUPATIONAL LICENSING - Amends existing law to provide for a more streamlined licensure by endorsement process for military members, veterans, and spouses..... Session Law Chapter No. 176	75	107	239
1084	Commerce and Human Resources	LAW	OCCUPATIONAL LICENSING - Amends existing law regarding sunrise review to provide for the addition of sunset review. Session Law Chapter No. 177	75	107	239
1085	State Affairs	S St Aff	FETAL HEARTBEAT PREBORN CHILD PROTECTION ACT - Adds to existing law to prohibit an abortion following detection of a fetal heartbeat.	75	-	119
1086	State Affairs	LAW	ANTI-BOYCOTT AGAINST ISRAEL ACT - Adds to existing law to prohibit a public entity from entering into certain contracts with companies that boycott Israel..... Session Law Chapter No. 284	75	131	262

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Senate Bill	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1087	State Affairs	H FAILED	HEALTH - Amends existing law to raise the age of legal possession and use of tobacco products and electronic smoking devices to 21.....	75	132	209
1088	Judiciary and Rules	H FAILED	FORCIBLE ENTRY AND UNLAWFUL DETAINER - Adds to existing law to provide for certain limitations on fees for residential tenants. Amended in the Senate.....	80 114	- 130	209
1089	Judiciary and Rules	LAW	RAPE - Amends and repeals existing law regarding rape where the victim is 16 or 17 years of age and relating to rape of a spouse. Amended in the Senate..... Session Law Chapter No. 172	80 114	- 130	237
1090	Resources and Environment	S Res/Env	DEPARTMENT OF LANDS - Amends existing law to revise provisions regarding legal representation of the Idaho Department of Lands.	80	-	82
1091	Finance	LAW	APPROPRIATIONS - OFFICE OF THE STATE BOARD OF EDUCATION - Relates to the appropriation to the Office of the State Board of Education for fiscal year 2021..... Session Law Chapter No. 59	80	97	194
1092	Health and Welfare	H Health/Wel	MEDICAID - Amends existing law to provide for reimbursement for new in-state hospitals serving as Medicaid providers. Amended in the Senate.....	80 134	- 147	147
1093	Health and Welfare	LAW	OCCUPATIONAL LICENSING - Amends existing law to provide requirements for physician assistants who practice at certain facilities or practices or who own a medical practice..... Session Law Chapter No. 60	80	107	194
1094	Finance	LAW	APPROPRIATIONS - IDAHO TRANSPORTATION DEPARTMENT - Relates to the appropriation to the Idaho Transportation Department for fiscal year 2021. Session Law Chapter No. 61	80	97	194
1095	Commerce and Human Resources	LAW	PERSI - Amends existing law to provide for board members to be compensated via honorarium. Session Law Chapter No. 178	83	107	239
1096	Commerce and Human Resources	LAW	PERSI - Adds to existing law to establish a catastrophic line of duty benefit for public safety officers..... Session Law Chapter No. 143	83	120	202
1097	Commerce and Human Resources	S Com/HuRes	TRUST DEEDS - Amends existing law to provide that a certain action for a money judgment on a promissory note shall be filed within 90 days.....	83	-	86
1098	Commerce and Human Resources	S FAILED	INSURANCE - Adds to existing law to provide requirements for health benefit plans and student health benefit plans that cover prescription contraception.	83	127	127
1099	Transportation	S Transp	TRANSPORTATION - Amends existing law to revise penalties regarding red traffic lights.....	83	-	86

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Senate Bill	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1100	Transportation	H Transp	TRANSPORTATION - Amends existing law to revise the definition of highways to include certain public transportation and pedestrian infrastructure.	83	120	120
1101	Transportation	LAW	HIGHWAYS AND BRIDGES - Amends existing law to provide for vacation of certain rights-of-way without compensation. Session Law Chapter No. 179	83	120	239
1102	Transportation	LAW	TRANSPORTATION - Amends existing law to provide for electronic motor vehicle registration. Session Law Chapter No. 180	84	126	239
1103	Transportation	H Transp	TRANSPORTATION - Adds to existing law to establish an Idaho Air Travel Enhancement Program.	84	143	143
1104	Transportation	LAW	TRANSPORTATION - Amends existing law to provide for certain on-track equipment on railroad tracks. Session Law Chapter No. 168	84	111	236
1105	Local Government and Taxation	LAW	BONDS AND LEVIES - Amends existing law to revise bond and levy expiration date information. Session Law Chapter No. 327	84	141	297
1106	Local Government and Taxation	S Loc Gov	LOCAL LAND USE PLANNING - Amends existing law to provide that local ordinances shall not apply to state and local transportation systems and essential facilities.....	84	-	86
1107	Local Government and Taxation	LAW	TRANSPORTATION - Amends existing law to provide that a highway district shall not be financially responsible for certain urban renewal projects unless agreed upon. Amended in the Senate Session Law Chapter No. 273	84 196	- 205	261
1108	Local Government and Taxation	S FAILED	TAXING DISTRICTS - Amends existing law to revise provisions regarding a taxing district's budget limitations. Amended in the Senate Amended in the Senate	84 114 186	- 195	195
1109	Education	S FAILED	WORKFORCE DEVELOPMENT - Adds to existing law to establish the Idaho Promise Mentor Program.	84	120	120
1110	State Affairs	LAW	BALLOT INITIATIVES - Amends existing law to revise signature requirements for ballot initiative or referendum petitions..... Session Law Chapter No. 255	84	125	241
1111	State Affairs	S St Aff	ELECTIONS - Amends existing law to revise provisions regarding city election procedures. Amended in the House (See House Journal)	88	125	274
1112	State Affairs	H St Aff	LEGISLATURE - Adds to existing law to provide certain requirements for a special session convened by the Legislature..... Amended in the Senate	88 179	- 190	190
1113	Transportation	S Transp	TRANSPORTATION - Adds to existing law to provide that privately owned, noncommercial vehicles do not have to stop at Idaho Transportation Department check stations, including ports of entry and weigh stations.	88	-	91

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Senate Bill	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1114	Education	S Educ	EDUCATION - Adds to existing law to provide that certain funds shall be allocated for a kindergarten through grade 3 technology program covering reading, math, science, or a combination of such subjects.	88	-	91
1115	Education	LAW	PUBLIC CHARTER SCHOOLS - Amends existing law to remove provisions regarding a performance framework and to revise provisions regarding the Public Charter School Commission. Session Law Chapter No. 181	88	126	239
1116	Education	LAW	EDUCATION - Amends existing law to revise provisions regarding expulsion of or denial of enrollment to students who possess dangerous or deadly weapons or firearms on school property..... Amended in the Senate..... Session Law Chapter No. 182	88 114	- 130	239
1117	Education	S Educ	EDUCATION - Adds to existing law to establish the Quality Educator Loan Assistance Program.	88	-	91
1118	Judiciary and Rules	S Com/HuRes	INSURANCE - Amends existing law to provide certain limitations on coverage.....	88	-	91
1119	Judiciary and Rules	LAW	PROPERTY - Amends existing law to revise provisions regarding when a sheriff can auction abandoned property. Session Law Chapter No. 183	88	126	239
1120	Judiciary and Rules	S Com/HuRes	LABOR - Adds to existing law to provide for collective bargaining rights of peace officers in Idaho.....	89	-	109
1121	Finance	LAW	APPROPRIATIONS - DEPARTMENT OF WATER RESOURCES - Relates to the appropriation to the Department of Water Resources for fiscal year 2021..... Session Law Chapter No. 88	89	106	200
1122	Resources and Environment	H FAILED	SOIL CONSERVATION - Amends existing law to revise references to soil conservation districts and the state Soil and Water Conservation Commission and to remove provisions regarding the Idaho OnePlan.....	89	126	185
1123	Resources and Environment	LAW	LAVA HOT SPRINGS - Amends existing law to provide that certain moneys regarding Lava Hot Springs are continuously appropriated. Session Law Chapter No. 169	89	149	236
1124	Health and Welfare	LAW	INSURANCE - Amends existing law to revise provisions regarding contracts with providers of dental services. Amended in the Senate..... Session Law Chapter No. 184	89 114	- 130	239
1125	Health and Welfare	S Health/Wel	HEALTH - Adds to existing law to establish provisions regarding suicide prevention and crisis care services and a fee to fund such services.	89	-	91
1126	Health and Welfare	H Health/Wel	VIRTUAL CARE ACCESS - Amends, repeals, and adds to existing law to provide for virtual care access.	90	132	132
1127	Health and Welfare	S Health/Wel	TELEHEALTH - Amends existing law to revise provisions regarding the establishment of a provider-patient relationship using telehealth technologies.	90	-	91

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Senate Bill	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1128	Health and Welfare	S 14th Ord	OCCUPATIONAL LICENSING - Adds to existing law to provide for the licensing of naturopathic practitioners.....	90	-	224
1129	Judiciary and Rules	S Com/HuRes	MOTOR VEHICLE INSURANCE - Amends existing law to provide that certain insurance policies shall be construed to provide coverage in excess of the liability coverage of any underinsured motor vehicle involved in an accident.....	99	-	102
1130	Judiciary and Rules	LAW	BURGLARY - Amends existing law to revise the definitions of "burglary" and "commercial burglary."..... Session Law Chapter No. 185	99	126	239
1131	Judiciary and Rules	LAW	GARNISHMENTS - Amends existing law to revise provisions regarding garnishment procedures..... Session Law Chapter No. 186	99	126	239
1132	State Affairs	S Transp	TRANSPORTATION - Amends existing law to provide for driving authorization cards.....	103	-	105
1133	State Affairs	LAW	GUARDIANS OF MINORS - Amends existing law to limit the time during which a temporary guardianship may be extended, to provide that a court must take certain action prior to the end of the extension period, and to provide that no temporary guardianship may last longer than 12 months..... Amended in the Senate..... Session Law Chapter No. 187	103 134	- 147	239
1134	State Affairs	LAW	STATE DISASTER EMERGENCY ACCOUNT - Amends existing law to revise provisions regarding the Disaster Emergency Account..... Session Law Chapter No. 225	110	141	240
1135	State Affairs	S St Aff	FIREARMS AND OTHER DEADLY WEAPONS - Amends existing law to revise provisions regarding possession of a firearm or other deadly weapon on school grounds.....	110	-	112
1136	State Affairs	VETOED	MARTIAL LAW - Amends existing law to revise provisions regarding the authority of the Governor during a state of extreme peril and to provide that the Governor may not alter, adjust, or suspend any provision of Idaho Code in certain instances..... Amended in the Senate..... Amended in the House (See House Journal)	110 161	- 173 243	243
1137	Judiciary and Rules	LAW	JUDGES - Amends existing law to revise the salaries of justices of the Idaho Supreme Court..... Session Law Chapter No. 154	110	140	236
1138	Finance	LAW	APPROPRIATIONS - MILITARY DIVISION - Relates to the appropriation to the Military Division for fiscal year 2022..... Session Law Chapter No. 113	113	140	201
1139	State Affairs	LAW	HEALTH AND WELFARE - Amends existing law to define terms, to revise definitions, and to revise the powers and duties of the director of the Department of Health and Welfare..... Session Law Chapter No. 257	118	142	251

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1140	Finance	LAW	APPROPRIATIONS - DIVISION OF VETERANS SERVICES - Relates to the appropriation to the Division of Veterans Services for fiscal year 2022..... Session Law Chapter No. 114	118	141	201
1141	Finance	LAW	APPROPRIATIONS - PUBLIC UTILITIES COMMISSION - Relates to the appropriation to the Public Utilities Commission for fiscal year 2022..... Session Law Chapter No. 115	118	143	201
1142	Finance	LAW	APPROPRIATIONS - OFFICE OF ENERGY AND MINERAL RESOURCES - Relates to the appropriation to the Office of Energy and Mineral Resources for fiscal year 2022..... Session Law Chapter No. 129	118	141	202
1143	State Affairs	LAW	INSURANCE - Amends existing law to revise provisions regarding standards for Medicare supplement policies and certificates. Amended in the Senate Session Law Chapter No. 274	118 162	- 176	261
1144	Finance	LAW	APPROPRIATIONS - DEPARTMENT OF LABOR - Relates to the appropriation to the Department of Labor for fiscal year 2021..... Session Law Chapter No. 116	118	143	201
1145	Finance	LAW	APPROPRIATIONS - SOIL AND WATER CONSERVATION COMMISSION - Relates to the appropriation to the Soil and Water Conservation Commission for fiscal year 2022..... Session Law Chapter No. 117	118	141	201
1146	Finance	LAW	APPROPRIATIONS - OFFICE OF SPECIES CONSERVATION - Relates to the appropriation to the Office of Species Conservation for fiscal year 2022. Session Law Chapter No. 118	122	141	201
1147	Finance	LAW	APPROPRIATIONS - AGRICULTURAL RESEARCH AND COOPERATIVE EXTENSION SERVICE - Relates to the appropriation to the Agricultural Research and Cooperative Extension Service for fiscal year 2022..... Session Law Chapter No. 119	122	142	201
1148	Finance	LAW	APPROPRIATIONS - STEM ACTION CENTER - Relates to the appropriation to the STEM Action Center for fiscal year 2022..... Session Law Chapter No. 120	122	142	201
1149	State Affairs	S St Aff	BROADBAND COMMUNICATIONS INFRASTRUCTURE AND SYSTEMS - Adds to existing law to provide certain powers and authority to a municipality regarding broadband communications infrastructure and systems.	122	-	124
1150	State Affairs	VETOED	ELECTIONS - Amends existing law to revise provisions regarding the circulation and signing of petitions for a ballot initiative. Amended in the House (See House Journal)	122	146 300	305

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Senate Bill	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1151	Finance	LAW	APPROPRIATIONS - COMMISSION ON AGING - Relates to the appropriation to the Commission on Aging for fiscal year 2022. Session Law Chapter No. 121	125	146	201
1152	Finance	LAW	APPROPRIATIONS - VOCATIONAL REHABILITATION - Relates to the appropriation to the Division of Vocational Rehabilitation for fiscal year 2022. Session Law Chapter No. 122	125	143	201
1153	Finance	LAW	APPROPRIATIONS - DEPARTMENT OF INSURANCE - Relates to the appropriation to the Department of Insurance for fiscal year 2022. Session Law Chapter No. 123	125	143	201
1154	Finance	LAW	APPROPRIATIONS - CAREER TECHNICAL EDUCATION - Relates to the appropriation to the Division of Career Technical Education for fiscal year 2021 and fiscal year 2022. Session Law Chapter No. 130	125	143	202
1155	Finance	LAW	APPROPRIATIONS - DEPARTMENT OF ADMINISTRATION - Relates to the appropriation to the Department of Administration for fiscal year 2022. Session Law Chapter No. 124	129	149	201
1156	Finance	LAW	APPROPRIATIONS - DEPARTMENT OF ADMINISTRATION - BOND PAYMENTS PROGRAM - Relates to the appropriation to the Department of Administration for the Bond Payments Program for fiscal year 2022. Session Law Chapter No. 125	129	149	201
1157	Finance	LAW	APPROPRIATIONS - DEPARTMENT OF ADMINISTRATION - CAPITOL COMMISSION - Relates to the appropriation to the Department of Administration for the Idaho State Capitol Commission for fiscal year 2022. Session Law Chapter No. 126	129	150	201
1158	Finance	LAW	APPROPRIATIONS - DEPARTMENT OF FINANCE - Relates to the appropriation to the Department of Finance for fiscal year 2022. Session Law Chapter No. 131	129	150	202
1159	Finance	LAW	APPROPRIATIONS - STATE INDEPENDENT LIVING COUNCIL - Relates to the appropriation to the State Independent Living Council for fiscal year 2022. Session Law Chapter No. 132	131	150	202
1160	Finance	LAW	APPROPRIATIONS - DEPARTMENT OF LANDS - Relates to the appropriation to the Department of Lands for fiscal year 2022. Session Law Chapter No. 173	132	150	239
1161	State Affairs	S 14th Ord	OCCUPATIONAL LICENSING - Amends existing law to provide for constant on-the-job supervision and training of apprentice electricians and provisional journeyman electricians.	137	-	159

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Senate Bill	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1162	Finance	LAW	APPROPRIATIONS - IDAHO COMMISSION FOR LIBRARIES - Relates to the appropriation to the Idaho Commission for Libraries for fiscal year 2022. Session Law Chapter No. 133	139	163	202
1163	Finance	H FAILED	APPROPRIATIONS - HEALTH AND WELFARE - WELFARE DIVISION - Relates to the appropriation to the Department of Health and Welfare for fiscal year 2022.	139	163	209
1164	Finance	LAW	APPROPRIATIONS - DIVISION OF HUMAN RESOURCES - Relates to the appropriation to the Division of Human Resources for fiscal year 2022. Session Law Chapter No. 155	139	163	236
1165	Finance	LAW	APPROPRIATIONS - HEALTH AND WELFARE - BEHAVIORAL HEALTH SERVICES - Relates to the appropriation to the Department of Health and Welfare for fiscal year 2022. Session Law Chapter No. 188	139	163	239
1166	State Affairs	S St Aff	ELECTIONS - Amends and adds to existing law to establish provisions for election day registration and for the use of provisional ballots.	145	-	148
1167	State Affairs	S St Aff	ELECTIONS - Adds to existing law to establish provisions regarding absentee ballot assistance at certain residential facilities.	145	-	148
1168	State Affairs	LAW	ELECTIONS - Adds to existing law to prohibit the use of private moneys for the administration of elections. Amended in the Senate. Session Law Chapter No. 275	146 186	- 197	261
1169	State Affairs	S 14th Ord	TRANSPORTATION - Amends existing law to provide an exception from stopping and inspection for certain private vehicles and horse trailers.	146	-	170
1170	State Affairs	S Loc Gov	TAXING DISTRICTS - Amends SB1108 to revise provisions regarding the calculation of levies.	146	-	148
1171	State Affairs	H St Aff	ALCOHOLIC BEVERAGES - Amends existing law to provide an exception from restriction on entering or remaining upon the premises of a retail wine establishment.	146	176	176
1172	Finance	LAW	APPROPRIATIONS - DEPARTMENT OF ADMINISTRATION - PERMANENT BUILDING FUND - Relates to the appropriation to the Department of Administration for the Division of Public Works for fiscal year 2022. Session Law Chapter No. 170	148	175	236
1173	Finance	LAW	APPROPRIATIONS - HEALTH AND WELFARE - PUBLIC HEALTH SERVICES - Relates to the appropriation to the Department of Health and Welfare for fiscal year 2022. Session Law Chapter No. 308	148	176	296
1174	Finance	S Fin	APPROPRIATIONS - LIEUTENANT GOVERNOR - Relates to the appropriation to the Office of the Lieutenant Governor for fiscal year 2022.	149	-	167

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Senate Bill	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1175	Finance	LAW	APPROPRIATIONS - HEALTH EDUCATION PROGRAMS - Relates to the appropriation to the State Board of Education and the Board of Regents of the University of Idaho for Health Education Programs for fiscal year 2022..... Session Law Chapter No. 254	153	176	240
1176	Finance	LAW	APPROPRIATIONS - WOLF DEPREDATION CONTROL BOARD - Relates to the appropriation to the Wolf Depredation Control Board for fiscal year 2022..... Session Law Chapter No. 226	154	176	240
1177	Finance	LAW	APPROPRIATIONS - OITS - Relates to the appropriation to the Office of Information Technology Services for fiscal year 2022..... Session Law Chapter No. 267	154	176	256
1178	State Affairs	LAW	PARI-MUTUEL BETTING - Amends existing law to provide for the retention of a percentage of advance deposit wagering moneys by the Idaho State Racing Commission for racing administration. Session Law Chapter No. 328	160	190	297
1179	Finance	H FAILED	APPROPRIATIONS - COLLEGE AND UNIVERSITIES - Relates to the appropriation to the State Board of Education and the Board of Regents of the University of Idaho for College and Universities and the Office of the State Board of Education for fiscal years 2021 and 2022.....	166	190	218
1180	Finance	LAW	APPROPRIATIONS - IDAHO STATE HISTORICAL SOCIETY - Relates to the appropriation to the Idaho State Historical Society for fiscal year 2022..... Session Law Chapter No. 189	166	190	239
1181	Finance	LAW	APPROPRIATIONS - HEALTH AND WELFARE - OTHER PROGRAMS - Relates to the appropriation to the Department of Health and Welfare for fiscal year 2022..... Session Law Chapter No. 227	166	190	240
1182	Judiciary and Rules	S Com/HuRes	EMPLOYMENT SECURITY LAW - Amends existing law to revise the unemployment benefit formula.....	166	-	172
1183	State Affairs	H St Aff	FETAL HEARTBEAT PREBORN CHILD PROTECTION ACT - Adds to existing law to prohibit an abortion following detection of a fetal heartbeat.....	172	204	204
1184	Finance	LAW	APPROPRIATIONS - SECRETARY OF STATE - Relates to the appropriation to the Office of the Secretary of State for fiscal year 2022..... Session Law Chapter No. 190	177	194	239
1185	Finance	LAW	APPROPRIATIONS - HEALTH AND WELFARE - MEDICAID - Relates to the appropriation to the Department of Health and Welfare for fiscal year 2022..... Session Law Chapter No. 303	177	195	296
1186	Finance	LAW	APPROPRIATIONS - STATE TREASURER - Relates to the appropriation to the Office of the State Treasurer for fiscal years 2021 and 2022..... Session Law Chapter No. 253	177	195	240

Senate Bill	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1187	Finance	LAW	APPROPRIATIONS - SPECIAL PROGRAMS - Relates to the appropriation to the State Board of Education and the Board of Regents of the University of Idaho for Special Programs for fiscal year 2022. Session Law Chapter No. 232	177	195	240
1188	Finance	LAW	APPROPRIATIONS - DEPARTMENT OF ENVIRONMENTAL QUALITY - Relates to the appropriation to the Department of Environmental Quality for fiscal year 2022. Session Law Chapter No. 228	183	204	240
1189	Finance	LAW	APPROPRIATIONS - OFFICE OF DRUG POLICY - Relates to the appropriation to the Office of Drug Policy for fiscal year 2022. Session Law Chapter No. 229	187	204	240
1190	Finance	LAW	APPROPRIATIONS - DEPARTMENT OF WATER RESOURCES - Relates to the appropriation to the Department of Water Resources for fiscal year 2022. Session Law Chapter No. 230	187	204	240
1191	Finance	LAW	APPROPRIATIONS - SUPREME COURT - Relates to the appropriation to the Supreme Court for fiscal year 2022. Session Law Chapter No. 231	189	204	240
1192	Finance	LAW	APPROPRIATIONS - PUBLIC CHARTER SCHOOL COMMISSION - Relates to the appropriation to the Public Charter School Commission for fiscal year 2022. Session Law Chapter No. 260	198	218	251
1193	Finance	H Approp	APPROPRIATIONS - OFFICE OF THE STATE BOARD OF EDUCATION - Relates to the appropriation to the Office of the State Board of Education for fiscal year 2021.	203	229	229
1194	Finance	LAW	APPROPRIATIONS - DIVISION OF FINANCIAL MANAGEMENT - Relates to the appropriation to the Division of Financial Management for fiscal year 2022. Session Law Chapter No. 298	203	229	280
1195	Finance	LAW	APPROPRIATIONS - DEPARTMENT OF COMMERCE - Relates to the appropriation to the Department of Commerce for fiscal year 2022. Session Law Chapter No. 276	203	231	261
1196	Finance	LAW	APPROPRIATIONS - DEPARTMENT OF LABOR - Relates to the appropriation to the Department of Labor for fiscal year 2022. Session Law Chapter No. 277	203	231	261
1197	Finance	LAW	APPROPRIATIONS - BOARD OF TAX APPEALS - Relates to the appropriation to the Board of Tax Appeals for fiscal year 2022. Session Law Chapter No. 278	203	231	261
1198	Finance	LAW	APPROPRIATIONS - STATE TAX COMMISSION - Relates to the appropriation to the State Tax Commission for fiscal year 2022. Session Law Chapter No. 279	203	231	261

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Senate Bill	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1199	Finance	LAW	APPROPRIATIONS - DEPARTMENT OF COMMERCE - Relates to the appropriation to the Department of Commerce for fiscal year 2021 and fiscal year 2022. Session Law Chapter No. 280	211	234	261
1200	Judiciary and Rules	LAW	IDAHO WRONGFUL CONVICTION ACT - Amends Senate Bill 1027 to revise provisions regarding compensation related to a wrongful conviction. Amended in the House (See House Journal) Session Law Chapter No. 304	211	235 275	296
1201	Finance	H Approp	APPROPRIATIONS - LIEUTENANT GOVERNOR - Relates to the appropriation to the Office of the Lieutenant Governor for fiscal year 2022.	226	238	238
1202	Finance	LAW	APPROPRIATIONS - OFFICE OF THE STATE BOARD OF EDUCATION - Relates to the appropriation to the Office of the State Board of Education for fiscal year 2022. Session Law Chapter No. 305	228	238	296
1203	Finance	LAW	APPROPRIATIONS - Appropriates and transfers moneys from the General Fund to the Innocence Fund for fiscal year 2021. Session Law Chapter No. 306	230	239	296
1204	Finance	LAW	AMERICAN RESCUE PLAN ACT MONEYS - Adds to existing law to provide that ARPA moneys are cognizable and to create governing principles and funds for their expenditure. Session Law Chapter No. 320	233	245	297
1205	State Affairs	LAW	FIREARMS - Amends existing law to revise provisions regarding the prohibition of regulation of certain firearms and to prohibit certain regulation of firearms. Session Law Chapter No. 329	238	250	297
1206	Finance	LAW	APPROPRIATIONS - ATTORNEY GENERAL - Relates to the appropriation to the Office of the Attorney General for fiscal year 2022. Session Law Chapter No. 299	244	253	280
1207	Finance	LAW	APPROPRIATIONS - LEGISLATIVE BRANCH - Relates to the appropriation to the Legislative Branch for fiscal year 2022. Session Law Chapter No. 300	245	253	280
1208	Finance	LAW	APPROPRIATIONS - STATE CONTROLLER - Relates to the appropriation to the Office of the State Controller for fiscal year 2021 and fiscal year 2022. Session Law Chapter No. 301	245	253	280
1209	Finance	LAW	APPROPRIATIONS - DEPARTMENT OF PARKS AND RECREATION - Relates to the appropriation to the Department of Parks and Recreation for fiscal year 2022. Session Law Chapter No. 309	245	256	296
1210	Finance	H FAILED	APPROPRIATIONS - HEALTH AND WELFARE - PUBLIC HEALTH SERVICES - Relates to the appropriation to the Department of Health and Welfare for fiscal year 2022.	247	257	267

Senate Bill	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1211	State Affairs	LAW	WOLVES - Amends existing law to revise provisions regarding the powers and duties of the Idaho Wolf Depredation Control Board, wolf control assessments, the taking of wolves, and the control of depredation of wolves on livestock, domestic animals, and wildlife populations. Session Law Chapter No. 307	249	254	296
1212	Finance	LAW	APPROPRIATIONS - HEALTH AND WELFARE - PUBLIC HEALTH SERVICES - WELFARE DIVISION - Relates to the appropriation to the Department of Health and Welfare for fiscal year 2022. Session Law Chapter No. 330	262	275	297
1213	Finance	LAW	APPROPRIATIONS - DEPARTMENT OF EDUCATION - Relates to the appropriation to the Department of Education for fiscal year 2022. Session Law Chapter No. 331	270	281	297
1214	Finance	LAW	APPROPRIATIONS - Relates to year-end appropriations and transfers. Session Law Chapter No. 364	279	288	304
1215	Finance	LAW	APPROPRIATIONS - DEPARTMENT OF WATER RESOURCES - Relates to the appropriation to the Department of Water Resources for fiscal year 2022. Session Law Chapter No. 332	280	289	297
1216	Finance	LAW	APPROPRIATIONS - OFFICE OF DRUG POLICY - Relates to the appropriation to the Office of Drug Policy for fiscal year 2022. Session Law Chapter No. 333	280	289	297
1217	State Affairs	LAW	STATE OF EXTREME EMERGENCY - Adds to and repeals existing law to authorize the Governor to proclaim a state of extreme emergency and to provide that the Governor shall have certain powers, duties, and limitations during a declared state of extreme emergency. Session Law Chapter No. 359	286	291	297
1218	State Affairs	H St Aff	CONTROLLED SUBSTANCES - Amends existing law to prohibit the commercial promotion or advertisement of controlled substances.	286	291	291
1219	Finance	LAW	APPROPRIATIONS - STATE CONTROLLER - Relates to the appropriation to the Office of the State Controller for fiscal year 2021. Session Law Chapter No. 363	298	300	304
1220	State Affairs	S 2nd Rdg	EFFECTIVE DATES - Amends and adds to existing law to provide effective dates.	298	-	300

SECTION VI

SENATE JOINT RESOLUTIONS

Senate Joint Resolution	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
101	State Affairs	H St Aff	CONTROLLED SUBSTANCES - Proposes an amendment to the Idaho Constitution prohibiting the production, manufacture, transportation, sale, delivery, dispensing, distribution, possession, or use of certain psychoactive drugs.	19	56	56
102	State Affairs	ADOPTED	LEGISLATURE - States findings of the Legislature and proposes an amendment to the Constitution of the state of Idaho to establish provisions regarding convening the Legislature for special or organizational sessions.	121	135	260

SECTION VII

SENATE JOINT MEMORIALS

Senate Joint Memorial	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
101	State Affairs	ADOPTED	MEDAL OF HONOR - States findings of the Legislature and supports a state funeral to honor the last surviving Medal of Honor recipient from World War II.	97	118	265
102	Judiciary and Rules	ADOPTED	THE UNITED STATES SUPREME COURT - States findings of the Legislature and urges Congress to propose an amendment to the United States Constitution to set the number of justices on the Supreme Court at nine.	110	118	265
103	State Affairs	ADOPTED	COLUMBIA-SNAKE RIVER SYSTEM - States findings of the Legislature, opposes the removal or breaching of the dams on the Columbia-Snake River System and its tributaries, and recognizes certain benefits provided by the Port of Lewiston.	167	190	265
104	Judiciary and Rules	ADOPTED	FEDERAL PARTNERSHIP ON CRIMINAL JUSTICE - States findings of the Legislature and urges the federal government to respect state criminal justice priorities and advance change through partnerships rather than mandates. ...	197	215	273
105	State Affairs	ADOPTED	VACCINE MANDATES - Stating findings of the Legislature and expressing opposition to the Biden Administration vaccine mandates.	339	341	344

SECTION VIII

SENATE PROCLAMATIONS

Senate Proclamation	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
101	State Affairs	H St Aff	MARQUEE RICKS - Commends Marquee Ricks for her accomplishment during the 2021 American Farm Bureau Federation's national Young Farmers and Ranchers Discussion Meet competition.....	136	173	173
102	State Affairs	H St Aff	JON EVANS - States findings of the legislature and recognizes and congratulates Jon Evans for his induction into the Boys and Girls Club of America Hall of Fame....	229	238	238
103	State Affairs	ADOPTED	TRANSPORTATION - A proclamation commending the Ada County Highway District on its 50th anniversary. ...	246	261	279

SECTION IX

SENATE CONCURRENT RESOLUTIONS

Senate Concurrent Resolution	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
101	State Affairs	S St Aff	DISASTER EMERGENCIES - States findings of the Legislature to provide that the state of disaster emergency declared by the Governor regarding novel coronavirus or COVID-19 is terminated, to provide that receipt of federal funds, benefits, or resources arising out of the state of disaster emergency shall not be affected, and to provide that the Governor may make or maintain declarations only to a certain extent	12	-	38
102	Health and Welfare	ADOPTED	COMMUNICATIONS - States findings of the Legislature and encourages the activation of closed captioning on television monitors in public venues.	43	70	116
103	State Affairs	S St Aff	HEALTH AND WELFARE - States findings of the Legislature and declares that the December 30 general order of isolation issued by the Governor and the director of the Department of Health and Welfare is terminated.	46	-	54
104	Resources and Environment	ADOPTED	RIRIE RESERVOIR - States findings of the Legislature and supports the Ririe Reservoir project to more properly balance Ririe Reservoir water supply and irrigation supplies with adequate flood control.....	68	100	230
105	Education	H Educ	STATE BOARD OF EDUCATION - RULE REJECTION - States findings of the Legislature and rejects a certain rule of the State Board of Education relating to Rules Governing Administration	73	86	86
106	Agricultural Affairs	ADOPTED	IDAHO WHEAT COMMISSION - States findings of the Legislature and authorizes the Idaho Wheat Commission to enter into agreements with the State Building Authority to finance the construction of a new building.....	78	100	241
107	State Affairs	H Transp	TRANSPORTATION - Adds to existing law to establish an interim committee to complete a study of driver authorization cards.	199	210	210
108	State Affairs	H St Aff	ADMINISTRATIVE RULES - States findings of the Legislature and approves administrative rules that impose a fee or charge, with exceptions, and rejects certain agency rule dockets that are not approved.....	284	292	292
109	State Affairs	H St Aff	TEMPORARY RULES - States findings of the Legislature and approves and extends temporary rules reviewed by the Legislature, with an exception.	284	292	292
110	State Affairs	H Jud	STATE PUBLIC DEFENSE COMMISSION - RULE REJECTION - States findings of the Legislature and rejects certain rules of the State Public Defense Commission relating to General Provisions and Definitions and Requirements and Procedures for Representing Indigent Persons.....	285	292	292

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Senate Concurrent Resolution	Introduced by	Final Action	Subject Matter	Intro- duction Page	Senate Vote Page	Final Disp. Page
111	State Affairs	ADOPTED	LEGISLATURE - States findings of the Legislature and approves the recess of the First Regular Session of the Sixty-sixth Idaho Legislature, May 6 through May 11, reconvening on May 12.....	287	288	296
112	State Affairs	ADOPTED	LEGISLATURE - Stating the findings of the Legislature and providing that no vouchered or unvouchered expense allowance shall be payable to any member of the legislature for any time period during a temporary adjournment following the passage of three days from the date of adoption of this concurrent resolution without the approval of the president pro tempore of the senate or the Speaker of the House of Representatives respectively.	303	303	304

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SECTION X

ENROLLED 2021 SENATE BILLS

WITH EFFECTIVE DATE AND SESSION LAW CHAPTER NUMBER CITED

Senate Bill No.	Session Laws Chapter No.	Introduced by	Signed by Governor	Effective Date(s)
1004	3	State Affairs	02/11/2021	07/01/2021
1005	107	Resources and Environment	03/19/2021	07/01/2021
1006	292	Education	04/27/2021	07/01/2021
1008	1	Finance	02/09/2021	02/09/2021
1009	83	Commerce and Human Resources	03/18/2021	07/01/2021 Provided subsections (4) through (6) of IC 72-451 are for injuries on or after 07/01/19.
1010	82	Commerce and Human Resources	03/17/2021	07/01/2021 Provided subsections (4) through (6) of IC 72-451 are for injuries on or after 07/01/19.
1011	174	Commerce and Human Resources	04/13/2021	07/01/2021
1012	7	Commerce and Human Resources	02/18/2021	07/01/2021
1015	108	Health and Welfare	03/19/2021	07/01/2021
1016	21	Health and Welfare	03/08/2021	07/01/2021
1017	11	Health and Welfare	02/26/2021	07/01/2021
1020	109	Resources and Environment	03/19/2021	07/01/2021
1022	144	Finance	03/26/2021	03/26/2021
1023	2	Finance	02/09/2021	02/09/2021
1024	221	Commerce and Human Resources	04/14/2021	07/01/2021
1026	222	Commerce and Human Resources	04/14/2021	07/01/2021
1027	17	Judiciary and Rules	03/05/2021	03/05/2021
1033	23	Finance	03/09/2021	Retroactive to 01/01/2021
1034	5	Finance	02/17/2021	02/17/2021
1035	164	Judiciary and Rules	04/09/2021	07/01/2021
1036	10	Judiciary and Rules	02/26/2021	07/01/2021
1037	9	Judiciary and Rules	02/26/2021	07/01/2021
1038	22	Health and Welfare	03/08/2021	07/01/2021
1039aaH	287	Education	04/26/2021	07/01/2021
1041	57	Commerce and Human Resources	03/17/2021	03/17/2021
1042aa	217	Commerce and Human Resources	04/09/2021	07/01/2021
1043aa	290	Education	04/27/2021	07/01/2021
1044	87	Local Government and Taxation	03/18/2021	07/01/2021
1045	259	Education	04/20/2021	07/01/2021

Senate Bill No.	Session Laws Chapter No.	Introduced by	Signed by Governor	Effective Date(s)
1046aa,aa	302	Education	05/05/2021	07/01/2021
1047	223	State Affairs	04/14/2021	07/01/2021
1049	58	Commerce and Human Resources	03/17/2021	07/01/2021
1051	271	Commerce and Human Resources	04/22/2021	07/01/2021
1053aa	321	State Affairs	05/10/2021	07/01/2021
1055	110	State Affairs	03/19/2021	03/19/2021
1056	224	Commerce and Human Resources	04/14/2021	04/14/2021
1058	165	Local Government and Taxation	04/09/2021	07/01/2021
1060	90	Health and Welfare	03/19/2021	03/19/2021
1062	272	State Affairs	04/22/2021	07/01/2021
1063	322	State Affairs	05/10/2021	07/01/2021
1064	323	State Affairs	05/10/2021	07/01/2021
1065	324	State Affairs	05/10/2021	07/01/2021
1067	325	State Affairs	05/10/2021	07/01/2021
1071	12	Finance	02/26/2021	02/26/2021
1072	111	Resources and Environment	03/19/2021	07/01/2021
1073	112	Resources and Environment	03/19/2021	07/01/2021
1075	326	Education	05/10/2021	07/01/2021
1076	166	Judiciary and Rules	04/09/2021	07/01/2021
1078	167	Judiciary and Rules	04/09/2021	07/01/2021
1079aa	175	Agricultural Affairs	04/13/2021	04/13/2021
1080	24	Finance	03/09/2021	03/09/2021
1083	176	Commerce and Human Resources	04/13/2021	07/01/2021
1084	177	Commerce and Human Resources	04/13/2021	07/01/2021
1086	284	State Affairs	04/22/2021	07/01/2021
1089aa	172	Judiciary and Rules	04/13/2021	07/01/2021
1091	59	Finance	03/17/2021	03/17/2021
1093	60	Health and Welfare	03/17/2021	07/01/2021
1094	61	Finance	03/17/2021	03/17/2021
1095	178	Commerce and Human Resources	04/13/2021	07/01/2021
1096	143	Commerce and Human Resources	03/24/2021	07/01/2021
1101	179	Transportation	04/13/2021	07/01/2021
1102	180	Transportation	04/13/2021	07/01/2021
1104	168	Transportation	04/09/2021	07/01/2021
1105	327	Local Government and Taxation	05/10/2021	07/01/2021
1107aa	273	Local Government and Taxation	04/22/2021	07/01/2021
1110	255	State Affairs	04/17/2021	04/17/2021

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Senate Bill No.	Session Laws Chapter No.	Introduced by	Signed by Governor	Effective Date(s)
1115	181	Education	04/13/2021	07/01/2021
1116aa	182	Education	04/13/2021	07/01/2021
1119	183	Judiciary and Rules	04/13/2021	07/01/2021
1121	88	Finance	03/18/2021	03/18/2021
1123	169	Resources and Environment	04/09/2021	07/01/2021
1124aa	184	Health and Welfare	04/13/2021	07/01/2021
1130	185	Judiciary and Rules	04/13/2021	07/01/2021
1131	186	Judiciary and Rules	04/13/2021	07/01/2021
1133aa	187	State Affairs	04/13/2021	04/13/2021
1134	225	State Affairs	04/14/2021	04/14/2021
1137	154	Judiciary and Rules	04/12/2021	07/01/2021
1138	113	Finance	03/19/2021	07/01/2021
1139	257	State Affairs	04/20/2021	07/01/2021
1140	114	Finance	03/19/2021	07/01/2021
1141	115	Finance	03/19/2021	07/01/2021
1142	129	Finance	03/23/2021	07/01/2021
1143aa	274	State Affairs	04/22/2021	07/01/2021
1144	116	Finance	03/19/2021	03/19/2021
1145	117	Finance	03/19/2021	07/01/2021
1146	118	Finance	03/19/2021	07/01/2021
1147	119	Finance	03/19/2021	07/01/2021
1148	120	Finance	03/19/2021	07/01/2021
1151	121	Finance	03/19/2021	07/01/2021
1152	122	Finance	03/19/2021	07/01/2021
1153	123	Finance	03/19/2021	07/01/2021
1154	130	Finance	03/23/2021	03/23/2021 SECTION 4; 07/01/2021 all other SECTIONS
1155	124	Finance	03/19/2021	07/01/2021
1156	125	Finance	03/19/2021	07/01/2021
1157	126	Finance	03/19/2021	07/01/2021
1158	131	Finance	03/23/2021	07/01/2021
1159	132	Finance	03/23/2021	07/01/2021
1160	173	Finance	04/09/2021	07/01/2021
1162	133	Finance	03/23/2021	07/01/2021
1164	155	Finance	04/12/2021	07/01/2021
1165	188	Finance	04/13/2021	07/01/2021
1168aa	275	State Affairs	04/22/2021	07/01/2021

Senate Bill No.	Session Laws Chapter No.	Introduced by	Signed by Governor	Effective Date(s)
1172	170	Finance	04/09/2021	07/01/2021
1173	308	Finance	05/06/2021	07/01/2021
1175	254	Finance	04/16/2021	07/01/2021
1176	226	Finance	04/14/2021	07/01/2021
1177	267	Finance	04/21/2021	07/01/2021
1178	328	State Affairs	05/10/2021	Retroactive to 01/01/2020
1180	189	Finance	04/13/2021	07/01/2021
1181	227	Finance	04/14/2021	07/01/2021
1184	190	Finance	04/13/2021	07/01/2021
1185	303	Finance	05/05/2021	07/01/2021
1186	253	Finance	04/16/2021	04/16/2021 SECTION 4 - 6; 07/01/2021 all other SECTIONS
1187	232	Finance	04/16/2021	07/01/2021
1188	228	Finance	04/14/2021	04/14/2021 SECTION 9; 07/01/2021 all other SECTIONS
1189	229	Finance	04/14/2021	07/01/2021
1190	230	Finance	04/14/2021	07/01/2021
1191	231	Finance	04/14/2021	07/01/2021
1192	260	Finance	04/19/2021	07/01/2021
1194	298	Finance	05/03/2021	07/01/2021
1195	276	Finance	04/22/2021	07/01/2021
1196	277	Finance	04/22/2021	07/01/2021
1197	278	Finance	04/22/2021	07/01/2021
1198	279	Finance	04/22/2021	07/01/2021
1199	280	Finance	04/22/2021	04/22/2021 SECTION 1-5 & 8; 07/01/2021 SECTION 6 & 7
1200aaH	304	Judiciary and Rules	05/05/2021	05/05/2021
1202	305	Finance	05/05/2021	07/01/2021
1203	306	Finance	05/05/2021	05/05/2021
1204	320	Finance	05/10/2021	05/10/2021
1205	329	State Affairs	05/10/2021	Retroactive to 01/20/2021
1206	299	Finance	05/03/2021	07/01/2021
1207	300	Finance	05/03/2021	07/01/2021
1208	301	Finance	05/03/2021	05/03/2021 SECTION 1; 07/01/2021 SECTION 2
1209	309	Finance	05/06/2021	07/01/2021
1211	307	State Affairs	05/05/2021	07/01/2021

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Senate Bill No.	Session Laws Chapter No.	Introduced by	Signed by Governor	Effective Date(s)
1212	330	Finance	05/10/2021	07/01/2021
1213	331	Finance	05/10/2021	07/01/2021
1214	364	Finance	05/17/2021	05/17/2021 SECTION 1-3; 07/01/2021 SECTION 4-10
1215	332	Finance	05/10/2021	07/01/2021
1216	333	Finance	05/10/2021	07/01/2021
1217	359	State Affairs	05/10/2021	05/10/2021
1219	363	Finance	05/17/2021	05/17/2021

SECTION XI

NUMERICAL INDEX OF HOUSE BILLS RECEIVED BY THE SENATE

House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
5	Transportation and Defense	LAW	TRANSPORTATION - Amends existing law to provide for hands-free use of certain devices.	50	130	145
7	State Affairs	S St Aff	STATE TREASURER - Amends existing law to provide that idle moneys may be invested in physical gold and silver in certain instances.	85	-	85
11	Appropriations	LAW	APPROPRIATIONS - Appropriates and transfers \$34,300 from the General Fund to the Hazardous Substance Emergency Response Fund for fiscal year 2021.....	37	71	83
15	Revenue and Taxation	LAW	PROPERTY TAXES - Amends existing law regarding the subsequent property roll and removes obsolete language regarding widows.....	44	150	161
18	Appropriations	LAW	APPROPRIATIONS - LEGISLATIVE BRANCH - Relates to the appropriation to the Legislative Branch for fiscal year 2021.....	39	71	83
21	Revenue and Taxation	S Loc Gov	BUSINESSES OWNED BY MINORS - Amends existing law to provide an exemption from local licensing and fee requirements for businesses owned and operated by persons under age 18 and to excuse them from paying sales and use tax in certain instances.	53	-	53
22	Education	LAW	EDUCATION - Amends existing law to remove a limitation on public charter school funding. Amended in the Senate	47 134	- 147	185
23	Resources and Conservation	LAW	ENDOWMENT LAND - Repeals existing law relating to the exchange of certain lands.	64	152	161
24	Resources and Conservation	LAW	IDAHO BOARD OF SCALING PRACTICES - Amends existing law to revise provisions regarding board compensation.	64	152	161
25	Resources and Conservation	LAW	STATE PARKS - Repeals existing law relating to state parks.	64	169	178
26	Judiciary, Rules and Administration	LAW	JUVENILE CORRECTIONS ACT - Amends and repeals existing law to revise provisions regarding the apprehension, release, and detention of juveniles and to remove reference to habitual status offenders.....	47	123	133
27	Judiciary, Rules and Administration	LAW	JUDICIAL DISTRICTS - Amends existing law to revise the number of judges and resident chambers in the Third Judicial District.....	52	151	161
28	Judiciary, Rules and Administration	LAW	JUVENILE CORRECTIONS ACT - Amends existing law to revise legislative intent, to revise a definition, and to define terms regarding juvenile corrections.	47	123	133

House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
29	Judiciary, Rules and Administration	LAW	SEXUAL OFFENDER CLASSIFICATION BOARD - Amends existing law to provide that voting records of the former Sexual Offender Classification Board shall be exempt from disclosure and to authorize the Sexual Offender Management Board to manage and maintain the records of the former Sexual Offender Classification Board.....	47	144	156
32	Revenue and Taxation	LAW	SALES TAX - Amends existing law to revise provisions regarding the applicability of the sales and use tax to manufactured homes.....	58	150	161
35	Health and Welfare	LAW	IDAHO TUBERCULOSIS HOSPITAL - Repeals existing law relating to the Idaho Tuberculosis Hospital because Idaho does not maintain a tuberculosis hospital.....	58	147	160
36	Health and Welfare	LAW	VITAL STATISTICS - Amends existing law to remove obsolete provisions and to revise provisions regarding disclosure of records.....	58	150	161
37	Health and Welfare	LAW	NURSING - Amends existing law to provide for discipline if a nurse enters a guilty plea for a relevant crime.....	58	151	161
38	Health and Welfare	LAW	TELEHEALTH ACCESS - Amends existing law to provide for the prescribing of certain drugs via telehealth in compliance with federal law.....	58	151	161
39	Health and Welfare	LAW	CONTROLLED SUBSTANCES - Amends existing law to provide certain responsibilities to the Division of Occupational and Professional Licenses.....	58	151	161
40	Health and Welfare	LAW	PHARMACY - Amends, repeals, and adds to existing law to update the Idaho Pharmacy Act.....	58	151	161
41	State Affairs	S Jud	PRIVATE FOUNDATIONS AND CHARITABLE TRUSTS - Adds to existing law to prohibit certain reporting requirements.....	103	-	103
42	Business	LAW	IDAHO PATIENT ACT - Adds to existing law to provide a time extension for certain extraordinary medical collection action requirements.....	53	106	117
43	Resources and Conservation	LAW	WATER - Amends and repeals existing law relating to the administrative determination of adverse claims, hearings and orders of local ground water boards, appeals from certain actions, and penalties.....	71	154	161
46	Transportation and Defense	LAW	MILITARY - Amends existing law to revise provisions regarding the authority of those performing security duties at the Orchard training area and to remove a POST training requirement.....	66	170	178
47	Transportation and Defense	LAW	VETERANS MEMORIALS - Repeals existing law relating to appropriations for veterans memorials.....	66	191	201
48	Transportation and Defense	LAW	SERVICE MEMBERS - Repeals existing law relating to the authorization of males 18 years of age or older to contract under the G.I. Bill of Rights.....	66	191	201
49	Transportation and Defense	LAW	TRANSPORTATION - Adds to existing law to provide an alternative method to evidence perfection of a motor vehicle title.....	80	152	161

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House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
50	Agricultural Affairs	LAW	FOOD QUALITY ASSURANCE INSTITUTE - Repeals existing law relating to the Idaho Food Quality Assurance Institute.	66	151	161
51	Agricultural Affairs	LAW	DAIRIES - Amends existing law to provide nutrient management standards on dairy farms.	110	170	178
57	Resources and Conservation	LAW	WATER - Amends existing law to revise provisions regarding certain authority of the Water Resource Board and the Department of Water Resources.	76	169	178
58	Revenue and Taxation	LAW	INCOME TAXES - Amends existing law to revise provisions regarding the Internal Revenue Code.	64	85	96
59	State Affairs	S 14th Ord	VITAL STATISTICS - Amends existing law to provide that original birth certificates and other records will be made available upon request to adoptees for adoptions that occur on or after July 1, 2021.	146	-	166
64	Agricultural Affairs	LAW	VETERINARIANS - Amends, adds to, and repeals existing law regarding the Veterinary Practice Act.	110	154	161
66	State Affairs	LAW	ELECTIONS - Repeals, amends, and adds to existing law to provide for bond and levy election disclosures and penalties for violations. Amended in the Senate	58 212	- 231	252
67	Education	LAW	EDUCATION - Amends and adds to existing law to clarify who has the authority to close schools or limit school activities or programs for the purpose of stopping the spread of infectious disease.	85	119	129
68	Education	LAW	HIGHER EDUCATION - Adds to existing law to provide for policies regarding the prevention and spread of infectious disease at colleges and universities.	85	119	129
70	State Affairs	LAW	ALCOHOLIC BEVERAGES - Amends existing law to revise the term of an alcohol permit or license.	85	206	211
73	Revenue and Taxation	LAW	LOCAL GOVERNMENT - Amends, repeals, and adds to existing law to provide for a uniform system of accounting and financial transparency from local governmental entities and education providers.	92	160	175
74	Health and Welfare	LAW	CITIES - Amends existing law to limit the application of health ordinances to city limits.	85	140	156
75	Commerce and Human Resources	LAW	WAGE CLAIMS - Amends existing law to provide for electronic transmission of documents.	103	168	178
78	Business	LAW	INSURANCE - Repeals and amends existing law to remove obsolete insurance provisions.	84	152	161
79	Business	LAW	ANNUITY CONSUMER PROTECTIONS ACT - Repeals, adds to, and amends existing law to enact the Annuity Consumer Protections Act.	99	152	161
80	Business	LAW	INSURANCE - Amends and adds to existing law to establish provisions regarding reciprocal jurisdictions and credit for reinsurance procedures.	103	169	178

House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
81	Business	LAW	INSURANCE - Amends existing law to revise the maximum number on a board of directors for certain insurers.	103	207	211
83	Appropriations	LAW	APPROPRIATIONS - HEALTH AND WELFARE - BEHAVIORAL HEALTH SERVICES - Relates to the appropriation to the Department of Health and Welfare for fiscal year 2021.....	71	150	161
85	Transportation and Defense	LAW	TRANSPORTATION - Amends existing law to allow for the placement of Purple Heart license plates on more than one vehicle or motorcycle owned by a qualifying person.	105	206	211
86	Transportation and Defense	LAW	TRANSPORTATION - Amends existing law to provide for revised snowmobile and off-highway vehicle licensing and oversight.....	118	207	211
90	State Affairs	S St Aff	MONUMENTS AND MEMORIALS - Adds to existing law to provide for the protection of certain monuments and memorials.....	76	-	76
91	Resources and Conservation	LAW	FISH AND GAME - Amends existing law to revise provisions regarding bait.	99	180	194
93	Resources and Conservation	LAW	PARKS AND RECREATION - Amends existing law to revise provisions regarding certain fees.....	99	169	178
94	Judiciary, Rules and Administration	LAW	CRIMINAL JUSTICE INTEGRATED DATA SYSTEM - Amends existing law to authorize a designee from the State Board of Education to serve on the Data Oversight Council and to provide for a vice chairman.	103	170	178
95	Judiciary, Rules and Administration	LAW	DISTRICT MAGISTRATES COMMISSIONS - Amends and adds to existing law to revise provisions regarding membership, to provide for the terms of members, and to provide for vacancies.....	87	170	178
96	Judiciary, Rules and Administration	LAW	FAMILY LAW LICENSE SUSPENSIONS - Adds to existing law to provide for a family law temporary restricted driver's license.	103	170	178
99	Environment, Energy and Technology	LAW	WATER QUALITY - Adds to existing law to provide for water quality innovation and pollutant trading.	129	180	194
101	State Affairs	S St Aff	ATTORNEY GENERAL - Amends existing law to revise the duties of the Attorney General's office and to provide that state departments and agencies may contract for legal services outside of the Attorney General's office.	118	-	118
102	Business	LAW	REAL ESTATE LICENSE LAW - Amends existing law to remove obsolete language.	129	-	240
			Amended in the Senate	180	191	
103	Business	LAW	NONPROFIT CORPORATIONS - Amends existing law to allow remote participation in meetings.....	129	214	225
104	State Affairs	LAW	INDEPENDENT EXPENDITURES - Amends existing law to require certain disclosures.	110	206	211
106	State Affairs	S St Aff	ELECTIONS - Amends existing law to remove a certain election date for school districts.....	92	-	92

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House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
107	State Affairs	LAW	INSTRUMENTS - Amends existing law to revise provisions regarding the validity of an acknowledgment on certain instruments..... Amended in the Senate	110 221	- 234	254
109	Appropriations	LAW	APPROPRIATIONS - COMMISSION FOR THE BLIND AND VISUALLY IMPAIRED - Relates to the appropriation to the Commission for the Blind and Visually Impaired for fiscal year 2021.....	87	151	161
110	Local Government	LAW	DEVELOPMENT IMPACT FEES - Amends existing law to revise provisions regarding intergovernmental agreements relating to development impact fees.	118	187	196
111	Education	LAW	EDUCATION - Amends existing law to provide that school employees at category 3 contract status shall not advance beyond such status until they complete certain requirements.....	123	180	194
112	Transportation and Defense	S Loc Gov	SALES TAX - Adds to existing law to provide for a sales tax rebate on certain road construction materials.	123	-	123
114	Appropriations	LAW	APPROPRIATIONS - STATE TREASURER - Relates to the appropriation to the State Treasurer for fiscal year 2021.	87	151	161
115	Health and Welfare	LAW	HOSPITALS - Amends existing law to provide that a hospital trustee may not be an employee of or have an ownership interest in certain other facilities and to revise provisions regarding hospital boards.	103	154	161
117	Appropriations	LAW	APPROPRIATIONS - OFFICE OF ENERGY AND MINERAL RESOURCES - Relates to the appropriation to the Office of Energy and Mineral Resources for fiscal year 2021.	92	151	161
118	Resources and Conservation	S Res/Env	DEPARTMENT OF LANDS - Amends existing law to prohibit the Department of Lands from engaging legal counsel from the Attorney General's office.	158	-	158
119	Revenue and Taxation	S Loc Gov	BOARD OF TAX APPEALS - Amends existing law to revise provisions regarding hearings.....	103	-	103
120	Revenue and Taxation	LAW	VETERANS - Amends existing law to provide for the ability of certain disabled veterans to transfer their veteran's property tax reduction and homestead exemption upon a change of homestead.	110	169	178
122	State Affairs	S St Aff	FIREARMS - Amends existing law to provide that certain persons shall not be prohibited from possessing weapons on school property.....	173	-	173
123	Appropriations	LAW	APPROPRIATIONS - COMMISSION ON AGING - Relates to the appropriation to the Commission on Aging for fiscal year 2021.	99	152	161
124	Local Government	LAW	DEVELOPMENT IMPACT FEES - Amends existing law to revise provisions regarding development impact fee advisory committees.	118	191	201
126	Agricultural Affairs	LAW	INDUSTRIAL HEMP - Amends and adds to existing law to establish provisions regarding industrial hemp.	158	214	225

House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
127	Environment, Energy and Technology	LAW	BROADBAND - Adds to existing law to establish the Idaho Broadband Fund and the Idaho Broadband Advisory Board.....	130	176	194
128	Transportation and Defense	LAW	TRANSPORTATION - Amends existing law to revise provisions regarding delivery of title upon sale or disposition.....	110	168	178
129	Transportation and Defense	LAW	TRANSPORTATION - Amends and adds to existing law to provide for exemptions from operating fees regarding certain uses of off-highway vehicles.	130	207	211
131	Transportation and Defense	LAW	TRANSPORTATION - Amends existing law to allow for wider sidewalks or side paths if necessary.....	130	215	225
132	Transportation and Defense	LAW	TRANSPORTATION - Amends existing law to establish the POW/MIA Memorial Highway in Idaho. Amended in the House (See House Journal)	130	- 207	211
134	Appropriations	LAW	APPROPRIATIONS - DEPARTMENT OF AGRICULTURE - Relates to the appropriation to the Department of Agriculture for fiscal year 2021.	99	152	161
135	State Affairs	VETOED	EMERGENCY DECLARATIONS - Amends existing law to revise provisions regarding a declaration of disaster emergency by the Governor. Amended in the Senate	96 221	- 226	278
136	State Affairs	LAW	ELECTIONS - Adds to existing law to provide for at-large elections in certain political subdivisions.	123	171	178
138	Commerce and Human Resources	LAW	DEPARTMENT OF ADMINISTRATION - Repeals existing law relating to the Permanent Building Fund.	110	214	225
139	Commerce and Human Resources	LAW	HUMAN RESOURCES DIVISION - Amends existing law to provide that a state employee may donate sick leave as well as vacation leave.....	113	214	225
140	Commerce and Human Resources	S Com/HuRes	MEDICAL CONSUMER PROTECTION ACT - Adds to existing law to prohibit discrimination against certain persons on the basis of their vaccination status and to prohibit state contracts with companies that engage in such discrimination.	113	-	113
141	Commerce and Human Resources	LAW	PUBLIC PROCUREMENT - Adds to and amends existing law to provide that a state agency may not enter into a noncompetitive contract with a state institution of higher education unless authorized by the administrator of the Division of Purchasing. Amended in the House (See House Journal)	130	- 168	178
142	Commerce and Human Resources	LAW	EMPLOYMENT SECURITY - Amends existing law to clarify eligibility requirements.	118	214	225
143	Business	LAW	BUILDING CODE ACT - Adds to existing law to require the Building Code Board to adopt certain International Building Code provisions allowing for the use of mass timber.	129	219	228

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House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
148	Judiciary, Rules and Administration	S Jud	MOTOR VEHICLES - Amends existing law to revise provisions regarding an administrative hearing on a license suspension.....	129	-	129
149	Judiciary, Rules and Administration	LAW	CORONAVIRUS LIMITED IMMUNITY ACT - Amends session laws of the 2020 First Extraordinary Session to extend a sunset date to July 1, 2022.	129	184	196
150	Judiciary, Rules and Administration	LAW	IDAHO COMMISSION OF PARDONS AND PAROLE - Adds to and amends existing law to revise and restructure the Commission of Pardons and Parole into a new chapter of Idaho Code.....	129	219	228
152	Judiciary, Rules and Administration	LAW	SECURITY DEPOSITS - Amends existing law to provide that a tenant's security deposit shall be held in a separate account.	140	219	228
154	Environment, Energy and Technology	S Transp	VEHICLE INSPECTION AND MAINTENANCE - Amends existing law to provide that certain counties may opt out of vehicle inspection and maintenance programs under specified conditions.....	125	-	138
155	Local Government	LAW	GOVERNMENT PROPERTY - Amends existing law to revise provisions regarding the transfer of property between government bodies.....	149	215	225
156	Local Government	LAW	DEVELOPMENT IMPACT FEES - Amends existing law to revise provisions regarding the definition of "public safety facilities.".....	149	215	225
157	Transportation and Defense	S Transp	TRANSPORTATION - Adds to existing law to provide for a motor vehicle registration fee discount for active duty military members stationed outside of Idaho.....	118	-	118
158	Transportation and Defense	S Transp	TRANSPORTATION - Amends existing law to provide that certain vehicles are permitted to display only a rear license plate.....	123	-	123
160	Transportation and Defense	LAW	TRANSPORTATION - Amends existing law to remove a provision regarding certain optional charges related to technical review and to remove certain sunset provisions from session laws.	123	223	228
161	Transportation and Defense	LAW	TRANSPORTATION - Amends existing law to provide for certain fee increases to provide additional funding to counties.	167	-	266
			Amended in the House (See House Journal)			
			Amended in the Senate	213	232	
162	Transportation and Defense	LAW	TRANSPORTATION - Adds to existing law to designate the Bobby Chambers Memorial Highway.....	149	222	228
165	Transportation and Defense	LAW	TRANSPORTATION - Adds to existing law to provide for custom vehicle license plates.	123	215	225
166	Agricultural Affairs	LAW	DOMESTIC CERVIDAE - Amends existing law to remove the prohibition of holding reindeer for domestic purposes north of the Salmon River.	130	223	228
167	Agricultural Affairs	LAW	DEPARTMENT OF AGRICULTURE - Amends existing law to revise provisions regarding rulemaking.....	123	185	196

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House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
169	State Affairs	S St Aff	STATE PLANNING AND COORDINATION - Amends existing law to provide for certain agency performance measures.....	158	-	158
170	Revenue and Taxation	LAW	INCOME TAX - Amends existing law to revise provisions regarding Idaho taxable income.	110	169	178
171	Revenue and Taxation	LAW	SALES TAX - Amends existing law to revise provisions regarding sales tax exemption or resale certificates. Amended in the Senate	110 179	- 190	240
172	Education	LAW	EDUCATION - Adds to existing law to provide that students may receive credit for extended learning opportunities or by demonstrating prior knowledge of a content area.....	133	187	196
173	Education	LAW	EDUCATION - Amends existing law to establish the School Safety and Security Program in the Office of the State Board of Education.....	133	187	196
174	Education	S Educ	EDUCATION - Amends existing law to provide that a board of school district trustees may enter into a negotiation agreement with a local education organization.....	158	-	158
175	Education	LAW	EDUCATION - Amends existing law to provide for in-person instruction when possible during an emergency.	133	206	211
176	Appropriations	LAW	APPROPRIATIONS - EXECUTIVE OFFICE OF THE GOVERNOR - Relates to the appropriation to the Executive Office of the Governor for fiscal year 2021.....	105	119	129
178	Business	LAW	OCCUPATIONAL LICENSING - Adds to existing law to provide for certain apprenticeship programs.....	133	219	228
182	Resources and Conservation	LAW	WATER - Adds to existing law to provide for irrigation corporation boundary adjustments.	140	207	211
184	Resources and Conservation	LAW	WATER RIGHTS - Amends existing law to revise provisions regarding notification of change in ownership of water rights.	140	207	211
185	Resources and Conservation	LAW	FLOOD CONTROL DISTRICTS - Amends existing law to provide that lands annexed to a district may be contiguous or noncontiguous to the existing district.	140	207	211
186	Resources and Conservation	LAW	WATER - Amends existing law to revise provisions regarding notices of claim associated with the use of stockwater on federal land and to revise provisions regarding the director's determination of specified elements to define and administer the water rights acquired under state law.....	140	207	211
187	Resources and Conservation	LAW	FISH AND GAME - Adds to existing law to provide for motorized use restrictions in recreational access agreements.	129	216	225
191	Judiciary, Rules and Administration	LAW	DOMESTIC RELATIONS - Adds to existing law to provide for a delegation of parental powers to a temporary caregiver through a power of attorney and to provide requirements for temporary care assistance programs..... Amended in the Senate	146 196	- 205	240

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House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
193	Judiciary, Rules and Administration	S 14th Ord	CHILD SUPPORT - Amends existing law to provide that a lien for child support delinquency attaches to certain property and to provide for calculation of a self-employed parent's financial resources for purposes of determining child support.....	129	-	193
198	State Affairs	LAW	PRECINCT COMMITTEEMAN - Amends existing law to clarify qualifications of a precinct committeeman.....	158	215	225
200	Appropriations	LAW	APPROPRIATIONS - DEPARTMENT OF HEALTH AND WELFARE - WELFARE DIVISION - Relates to the appropriation to the Department of Health and Welfare for fiscal year 2021.....	110	154	161
203	Education	LAW	PUBLIC SCHOOLS - Amends existing law to provide that persons qualified to drive school buses who have retired may be rehired while still receiving PERSI benefits.	140	206	211
204	Appropriations	LAW	APPROPRIATIONS - DEPARTMENT OF PARKS AND RECREATION - Relates to the appropriation to the Department of Parks and Recreation for fiscal year 2021.....	118	154	161
205	Appropriations	LAW	APPROPRIATIONS - IDAHO STATE POLICE - Relates to the appropriation to the Idaho State Police for fiscal year 2021.....	118	154	161
206	Appropriations	LAW	APPROPRIATIONS - STATE TAX COMMISSION - Relates to the appropriation to the State Tax Commission for fiscal year 2021.	118	155	161
207	Appropriations	LAW	APPROPRIATIONS - OMNIBUS - Reduces appropriations for fiscal year 2021.....	118	155	161
208	Health and Welfare	LAW	PHARMACISTS - Amends existing law to remove a provision regarding federal Food and Drug Administration-approved labeling.....	123	170	178
210	Revenue and Taxation	LAW	SALES TAX - Amends existing law to revise provisions regarding the applicability of the sales and use tax to certain nonresidents and nonresident business entities purchasing vehicles in Idaho.....	123	214	225
211	Revenue and Taxation	S Loc Gov	PROPERTY - Amends existing law to revise provisions regarding the market value of a residential property on appeal by a taxpayer.....	125	-	125
214	Revenue and Taxation	VETOED	STATE TAX COMMISSION - Amends existing law to revise provisions regarding the responsibilities of the state tax commissioners.	123	191	217
216	Appropriations	LAW	APPROPRIATIONS - HEALTH AND WELFARE - MEDICAID - Relates to the appropriation to the Department of Health and Welfare for fiscal year 2021.....	123	140	156
217	Revenue and Taxation	LAW	INCOME TAXES - Adds to existing law to provide for a rebuttable presumption regarding evidence of expenditures.....	125	214	225
220	State Affairs	LAW	PUBLIC FUNDS FOR ABORTION - Adds to existing law to prohibit the use of public funds for abortion..... Amended in the Senate	133 258	- 264	280

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221	Education	S Educ	EDUCATION - Adds to existing law to provide for teacher certificates specific to a local education agency.....	146	-	146
222	Education	LAW	EDUCATION - Amends existing law to provide for a commission on continuous improvement plans and student achievement measures and to revise provisions regarding staff evaluations, college and career advising, and literacy intervention.	146	214	225
223	State Affairs	S 14th Ord	ELECTIONS - Adds to existing law to prohibit certain ballot collection activities.	123	-	210
224	Appropriations	LAW	APPROPRIATIONS - COMMISSION ON HISPANIC AFFAIRS - Relates to the appropriation to the Commission on Hispanic Affairs for fiscal year 2022.....	125	163	175
225	Appropriations	LAW	APPROPRIATIONS - DEPARTMENT OF ADMINISTRATION - PERMANENT BUILDING FUND - Relates to the appropriation to the Department of Administration for the Division of Public Works for fiscal year 2021.	125	163	175
228	Appropriations	LAW	APPROPRIATIONS - DEPARTMENT OF JUVENILE CORRECTIONS - Relates to the appropriation to the Department of Juvenile Corrections for fiscal year 2022.....	129	167	178
229	Transportation and Defense	LAW	TRANSPORTATION - Amends existing law to increase fees for snowmobile use, to allocate such funds, and to establish a state snowmobile avalanche fund..... Amended in the Senate	129 213	- 232	266
230	Appropriations	LAW	APPROPRIATIONS - STATE APPELLATE PUBLIC DEFENDER - Relates to the appropriation to the State Appellate Public Defender for fiscal year 2022.....	129	167	178
231	State Affairs	LAW	ELECTIONS - Amends existing law to revise provisions regarding the independent candidate filing deadline for president or vice president.....	158	215	225
232	State Affairs	LAW	ALCOHOL - Amends existing law to revise provisions regarding the alcoholic content of beer, to provide for a certain tax and revenue distribution, and to provide for the distribution of certain revenue to the Idaho Grape Growers and Wine Producers Account.	167	219	228
233	Health and Welfare	LAW	JUVENILES - Adds to existing law to establish provisions regarding the prevention of a child's removal from the custody of a parent or guardian under certain circumstances.	140	206	211
234	Health and Welfare	S Health/Wel	CITIES - Amends existing law to revise provisions regarding preservation of public health by cities.	158	-	158
235	Resources and Conservation	LAW	FISH AND GAME - Amends existing law to provide for sage grouse game tags, to revise provisions regarding fees for swan, sage grouse, and sharptail grouse, and to revise provisions regarding violations.	129	216	225
239	Resources and Conservation	LAW	PHOSPHATE - Repeals and amends existing law to revise construction requirements and to provide for certain fees.	146	216	225

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House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
240	Judiciary, Rules and Administration	S Jud	COMMUNITY REENTRY CENTERS - Adds to existing law to provide that the Commission of Pardons and Parole shall apply for a special use permit when establishing a new community reentry center. Amended in the House (See House Journal)	167	-	167
241	Judiciary, Rules and Administration	LAW	MOTOR VEHICLES - Amends existing law to revise a provision regarding the installation of an ignition interlock device, to provide for a petition for relief in certain instances, and to revise provisions regarding judicial review.	140	222	228
243	State Affairs	LAW	CAMPAIGN FINANCE - Amends existing law regarding a candidate's campaign account limits.	158	216	225
245	State Affairs	LAW	CAMPAIGN FINANCE - Amends and adds to existing law to prohibit foreign contributions, independent expenditures, and electioneering communications.	160	224	228
246	Judiciary, Rules and Administration	LAW	DOMESTIC RELATIONS - Amends existing law to provide that emergency or disaster declarations shall not be considered a compelling governmental interest sufficient to restrict parental rights. Amended in the Senate	140 221	- 234	258
248	Education	S Educ	PUBLIC SCHOOL FUNDING - Adds to existing law to provide that a school district or public charter school may use part of its salary-based apportionment to pay for its employees to be covered by the state employee health insurance plan.	146	-	146
249	Education	S Educ	EDUCATION - Amends existing law to provide for permission to participate in instruction regarding human sexuality.	149	-	149
250	Education	LAW	EDUCATION - Amends existing law to provide that advanced opportunities funds may be used for college entrance examinations, preliminary college entrance examinations, and costs associated with certain examinations. Amended in the House (See House Journal)	167	- 223	228
251	Revenue and Taxation	LAW	INCOME TAX - Amends existing law to revise provisions regarding the treatment of certain federal relief moneys when calculating Idaho taxable income.	133	173	185
252	Revenue and Taxation	LAW	PROPERTY ASSESSMENTS - Amends existing law to revise provisions regarding the assessment of certain property actively devoted to agriculture. Amended in the Senate	158 213	- 231	252
258	State Affairs	LAW	ALCOHOL - Amends existing law to provide that certain applicants shall not be deemed ineligible for a waterfront resort liquor license.	211	276	280
259	State Affairs	S St Aff	STATE DISASTER PREPAREDNESS ACT - Amends existing law to revise the definitions of "disaster," "militia," and "disaster emergency account" and to define "epidemic" and "pandemic."	140	-	140

House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
260	Appropriations	LAW	STATE BUDGETS - Amends and adds to existing law to define terms and to revise state budget terminology to be uniform and consistent.	189	205	211
261	Appropriations	LAW	APPROPRIATIONS - COMMISSION OF PARDONS AND PAROLE - Relates to the appropriation to the Commission of Pardons and Parole for fiscal year 2022.	140	167	178
262	Appropriations	LAW	APPROPRIATIONS - DEPARTMENT OF CORRECTION - Relates to the appropriation to the Department of Correction for fiscal year 2022.	146	168	178
263	Appropriations	LAW	APPROPRIATIONS - WORKFORCE DEVELOPMENT COUNCIL - Relates to the appropriation to the Workforce Development Council for fiscal year 2022.	146	168	178
264	Education	LAW	EDUCATION - Amends existing law to revise provisions regarding public charter school facilities funds.	158	222	228
265	Education	LAW	EDUCATION - Amends existing law to provide for the state share of the Transportation Support Program following an emergency.	158	223	228
266	Resources and Conservation	LAW	WATER - Adds to existing law to provide for cloud seeding in Idaho.	158	222	228
267	Resources and Conservation	LAW	WATER - Amends existing law to revise provisions regarding the water management account.	146	208	211
268	Resources and Conservation	LAW	WATER - Amends existing law to revise provisions regarding extensions of time for construction, work, or application of water to full beneficial use.	146	208	211
269	Appropriations	LAW	APPROPRIATIONS - PUBLIC DEFENSE COMMISSION - Relates to the appropriation to the Public Defense Commission for fiscal year 2022.	149	168	178
270	Appropriations	LAW	APPROPRIATIONS - COMMISSION ON THE ARTS - Relates to the appropriation to the Commission on the Arts for fiscal year 2022.	149	168	178
272	Appropriations	LAW	APPROPRIATIONS - SUPREME COURT - Relates to the appropriation to the Supreme Court for fiscal year 2022.	149	168	178
275	Business	S Jud	LIENS - Adds to existing law to provide for proof of a lien and to provide that certain fees and costs are recoverable for a prevailing party.	173	-	173
276	Revenue and Taxation	LAW	INCOME TAXES - Amends existing law to revise provisions regarding the adjustable basis of depreciable property.	158	215	225
277	Revenue and Taxation	LAW	TAX APPEALS - Adds to existing law to provide for the right of a taxpayer to appear in person or through a representative of his choice at a hearing of the Board of Tax Appeals.	158	215	225
279	State Affairs	LAW	COMMITTEE ON FEDERALISM - Repeals existing law relating to the sunset provision for the Committee on Federalism.	158	216	225
280	Education	LAW	EDUCATION - Amends existing law to revise provisions regarding professional endorsements.	160	223	228

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House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
282	Appropriations	LAW	APPROPRIATIONS - COMMISSION FOR THE BLIND AND VISUALLY IMPAIRED - Relates to the appropriation to the Commission for the Blind and Visually Impaired for fiscal year 2022.....	158	183	196
283	Appropriations	LAW	APPROPRIATIONS - IDAHO PUBLIC TELEVISION - Relates to the appropriation to Idaho Public Television for fiscal year 2022.....	158	184	196
284	Appropriations	LAW	APPROPRIATIONS - CATASTROPHIC HEALTH CARE PROGRAM - Relates to the appropriation to the Catastrophic Health Care Program for fiscal year 2022.	267	271	280
286	Resources and Conservation	LAW	PUBLIC SHOOTING RANGES - Amends existing law to revise distribution provisions regarding certain fines and forfeitures.....	177	224	228
290	State Affairs	LAW	ELECTIONS - Amends existing law to revise provisions regarding verification of signatures of electors and petition signers.	194	235	240
291	State Affairs	S St Aff	BUSINESS - Amends existing law to provide a bill of rights for businesses during a disaster emergency or public health order.....	183	-	183
292	State Affairs	LAW	ELECTRICAL CONTRACTORS AND JOURNEYMEN - Amends existing law to provide certain exemptions regarding electrical contractors and journeymen and to provide for preemption of local jurisdictions and the state fire marshal as to such exemptions.	183	223	228
293	Education	S Educ	EDUCATION - Adds to existing law to provide for reimbursement to parents for eligible education expenses under certain circumstances.....	167	-	167
294	Education	S Held at Desk	EDUCATION - Amends existing law to establish the Strong Students Grant Program and the Strong Students Scholarship Program, which provide funds to eligible students for certain education expenses.	160	-	209
298	Education	LAW	IMMUNIZATIONS - Amends existing law to provide that school officials shall provide parents and guardians with certain information in communications regarding student immunizations.....	177	234	240
299	State Affairs	LAW	ELECTIONS - Amends existing law to prohibit the providing of college credit to influence a student's vote.....	167	259	263
302	State Affairs	LAW	ABORTION - Amends existing law to provide that certain printed material regarding Down syndrome be made available to physicians, hospitals, or other facilities providing abortion and abortion-related services.....	189	232	237
303	Appropriations	LAW	APPROPRIATIONS - STATE LIQUOR DIVISION - Relates to the appropriation to the State Liquor Division for fiscal year 2022.....	167	184	196
304	Appropriations	LAW	APPROPRIATIONS - IDAHO STATE LOTTERY - Relates to the appropriation to the Idaho State Lottery for fiscal year 2022.....	167	184	196

House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
305	Appropriations	LAW	APPROPRIATIONS - Relates to the appropriation to the regulatory boards, medical boards, and the Division of Building Safety for fiscal year 2021.	167	184	196
306	Appropriations	LAW	APPROPRIATIONS - DEPARTMENT OF AGRICULTURE - Relates to the appropriation to the Department of Agriculture for fiscal year 2022.	167	184	196
307	Ways and Means	LAW	IRRIGATION - Repeals and amends existing law to revise right-of-way provisions.	177	222	228
308	Appropriations	LAW	APPROPRIATIONS - IDAHO TRANSPORTION DEPARTMENT - Relates to the appropriation to the Idaho Transportation Department for fiscal year 2021.	167	175	194
309	Revenue and Taxation	LAW	PROPERTY TAXES - Amends existing law to revise provisions regarding the property tax deferral program.	183	223	228
312	Appropriations	LAW	APPROPRIATIONS - INDUSTRIAL COMMISSION - Relates to the appropriation to the Industrial Commission for fiscal year 2022.	173	191	201
313	Appropriations	LAW	APPROPRIATIONS - DEPARTMENT OF FISH AND GAME - Relates to the appropriation to the Department of Fish and Game for fiscal year 2022.	173	191	201
315	Health and Welfare	LAW	PUBLIC FUNDS - Adds to existing law to establish the state-directed opioid settlement fund.	183	235	240
316	Health and Welfare	LAW	HEALTH - Adds to and amends existing law to provide for additional county aid to public health districts and to revise provisions regarding health districts. Amended in the Senate	183 258	- 263	280
317	Revenue and Taxation	LAW	INCOME TAX - Adds to existing law to provide for the affected business entity tax.	167	222	228
318	Appropriations	LAW	APPROPRIATIONS - COMMUNITY COLLEGES - Relates to the appropriation to the State Board of Education for Community Colleges for fiscal years 2021 and 2022.	183	198	201
319	State Affairs	S St Aff	ELECTIONS - Amends existing law to provide for city officer elections in even numbered years. Amended in the House (See House Journal)	300	-	300
322	State Affairs	S St Aff	FEDERALISM PROCEDURE - Adds to existing law to provide a procedure regarding nonrecognition of certain federal actions. Amended in the House (See House Journal)	245	-	245
324	Appropriations	LAW	APPROPRIATIONS - ENDOWMENT FUND INVESTMENT BOARD - Relates to the appropriation to the Endowment Fund Investment Board for fiscal year 2022.	183	205	211
325	Appropriations	LAW	APPROPRIATIONS - HEALTH AND WELFARE - FAMILY AND COMMUNITY SERVICES - Relates to the appropriation to the Department of Health and Welfare for fiscal year 2022.	183	205	211
326	Appropriations	LAW	APPROPRIATIONS - IDAHO TRANSPORTATION DEPARTMENT - Relates to the appropriation to the Idaho Transportation Department for fiscal year 2022.	183	205	211

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House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
329	Education	S Educ	EDUCATION - Amends existing law to provide that school boards shall have the authority to adopt policies and procedures regarding student clubs and organizations.	218	-	218
332	Revenue and Taxation	S Loc Gov	INCOME TAXES - Amends existing law to revise provisions regarding income tax rates and the Tax Relief Fund and to provide for a onetime income tax rebate.	194	-	258
333	Appropriations	LAW	APPROPRIATIONS - DEPARTMENT OF PARKS AND RECREATION - Relates to the appropriation to the Department of Parks and Recreation for fiscal year 2022.....	194	205	211
334	Appropriations	LAW	APPROPRIATIONS - PERSI - Relates to the appropriation to the Public Employee Retirement System of Idaho for fiscal year 2022.	194	206	211
336	Health and Welfare	LAW	JUVENILES - Amends and adds to existing law to provide for placement of juveniles in the custody of the Department of Health and Welfare in qualified residential treatment programs when appropriate and to provide for an extension of foster care.	194	235	240
337	Appropriations	LAW	APPROPRIATIONS - IDAHO STATE POLICE - Relates to the appropriation to the Idaho State Police for fiscal year 2022.....	200	219	228
338	Appropriations	LAW	APPROPRIATIONS - STATE CONTROLLER - Relates to the appropriation to the Office of the State Controller for fiscal year 2022.	234	238	244
339	State Affairs	S Health/Wel	MASK MANDATES - Adds to existing law to establish provisions regarding the prohibition of mask mandates..... Amended in the House (See House Journal)	245	-	245
340	Appropriations	LAW	APPROPRIATIONS - LEGISLATIVE BRANCH - Relates to the appropriation to the Legislative Branch for fiscal year 2022.....	200	219	228
341	Appropriations	LAW	APPROPRIATIONS - EXECUTIVE OFFICE OF THE GOVERNOR - Relates to the appropriation to the Executive Office of the Governor for fiscal year 2022.....	200	219	228
342	Ways and Means	S Transp	TRANSPORTATION - Amends existing law to increase funding for state and local transportation through sales tax.....	194	-	194
343	Appropriations	LAW	APPROPRIATIONS - SUPREME COURT - Relates to the appropriation to the Supreme Court for fiscal year 2022.	218	231	237
344	State Affairs	S St Aff	ELECTIONS - Amends existing law to revise provisions regarding voter identification.	234	-	234
345	Appropriations	LAW	APPROPRIATIONS - CATASTROPHIC HEALTH CARE PROGRAM - Relates to the appropriation to the Catastrophic Health Care Program for fiscal year 2021.	265	275	280
346	Appropriations	LAW	APPROPRIATIONS - DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES - Relates to the appropriation to the Division of Occupational and Professional Licenses for fiscal year 2022.....	218	234	240

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348	State Affairs	LAW	CITIES - Amends existing law to remove a provision regarding city appropriation ordinances.....	249	276	280
349	State Affairs	S St Aff	ELECTIONS - Adds to existing law to establish provisions for postelection audits of selected ballots.	218	-	218
350	State Affairs	S St Aff	SCHOOL TRUSTEE ELECTIONS - Amends existing law to revise provisions regarding appointments and elections to fill vacant school trustee positions after a recall or resignation following a recall petition.....	245	-	245
353	Appropriations	LAW	APPROPRIATIONS - PUBLIC SCHOOLS - ADMINISTRATORS DIVISION - Relates to the appropriation to the Public Schools Educational Support Program's Division of Administrators for fiscal year 2022 and fiscal year 2021.....	267	271	280
355	Appropriations	LAW	APPROPRIATIONS - PUBLIC SCHOOLS - OPERATIONS DIVISION - Relates to the appropriation to the Public Schools Educational Support Program's Division of Operations for fiscal year 2022 and fiscal year 2021.	279	281	286
356	Appropriations	LAW	APPROPRIATIONS - PUBLIC SCHOOLS - CHILDREN'S PROGRAMS DIVISION - Relates to the appropriation to the Public Schools Educational Support Program's Division of Children's Programs for fiscal year 2022 and fiscal year 2021.....	267	272	280
357	Appropriations	LAW	APPROPRIATIONS - PUBLIC SCHOOLS - FACILITIES DIVISION - Relates to the appropriation to the Public Schools Educational Support Program's Division of Facilities for fiscal year 2022.	218	234	240
358	Appropriations	LAW	APPROPRIATIONS - PUBLIC SCHOOLS - CENTRAL SERVICES DIVISION - Relates to the appropriation to the Public Schools Educational Support Program's Division of Central Services for fiscal year 2022.	267	272	280
359	Appropriations	LAW	APPROPRIATIONS - PUBLIC SCHOOLS - EDUCATIONAL SERVICES FOR THE DEAF AND THE BLIND - Relates to the appropriation to the Public Schools Educational Support Program's Division of Educational Services for the Deaf and the Blind for fiscal year 2022.	218	231	237
362	Ways and Means	LAW	TRANSPORTATION - Amends existing law to increase funding for state and local transportation through sales tax.....	220	274	280
363	Ways and Means	S St Aff	HEALTH - Amends existing law to prohibit certain local regulations and taxes relating to tobacco products and electronic smoking devices.....	229	-	229
364	Ways and Means	S Educ	PROTECTING CRITICAL THINKING IN HIGHER EDUCATION - Adds to existing law to establish the Protecting Critical Thinking in Higher Education Act.....	245	-	245
365	Appropriations	LAW	APPROPRIATIONS - DEPARTMENT OF AGRICULTURE - Relates to the appropriation to the Department of Agriculture for fiscal year 2021 and fiscal year 2022.	245	249	254
366	Ways and Means	LAW	FETAL HEARTBEAT PREBORN CHILD PROTECTION ACT - Adds to existing law to prohibit an abortion following detection of a fetal heartbeat.	245	255	258

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House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
367	Appropriations	LAW	APPROPRIATIONS - Relates to the appropriations to the Office of the State Controller and the Legislative Services Office for fiscal years 2021 and 2022.	249	257	263
369	Appropriations	LAW	APPROPRIATIONS - HEALTH AND WELFARE - WELFARE DIVISION - Relates to the appropriation to the Department of Health and Welfare for fiscal year 2022.	287	293	295
370	Appropriations	LAW	APPROPRIATIONS - DIVISION OF FINANCIAL MANAGEMENT - Relates to the appropriation to the Division of Financial Management for fiscal year 2022.	267	272	280
371	Appropriations	LAW	APPROPRIATIONS - IDAHO STATE POLICE - Relates to the appropriation to the Idaho State Police for fiscal year 2021 and fiscal year 2022.	252	257	263
372	Appropriations	LAW	APPROPRIATIONS - DEPARTMENT OF EDUCATION - Relates to the appropriation to the Department of Education for fiscal year 2022 and fiscal year 2021.	267	272	280
373	Appropriations	LAW	APPROPRIATIONS - IDAHO COMMISSION FOR LIBRARIES - Relates to the appropriation to the Idaho Commission for Libraries for fiscal year 2022.	267	273	280
374	Appropriations	LAW	APPROPRIATIONS - HEALTH AND WELFARE - FAMILY AND COMMUNITY SERVICES - Relates to the appropriation to the Department of Health and Welfare for fiscal year 2022.	259	274	280
376	Ways and Means	S St Aff	LEGISLATIVE SESSION - EFFECTIVE DATES - Adds to existing law to clarify the effective dates for certain acts or sections of acts enacted by the First Regular Session of the Sixty-sixth Idaho Legislature.	259	-	259
377	Ways and Means	LAW	EDUCATION - Adds to existing law to establish provisions regarding dignity and nondiscrimination in public education and to prohibit the expenditure of moneys for certain purposes.	259	263	266
380	Ways and Means	LAW	TAXATION - Amends and adds to existing law to revise provisions regarding income taxes, to revise provisions regarding the Tax Relief Fund, and to establish the 2021 Idaho Tax Rebate Fund.	259	274	280
381	Ways and Means	LAW	TRANSPORTATION - Amends existing law to revise provisions regarding motor vehicles.	267	275	280
382	Appropriations	LAW	APPROPRIATIONS - DEPARTMENT OF HEALTH AND WELFARE - MEDICAID - Relates to the appropriation to the Department of Health and Welfare for fiscal year 2021 and fiscal year 2022.	267	273	280
383	Appropriations	LAW	APPROPRIATIONS - LIEUTENANT GOVERNOR - Relates to the appropriation to the Office of the Lieutenant Governor for fiscal year 2022.	267	273	280
384	Appropriations	LAW	APPROPRIATIONS - MILITARY DIVISION - Relates to the appropriation to the Military Division for fiscal year 2021.	267	274	280

House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
385	Appropriations	LAW	APPROPRIATIONS - PUBLIC SCHOOLS - TEACHERS DIVISION - Relates to the appropriation to the Public Schools Educational Support Program's Division of Teachers for fiscal year 2022 and fiscal year 2021.....	279	281	286
386	Appropriations	LAW	APPROPRIATIONS - PUBLIC SCHOOLS - OPERATIONS DIVISION - Relates to the appropriation to the Public Schools Educational Support Program's Division of Operations for fiscal year 2022.....	279	282	286
387	Appropriations	LAW	APPROPRIATIONS - COLLEGE AND UNIVERSITIES - Relates to the appropriation to the State Board of Education and the Board of Regents of the University of Idaho for College and Universities and the Office of the State Board of Education for fiscal year 2021 and fiscal year 2022.....	279	282	286
388	Appropriations	LAW	APPROPRIATIONS - PUBLIC SCHOOLS - CHILDREN'S PROGRAMS DIVISION - Relates to the appropriation to the Public Schools Educational Support Program's Division of Children's Programs for fiscal year 2022.....	279	282	286
389	Ways and Means	LAW	PROPERTY TAXES - Amends, repeals, and adds to existing law to revise provisions regarding the homeowner exemption, the circuitbreaker tax reduction, the disabled veterans tax reduction, the property tax deferral program, and the taxation of personal property.....	280	289	291
390	Ways and Means	S FAILED	TAXATION - Amends existing law to revise provisions regarding taxable income and the State Tax Commission.....	280	289	289
391	Ways and Means	LAW	EMERGENCY DECLARATIONS - Amends existing law to revise provisions regarding a declaration of disaster emergency by the Governor.....	280	290	295
392	Ways and Means	LAW	EMERGENCY DECLARATIONS - Amends existing law to revise provisions regarding a declaration of disaster emergency by the Governor and to provide that the Governor may not alter, adjust, or create any provisions of the Idaho Code.....	280	290	295
393	Ways and Means	LAW	EMERGENCY DECLARATIONS - Amends existing law to revise provisions regarding a declaration of disaster emergency by the Governor.....	280	291	295
394	Ways and Means	LAW	EFFECTIVE DATES - Amends and adds to existing law to revise effective dates.....	287	294	295
395	Appropriations	LAW	APPROPRIATIONS - HEALTH AND WELFARE - WELFARE DIVISION - Relates to the appropriation to the Department of Health and Welfare for fiscal year 2022.....	287	293	295
396	Appropriations	LAW	APPROPRIATIONS - PUBLIC HEALTH DISTRICTS - Relates to the appropriation to the public health districts for fiscal year 2022.....	287	293	295
397	Appropriations	S 3rd Rdg	APPROPRIATIONS - DEPARTMENT OF ADMINISTRATION - PERMANENT BUILDING FUND - Relates to the appropriation to the Department of Administration for the Division of Public Works for fiscal year 2021 and fiscal year 2022.....	287	-	298

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398	Appropriations	LAW	APPROPRIATIONS - PUBLIC SCHOOLS - CHILDREN'S PROGRAMS DIVISION - Relates to the appropriation to the Public Schools Educational Support Program's Division of Children's Programs for fiscal year 2022.....	287	293	295
399	Appropriations	LAW	APPROPRIATIONS - COMMISSION ON AGING - Relates to the appropriation to the Commission on Aging for fiscal year 2022.	287	294	295
400	Appropriations	LAW	APPROPRIATIONS - HEALTH AND WELFARE - WELFARE DIVISION - Relates to the appropriation to the Department of Health and Welfare for fiscal year 2021.....	287	294	295
401	Appropriations	LAW	APPROPRIATIONS - IDAHO TRANSPORTATION DEPARTMENT - Relates to the appropriation to the Idaho Transportation Department for fiscal year 2022.	287	294	295
402	Ways and Means	S St Aff	NONCOGNIZABLE FUNDS - Amends existing law to revise provisions regarding the expenditure of certain funds.....	287	-	287
407	Ways and Means	LAW	EFFECTIVE DATES - Amends and adds to existing law to provide effective dates.....	301	302	303
408	Appropriations	LAW	APPROPRIATIONS - DEPARTMENT OF ADMINISTRATION - PERMANENT BUILDING FUND - Relates to the appropriation to the Department of Administration for the Division of Public Works for fiscal year 2021.	302	302	303

SECTION XII

NUMERICAL INDEX OF HOUSE JOINT RESOLUTIONS RECEIVED BY THE SENATE

House Joint Resolution	Introduced by	Final Action	Subject Matter	Intro- duction Page	Senate Vote Page	Final Disp. Page
1	State Affairs	S St Aff	SESSIONS OF THE LEGISLATURE - Proposes an amendment to the Constitution of the State of Idaho to provide that the Legislature must convene in certain organizational sessions and must be convened in special session by the President Pro Tempore of the Senate and the Speaker of the House of Representatives in certain circumstances.....	65	-	172

SECTION XIII

NUMERICAL INDEX OF HOUSE JOINT MEMORIALS RECEIVED BY THE SENATE

House Joint Memorial	Introduced by	Final Action	Subject Matter	Intro- duction Page	Senate Vote Page	Final Disp. Page
1	State Affairs	ADOPTED	CHINA - States findings of the Legislature and requests that the federal government sanction the Chinese government and the Chinese Communist Party for their crimes against humanity and their handling of the COVID-19 outbreak.	162	242	257

SECTION XIV

NUMERICAL INDEX OF HOUSE CONCURRENT RESOLUTIONS RECEIVED BY THE SENATE

House Concurrent Resolution	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
2	State Affairs	S St Aff	ORDERS OF THE GOVERNOR - States findings of the Legislature and declares that the portion of the December 30, 2020, order regarding the prohibition on gatherings of more than 10 people is null, void, and of no force and effect.	37	-	37
3	Transportation and Defense	ADOPTED	NAVAL FLEET - States findings of the Legislature and recognizes the historical importance of the commissioning of the USS IDAHO SSN-799.....	56	110	122
5	State Affairs	S St Aff	ORDERS OF THE GOVERNOR - States findings of the Legislature and declares that the portion of the February 2, 2021, guidelines regarding the prohibition on gatherings of more than 50 people is null, void, and of no force and effect.	80	-	80
6	Health and Welfare	ADOPTED	INSURANCE - States findings of the Legislature and requests that the Department of Insurance consult with insurance industry leaders to determine how to make medically necessary prescription formula available to infants and children in Idaho.	103	122	133
7	Resources and Conservation	ADOPTED	NATURAL RESOURCE ISSUES STUDY - States findings of the Legislature and authorizes the Legislative Council to appoint a committee to undertake and complete a study of natural resource issues.....	103	157	172
8	Resources and Conservation	ADOPTED	PAYMENTS IN LIEU OF TAXES - States findings of the Legislature and directs the Committee on Federalism to study the fair taxable value of certain federal lands.	140	210	225
10	State Affairs	ADOPTED	STATE AFFAIRS - States findings of the Legislature and recognizes the centennial of the Idaho State Capitol's dedication.....	146	173	185
11	Health and Welfare	ADOPTED	HEALTH - States findings of the Legislature and recognizes 988 as the universal mental health and suicide prevention crisis phone number.....	158	210	225
13	State Affairs	ADOPTED	IDAHO WOMEN'S DAY - States findings of the Legislature and encourages continued recognition of March 14 as Idaho Women's Day.....	177	218	228
14	Health and Welfare	S Health/Wel	HEALTH - States findings of the Legislature and declares that the Legislature shall oppose efforts to require, mandate, or force any person to receive any immunization, vaccination, inoculation, medical procedure, or genetic modulation against that person's will.....	183	-	183
15	Revenue and Taxation	ADOPTED	PROPERTY TAXES - States findings of the Legislature and authorizes the Legislative Council to appoint a legislative interim study committee on property taxes and revenue expenditures.....	194	225	230
17	Ways and Means	ADOPTED	ERIC MILSTEAD - States findings of the Legislature and congratulates Legislative Services Office Director Eric Milstead on his retirement.	229	261	266

SENATE INDEX

House Concurrent Resolution	Introduced by	Final Action	Subject Matter	Intro- duction Page	Senate Vote Page	Final Disp. Page
18	Ways and Means	S 10th Ord	ARPA FUNDS - States findings of the Legislature and creates a legislative interim study committee to study and make recommendations regarding the expenditure of federal funds received for water infrastructure purposes under the American Rescue Plan Act of 2021.....	229	-	249
19	Ways and Means	ADOPTED	ARPA FUNDS - States findings of the Legislature and creates a legislative interim committee to study and make recommendations regarding the expenditure of certain federal funds received under the American Rescue Plan Act of 2021.	229	288	291
20	Ways and Means	S 10th Ord	ARPA FUNDS - States findings of the Legislature and creates a legislative interim committee to study and make recommendations regarding the expenditure of federal funds for sewer and broadband infrastructure under the American Rescue Plan Act of 2021.....	229	-	249
21	Ways and Means	ADOPTED	LEMHI BASIN - States findings of the legislature and directs the Idaho Water Resource Board to continue to work expeditiously with local water users to complete a comprehensive settlement that resolves current tensions and conflicts over the use of Lemhi Basin high flows.	252	261	266
23	Ways and Means	S St Aff	LEGISLATURE - States findings of the Legislature and approves the recess of the First Regular Session of the Sixty-sixth Idaho Legislature, subject to the call of the Speaker of the House of Representatives and the President Pro Tempore of the Senate no later than September 1, 2021.	301	-	301

SECTION XV

SENATE SPONSORS - SENATE LEGISLATION VOTED ON IN SENATE - 2021

BILL NO.	SPONSOR(S)
S 1004	Heider
S 1005	Patrick
S 1006	Crabtree
S 1007	Cook
S 1008	Crabtree
S 1009	Winder
S 1010	Patrick
S 1011	Woodward
S 1012	Souza
S 1013	Agenbroad
S 1014aa	Lakey
S 1015	Harris
S 1016	Wintrow
S 1017	Wintrow
S 1018	Heider
S 1020	Harris
S 1022	Agenbroad
S 1023	Crabtree
S 1024	Souza
S 1026	Patrick
S 1027	Ricks
S 1033	Bair
S 1034	Agenbroad
S 1035	Lee
S 1036	Zito
S 1037	Wintrow
S 1038	Stennett
S 1039aaH	Thayn
S 1041	Guthrie
S 1042aa	Woodward
S 1043aa	Zito
S 1044	Souza
S 1045	Thayn
S 1046aa,aa	Thayn
S 1047	Burtenshaw
S 1049	Agenbroad

BILL NO.	SPONSOR(S)
S 1051	Guthrie
S 1053aa	Anthon
S 1055	Agenbroad
S 1056	Burgoyne
S 1057aa	Burgoyne
S 1058	Zito
S 1060	Vick
S 1061	Riggs
S 1062	Heider
S 1063	Guthrie
S 1064	Riggs
S 1065	Heider
S 1067	Heider
S 1068	Guthrie
S 1069	Lodge
S 1070	Lodge
S 1071	Ward-Engelking
S 1072	Anthon
S 1073	Anthon
S 1074	Guthrie
S 1075	Thayn
S 1076	Lakey
S 1078	Anthon
S 1079aa	Johnson
S 1080	Riggs
S 1081	Agenbroad
S 1082	Lakey
S 1083	Lakey
S 1084	Den Hartog
S 1086	Lodge
S 1087	Anthon
S 1088aa	Rabe
S 1089aa	Wintrow
S 1091	Crabtree
S 1092aa	Riggs
S 1093	Martin

BILL NO.	SPONSOR(S)
S 1094	Woodward
S 1095	Patrick
S 1096	Lakey
S 1098	Wintrow
S 1100	Nelson
S 1101	Den Hartog
S 1102	Den Hartog
S 1103	Johnson
S 1104	Nelson
S 1105	Ricks
S 1107aa	Souza
S 1108aa,aa	Rice
S 1109	Burgoyne
S 1110	Vick
S 1111	Winder
S 1112aa	Winder
S 1115	Crabtree
S 1116aa	Cook
S 1119	Ricks
S 1121	Lent
S 1122	Johnson
S 1123	Burtenshaw
S 1124aa	Harris
S 1126	Martin
S 1130	Lakey
S 1131	Lakey
S 1133aa	Lee
S 1134	Harris
S 1136aa,aaH	Anthon
S 1137	Lakey
S 1138	Crabtree
S 1139	Riggs
S 1140	Crabtree
S 1141	Woodward
S 1142	Lent
S 1143aa	Souza

BILL NO.	SPONSOR(S)
S 1144	Woodward
S 1145	Crabtree
S 1146	Cook
S 1147	Ward-Engelking
S 1148	Cook
S 1150aaH	Lodge
S 1151	Ward-Engelking
S 1152	Lent
S 1153	Agenbroad
S 1154	Lent
S 1155	Cook
S 1156	Grow
S 1157	Grow
S 1158	Nye
S 1159	Cook
S 1160	Crabtree
S 1162	Nye
S 1163	Agenbroad
S 1164	Cook
S 1165	Agenbroad
S 1168aa	Souza
S 1171	Winder
S 1172	Cook
S 1173	Riggs
S 1175	Ward-Engelking
S 1176	Crabtree
S 1177	Cook
S 1178	Guthrie
S 1179	Crabtree
S 1180	Nye
S 1181	Riggs
S 1183	Lodge
S 1184	Crabtree
S 1185	Agenbroad
S 1186	Crabtree
S 1187	Grow

BILL NO.	SPONSOR(S)
S 1188	Ward-Engelking
S 1189	Grow
S 1190	Crabtree
S 1191	Nye
S 1192	Grow
S 1193	Ward-Engelking
S 1194	Crabtree
S 1195	Crabtree
S 1196	Cook
S 1197	Grow
S 1198	Grow
S 1199	Crabtree
S 1200aaH	Ricks
S 1201	Riggs
S 1202	Ward-Engelking
S 1203	Cook
S 1204	Agenbroad
S 1205	Lakey
S 1206	Nye
S 1207	Agenbroad
S 1208	Woodward
S 1209	Lent
S 1210	Agenbroad
S 1211	Burtenshaw
S 1212	Agenbroad
S 1213	Cook
S 1214	Bair
S 1215	Crabtree
S 1216	Grow
S 1217	Anthon
S 1218	Grow
S 1219	Woodward
SCR NO.	SPONSOR(S)
SCR 102	Agenbroad
SCR 104	Burtenshaw

SCR NO.	SPONSOR(S)
SCR 105	Woodward
SCR 106	Bayer
SCR 107	Guthrie
SCR 108	Anthon
SCR 109	Anthon
SCR 110	Lakey
SCR 111	Winder
SCR 112	Anthon
SJM NO.	SPONSOR(S)
SJM 101	Zito
SJM 102	Vick
SJM 103	Bayer
SJM 104	Riggs
SJM 105	Winder
SJR NO.	SPONSOR(S)
SJR 101	Grow
SJR 102	Winder
SP NO.	SPONSOR(S)
SP 101	Ricks
SP 102	Johnson
SP 103	Winder

SECTION XVI

SENATE SPONSORS - HOUSE LEGISLATION VOTED ON IN SENATE - 2021

BILL NO.	SPONSOR(S)
H 5	Winder
H 11	Bair
H 15	Rabe
H 18	Ward-Engelking
H 22aaS	Thayn
H 23	Vick
H 24	Patrick
H 25	Johnson
H 26	Ricks
H 27	Lakey
H 28	Wintrow
H 29	Thayn
H 32	Lakey
H 35	Stennett
H 36	Wintrow
H 37	Wintrow
H 38	Stennett
H 39	Riggs
H 40	Harris
H 42	Anthon
H 43	Johnson
H 46	Heider
H 47	Heider
H 48	Heider
H 49	Crabtree
H 50	Nelson
H 51	Zito
H 57	Bair
H 58	Grow
H 64	Rabe
H 66aaS	Ricks
H 67	Den Hartog
H 68	Thayn
H 70	Stennett
H 73	Rice
H 74	Bayer

BILL NO.	SPONSOR(S)
H 75	Guthrie
H 78	Burgoyne
H 79	Guthrie
H 80	Lakey
H 81	Agenbroad
H 83	Agenbroad
H 85	Lodge
H 86	Woodward
H 91	Bair
H 93	Vick
H 94	Ricks
H 95	Lee
H 96	Zito
H 99	Patrick
H 102aaS	Lakey
H 103	Woodward
H 104	Stennett
H 107aaS	Burgoyne
H 109	Woodward
H 110	Souza
H 111	Woodward
H 114	Agenbroad
H 115	Lee
H 117	Lent
H 120	Ricks
H 123	Ward-Engelking
H 124	Lakey
H 126	Guthrie
H 127	Crabtree
H 128	Nelson
H 129	Harris
H 131	Den Hartog
H 132aa	Lodge
H 134	Crabtree
H 135aaS	Anthon
H 136	Harris

BILL NO.	SPONSOR(S)
H 138	Martin
H 139	Agenbroad
H 141aa	Patrick
H 142	Guthrie
H 143	Woodward
H 149	Lakey
H 150	Ricks
H 152	Ricks
H 155	Heider
H 156	Nye
H 160	Crabtree
H 161aa,aaS	Lakey
H 162	Nelson
H 165	Vick
H 166	Woodward
H 167	Patrick
H 170	Grow
H 171aaS	Harris
H 172	Thayn
H 173	Den Hartog
H 175	Den Hartog
H 176	Woodward
H 178	Lakey
H 182	Heider
H 184	Stennett
H 185	Johnson
H 186	Harris
H 187	Vick
H 191aaS	Lee
H 198	Lodge
H 200	Riggs
H 203	Souza
H 204	Lent
H 205	Agenbroad
H 206	Grow
H 207	Agenbroad

BILL NO.	SPONSOR(S)
H 208	Riggs
H 210	Rice
H 214	Rice
H 216	Riggs
H 217	Grow
H 220aaS	Zito
H 222	Lent
H 224	Ward-Engelking
H 225	Cook
H 228	Riggs
H 229aaS	Woodward
H 230	Nye
H 231	Burgoyne
H 232	Crabtree
H 233	Harris
H 235	Rabe
H 239	Harris
H 241	Burgoyne
H 243	Heider
H 245	Lodge
H 246aaS	Lee
H 250aa	Ward-Engelking
H 251	Rice
H 252aaS	Ricks
H 258	Heider
H 260	Bair
H 261	Grow
H 262	Grow
H 263	Lent
H 264	Cook
H 265	Woodward
H 266	Burtenshaw
H 267	Bair
H 268	Vick
H 269	Nye
H 270	Ward-Engelking

BILL NO.	SPONSOR(S)
H 272	Nye
H 276	Grow
H 277	Bayer
H 279	Johnson
H 280	Ward-Engelking
H 282	Nye
H 283	Ward-Engelking
H 284	Agenbroad
H 286	Guthrie
H 290	Guthrie
H 292	Riggs
H 294aaS	Den Hartog
H 298	Den Hartog
H 299	Souza
H 302	Cook
H 303	Agenbroad
H 304	Agenbroad
H 305	Agenbroad
H 306	Crabtree
H 307	Guthrie
H 308	Woodward
H 309	Grow
H 312	Lent
H 313	Crabtree
H 315	Agenbroad
H 316aaS	Riggs
H 317	Grow
H 318	Lent
H 324	Cook
H 325	Riggs
H 326	Crabtree
H 333	Lent
H 334	Nye
H 336	Lee
H 337	Woodward
H 338	Cook

BILL NO.	SPONSOR(S)
H 340	Crabtree
H 341	Woodward
H 343	Nye
H 345	Agenbroad
H 346	Agenbroad
H 348	Guthrie
H 353	Ward-Engelking
H 355	Cook
H 356	Lent
H 357	Crabtree
H 358	Ward-Engelking
H 359	Nye
H 362	Den Hartog
H 365	Bair
H 366	Lodge
H 367	Agenbroad
H 369	Agenbroad
H 370	Agenbroad
H 371	Agenbroad
H 372	Woodward
H 373	Cook
H 374	Agenbroad
H 377	Crabtree
H 380	Vick
H 381	Den Hartog
H 382	Agenbroad
H 383	Bair
H 384	Ward-Engelking
H 385	Ward-Engelking
H 386	Lent
H 387	Crabtree
H 388	Ward-Engelking
H 389	Rice
H 390	Ricks
H 391	Anthon
H 392	Lee

BILL NO.	SPONSOR(S)
H 393	Harris
H 394	Winder
H 395	Agenbroad
H 396	Riggs
H 398	Lent
H 399	Ward-Engelking
H 400	Riggs
H 401	Woodward
H 407	Anthon
H 408	Agenbroad
HCR NO.	SPONSOR(S)
HCR 3	Woodward
HCR 6	Ward-Engelking
HCR 7	Bair
HCR 8	Harris
HCR 10	Lodge
HCR 11	Martin
HCR 13	Stennett
HCR 15	Rice
HCR 17	Winder
HCR 18	Vick
HCR 19	Winder
HCR 21	Vick
HJM NO.	SPONSOR(S)
HJM 1	Vick