

**JOURNAL**  
of the  
**HOUSE OF  
REPRESENTATIVES**



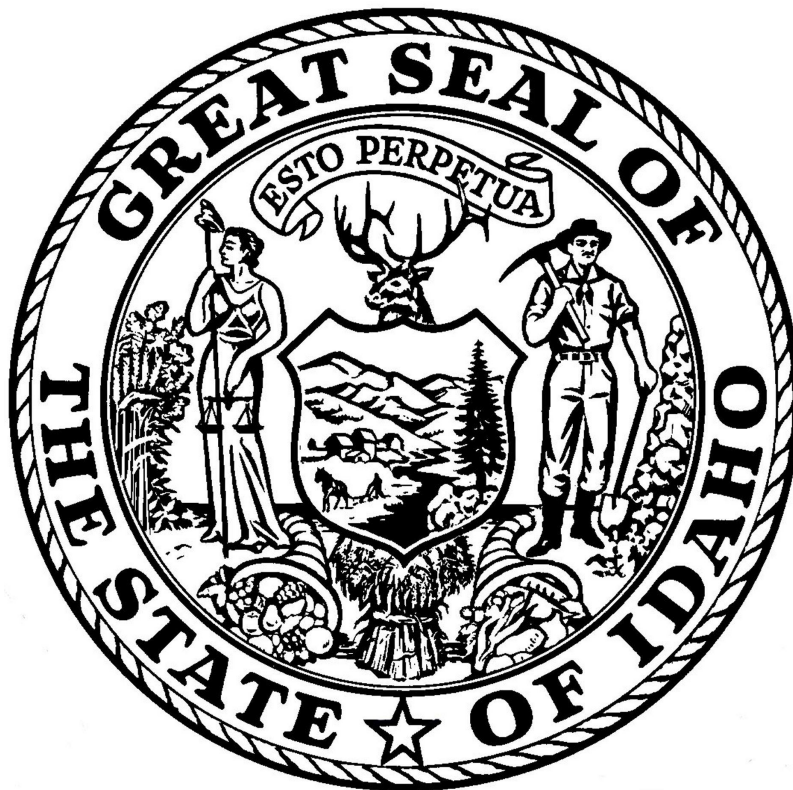
**ORGANIZATIONAL SESSION**  
and  
**FIRST REGULAR SESSION**

of the  
**SIXTY-FIFTH LEGISLATURE**

of the  
**STATE OF IDAHO**  
**2019**



**JOURNAL**  
of the  
**HOUSE OF  
REPRESENTATIVES**



**STATE OF IDAHO**  
**2019**



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**HOUSE OFFICERS  
2019**

SCOTT BEDKE  
Speaker of the House

MIKE MOYLE  
Majority Leader

JASON A. MONKS  
Assistant Majority Leader

MEGAN BLANKSMA  
Majority Caucus Chair

MATHEW W. ERPELDING  
Minority Leader

ILANA RUBEL  
Assistant Minority Leader

ELAINE SMITH  
Minority Caucus Chair

**HOUSE ADMINISTRATION  
2019**

CARRIE MAULIN ..... Chief Clerk of the House  
MARYLOU MOLITOR ..... Chief of Staff to Speaker  
TERRI FRANKS-SMITH ..... Chief Fiscal Officer  
JEFF WALL ..... Sergeant at Arms  
CHRIS TAYLOR ..... Assistant Chief Clerk  
LUCILLE HARRIS ..... Journal Clerk  
KIM BLACKBURN ..... Assistant Sergeant at Arms  
SUZANNE GORE ..... Minority Chief of Staff  
TOM DOUGHERTY ..... Chaplain

**HOUSE MEMBERS  
AND COMMITTEE ASSIGNMENTS 2019**

<b>ABERNATHY, CHRIS</b> .....	District 29
Agricultural Affairs, Commerce and Human Resources, Education	
<b>ADDIS, JAMES S.</b> .....	District 4
Resources and Conservation, Revenue and Taxation, Transportation and Defense	
<b>AMADOR, PAUL</b> .....	District 4
Environment, Energy and Technology - Vice Chair, Appropriations, Judiciary, Rules and Administration	
<b>ANDERSON, NEIL A.</b> .....	District 31
Commerce and Human Resources - Vice Chair, Appropriations, Environment, Energy and Technology	
<b>ANDERST, ROBERT</b> .....	District 12
Ways and Means - Chair, Environment, Energy and Technology, Revenue and Taxation	
<b>ANDRUS, KEVIN</b> .....	District 28
Agricultural Affairs, Business, State Affairs	
<b>ARMSTRONG, RANDY</b> .....	District 28
State Affairs - Vice Chair, Business, Environment, Energy and Technology	
<b>BARBIERI, VITO</b> .....	District 2
Business, Ethics, Local Government, State Affairs	
<b>BEDKE, SCOTT</b> .....	District 27
Speaker of the House	
<b>BERCH, STEVE</b> .....	District 15
Business, Education, Local Government	
<b>BLANKSMA, MEGAN</b> .....	District 23
Majority Caucus Chair Health and Welfare, Resources and Conservation, Transportation and Defense, Ways and Means	
<b>BOYLE, JUDY</b> .....	District 9
Agricultural Affairs - Chair, Education, Resources and Conservation	
<b>CHANEY, GREG</b> .....	District 10
Judiciary, Rules and Administration - Vice Chair, Revenue and Taxation	
<b>CHEW, SUE</b> .....	District 17
Commerce and Human Resources, Environment, Energy and Technology, Health and Welfare	
<b>CHRISTENSEN, CHAD</b> .....	District 32
Commerce and Human Resources, Health and Welfare, Local Government	
<b>CLOW, LANCE W.</b> .....	District 24
Education - Chair, Business, Local Government	

**HOUSE MEMBERS  
AND COMMITTEE ASSIGNMENTS 2019**

<b>COLLINS, GARY E.</b> .....	District 13
Revenue and Taxation - Chair, Business, Local Government	
<b>CRANE, BRENT J.</b> .....	District 13
Business, State Affairs	
<b>DAVIS, MUFFY</b> .....	District 26
Health and Welfare, Judiciary, Rules and Administration, Transportation and Defense	
<b>DAYLEY, THOMAS</b> .....	District 21
Judiciary, Rules and Administration - Chair, Agricultural Affairs, Revenue and Taxation	
<b>DEMORDAUNT, GAYANN</b> .....	District 14
Business - Vice Chair, Education, Transportation and Defense	
<b>DIXON, SAGE G.</b> .....	District 1
Business - Chair, Ethics - Chair, Revenue and Taxation, Transportation and Defense	
<b>EHARDT, BARBARA</b> .....	District 33
Education, Environment, Energy and Technology, Judiciary, Rules and Administration	
<b>ELLIS, JAKE</b> .....	District 15
Commerce and Human Resources, Environment, Energy and Technology, Revenue and Taxation	
<b>ERPELDING, MATHEW W.</b> .....	District 19
Minority Leader Agricultural Affairs, Resources and Conservation, Revenue and Taxation, Ways and Means	
<b>FURNISS, ROD</b> .....	District 35
Business, Environment, Energy and Technology, Revenue and Taxation	
<b>GANNON, JOHN</b> .....	District 17
Ethics, Judiciary, Rules and Administration, State Affairs, Transportation and Defense	
<b>GESTRIN, TERRY</b> .....	District 8
Resources and Conservation - Vice Chair, Revenue and Taxation, Transportation and Defense	
<b>GIBBS, MARC</b> .....	District 32
Resources and Conservation - Chair, Health and Welfare	
<b>GIDDINGS, PRISCILLA</b> .....	District 7
Agricultural Affairs, Commerce and Human Resources, Revenue and Taxation	
<b>GOESLING, BILL</b> .....	District 5
Agricultural Affairs, Education, Judiciary, Rules and Administration	
<b>GREEN, BROOKE</b> .....	District 18
Business, Local Government, State Affairs	



**HOUSE MEMBERS  
AND COMMITTEE ASSIGNMENTS 2019**

<b>GREEN, JOHN</b> .....	District 2
Commerce and Human Resources, Health and Welfare, Local Government	
<b>HARRIS, STEVEN</b> .....	District 21
State Affairs - Chair, Commerce and Human Resources, Transportation and Defense	
<b>HARTGEN, LINDA WRIGHT</b> .....	District 24
Environment, Energy and Technology, Judiciary, Rules and Administration, State Affairs	
<b>HOLTZCLAW, JAMES</b> .....	District 20
Commerce and Human Resources - Chair, State Affairs, Transportation and Defense	
<b>HORMAN, WENDY</b> .....	District 30
Appropriations - Vice Chair, Environment, Energy and Technology, Ethics	
<b>KAUFFMAN, CLARK</b> .....	District 25
Appropriations, Resources and Conservation, Transportation and Defense	
<b>KERBY, RYAN</b> .....	District 9
Education - Vice Chair, Agricultural Affairs, Judiciary, Rules and Administration	
<b>KINGSLEY, MIKE</b> .....	District 6
Local Government - Vice Chair, Commerce and Human Resources, Health and Welfare	
<b>LICKLEY, LAURIE</b> .....	District 25
Environment, Energy and Technology, Health and Welfare, Resources and Conservation	
<b>MARSHALL, GARY</b> .....	District 30
Agricultural Affairs, Education, Judiciary, Rules and Administration	
<b>MASON, ROB</b> .....	District 16
Environment, Energy and Technology, Resources and Conservation, Revenue and Taxation	
<b>MCCROSTIE, JOHN</b> .....	District 16
Education, Judiciary, Rules and Administration, Local Government	
<b>MENDIVE, RON</b> .....	District 3
Local Government - Chair, Education, Resources and Conservation	
<b>MONKS, JASON A.</b> .....	District 22
Assistant Majority Leader	
Business, State Affairs, Transportation and Defense, Ways and Means	
<b>MOON, DOROTHY</b> .....	District 8
Education, Environment, Energy and Technology, Resources and Conservation	
<b>MOYLE, MIKE</b> .....	District 14
Majority Leader	
Resources and Conservation, Revenue and Taxation, Ways and Means	

**HOUSE MEMBERS  
AND COMMITTEE ASSIGNMENTS 2019**

<b>NICHOLS, TAMMY</b> .....	District 11
Agricultural Affairs, Business, Revenue and Taxation	
<b>PALMER, JOE</b> .....	District 20
Transportation and Defense - Chair, Business, State Affairs	
<b>RAYBOULD, BRITT</b> .....	District 34
Appropriations, Environment, Energy and Technology, Resources and Conservation	
<b>RAYMOND, JERALD</b> .....	District 35
Agricultural Affairs, Business, Education	
<b>RICKS, DOUG</b> .....	District 34
Judiciary, Rules and Administration, Revenue and Taxation, Transportation and Defense	
<b>RUBEL, ILANA</b> .....	District 18
Assistant Minority Leader	
Health and Welfare, Resources and Conservation, Transportation and Defense, Ways and Means	
<b>SCOTT, HEATHER</b> .....	District 1
Environment, Energy and Technology, Judiciary, Rules and Administration, State Affairs	
<b>SHEPHERD, PAUL E.</b> .....	District 7
Transportation and Defense - Vice Chair, Education, Resources and Conservation	
<b>SMITH, ELAINE</b> .....	District 29
Minority Caucus Chair	
Business, Environment, Energy and Technology, State Affairs, Ways and Means	
<b>STEVENSON, THYRA</b> .....	District 6
Revenue and Taxation - Vice Chair, Agricultural Affairs, Business	
<b>SYME, SCOTT A.</b> .....	District 11
Appropriations, Commerce and Human Resources, Transportation and Defense	
<b>TOONE, SALLY</b> .....	District 26
Agricultural Affairs, Appropriations, Resources and Conservation	
<b>TROY, CAROLINE NILSSON</b> .....	District 5
Agricultural Affairs - Vice Chair, Appropriations, Judiciary, Rules and Administration	
<b>VANDER WOUDE, JOHN</b> .....	District 22
Environment, Energy and Technology - Chair, Health and Welfare, Resources and Conservation	
<b>WAGONER, JAROM</b> .....	District 10
Health and Welfare - Vice Chair, Local Government	
<b>WINTROW, MELISSA</b> .....	District 19
Appropriations, Ethics, Judiciary, Rules and Administration, Transportation and Defense	

**HOUSE MEMBERS  
AND COMMITTEE ASSIGNMENTS 2019**

<b>WISNIEWSKI, TONY</b> .....	District 3
Commerce and Human Resources, Education, Local Government	
<b>WOOD, FRED</b> .....	District 27
Health and Welfare - Chair, Resources and Conservation	
<b>YOUNG, JULIANNE</b> .....	District 31
Environment, Energy and Technology, Judiciary, Rules and Administration, State Affairs	
<b>YOUNGBLOOD, RICK D.</b> .....	District 12
Appropriations - Chair, Transportation and Defense	
<b>ZITO, CHRISTY</b> .....	District 23
Agricultural Affairs, Judiciary, Rules and Administration, State Affairs	
<b>ZOLLINGER, BRYAN</b> .....	District 33
Health and Welfare, Judiciary, Rules and Administration, Local Government	

## HOUSE STANDING COMMITTEES

### Agricultural Affairs (15)

Boyle, Chairman  
Troy, Vice Chairman

Dayley  
Kerby  
Stevenson  
Zito  
Andrus  
Giddings  
Goesling  
Marshall  
Nichols  
Raymond

Erpelding  
Toone  
Abernathy

### Appropriations (10)

Youngblood, Chairman  
Horman, Vice Chairman

Anderson  
Amador  
Kauffman  
Raybould  
Syme  
Troy

Wintrow  
Toone

### Business (17)

Dixon, Chairman  
DeMordaunt, Vice Chairman

Collins  
Crane  
Palmer  
Barbieri  
Stevenson  
Armstrong  
Clow  
Monks  
Andrus  
Furniss  
Nichols  
Raymond

Smith  
Berch  
Green(18)

### Commerce and Human Resources (12)

Holtzclaw, Chairman  
Anderson, Vice Chairman

Harris  
Kingsley  
Syme  
Christensen  
Giddings  
Green(2)  
Wisniewski

Chew  
Abernathy  
Ellis

### Education (15)

Clow, Chairman  
Kerby, Vice Chairman

Shepherd  
Boyle  
Mendive  
DeMordaunt  
Moon  
Ehardt  
Goesling  
Marshall  
Raymond  
Wisniewski

McCrostie  
Abernathy  
Berch

### Environment, Energy and Technology (18)

Vander Woude, Chairman  
Amador, Vice Chairman

Anderson  
Anderst  
Horman  
Moon  
Scott  
Ehardt  
Armstrong  
Furniss  
Hartgen  
Lickley  
Raybould  
Young

Smith  
Chew  
Ellis  
Mason

### Ethics (5)

Dixon, Chairman

Horman  
Barbieri

Gannon  
Wintrow

### Health and Welfare (13)

Wood, Chairman  
Wagoner, Vice Chairman

Vander Woude  
Gibbs  
Blanksma  
Kingsley  
Zollinger  
Christensen  
Green(2)  
Lickley

Chew  
Rubel  
Davis

### Judiciary, Rules and Administration (18)

Dayley, Chairman  
Chaney, Vice Chairman

Kerby  
Amador  
Zito  
Zollinger  
Ehardt  
Scott  
Goesling  
Hartgen  
Marshall  
Ricks  
Troy  
Young

Gannon  
McCrostie  
Wintrow  
Davis

### Local Government (13)

Mendive, Chairman  
Kingsley, Vice Chairman

Barbieri  
Clow  
Collins  
Zollinger  
Christensen  
Green(2)  
Wagoner  
Wisniewski

McCrostie  
Berch  
Green(18)

## HOUSE STANDING COMMITTEES

### Ways and Means (7) Anderst, Chairman

Erpelding  
Rubel  
Smith

### Resources and Conservation (18) Gibbs, Chairman Gestrin, Vice Chairman

Moyle  
Shepherd  
Wood  
Boyle  
Vander Woude  
Mendive  
Kauffman  
Blanksma  
Addis  
Lickley  
Moon  
Raybould

Erpelding  
Rubel  
Mason  
Toone

Moyle  
Monks  
Blanksma

### Revenue and Taxation (16) Collins, Chairman Stevenson, Vice Chairman

Moyle  
Anderst  
Dayley  
Chaney  
Gestrin  
Addis  
Dixon  
Furniss  
Giddings  
Nichols  
Ricks

Erpelding  
Ellis  
Mason

### State Affairs (15) Harris, Chairman Armstrong, Vice Chairman

Crane  
Palmer  
Barbieri  
Holtzclaw  
Monks  
Zito  
Scott  
Andrus  
Hartgen  
Young

Smith  
Gannon  
Green(18)

### Transportation and Defense (18) Palmer, Chairman Shepherd, Vice Chairman

Gestrin  
Kauffman  
Youngblood  
Dixon  
Harris  
Holtzclaw  
Monks  
DeMordaunt  
Syme  
Blanksma  
Addis  
Ricks

Wintrow  
Gannon  
Davis  
Rubel

## HOUSE ATTACHES 2019

BLACKBURN, KIM..... Assistant Sergeant at Arms  
BYERLY, LORRIE.....Secretary to Revenue and Taxation Committee  
CARVER-HERBERT, WENDY .....Secretary to Judiciary, Rules and Administration Committee  
COATES, SHELLIE.....Majority Pool Secretary  
DOUGHERTY, TOM ..... Chaplain  
DOWNS, CATHY .....Legislative Aide  
FEIK, JAYNE.....Secretary to Business Committee  
FORD, JOSIE.....Majority Pool Secretary  
FRANKS-SMITH, TERRI ..... Chief Fiscal Officer\*\*  
GORE, SUZANNE.....Minority Chief of Staff  
GRIEF, JULIA ..... Secretary to State Affairs Committee  
HARRIS, LUCILLE..... Journal Clerk  
LEWERS, CATHERINE .....Legislative Aide  
MADSEN, CORKY ..... Doorkeeper  
MAJORS, JOAN .....Secretary to Agricultural Affairs Committee  
MAULIN, CARRIE..... Chief Clerk of the House\*\*  
MCDONNELL, TRACEY ..... Secretary to Resources and Conservation Committee  
MCGINNIS, ERICA.....Secretary to Education Committee  
MCKENZIE, JOYCE ..... Secretary to Transportation and Defense Committee  
MOLITOR, MARYLOU .....Chief of Staff to Speaker\*\*  
MOORE, IRENE..... Secretary to Health and Welfare Committee  
TAYLOR, AMIE "IVI"..... Secretary to Ways and Means Committee  
TAYLOR, CHRIS ..... Assistant Chief Clerk  
TRUEBA, ALEXA..... Majority Leadership Secretary  
WALL, JEFF..... Sergeant at Arms\*\*  
WARNOCK, DONNA.....Secretary to Appropriations Committee  
WEITZ, KRISTEN ..... Secretary to Environment, Energy and Technology Committee  
WERLINGER, SUSAN.....Secretarial Supervisor\*\*  
WESTEN, KAREN ..... Secretary to Commerce and Human Resources & Local Government Committees

\*\* Permanent Employees

### HOUSE PAGES:

BLEDSON, ARLIE	HENRIE, NATHAN	SCHENKENBERGER, RUTH
CARLSON, ARIANNA	LINDBERG, BETH	SMITH, DANIEL
CHRISTENSEN, ELBIA	MAJORS, CHAD	WALKER, ALEXIS
CHRYSLER, BRADLEY	MARCHANT, JACK	WONACOTT, CATHLEEN
EARLE, AUDRIE	MECHAM, JEX	WOODS, AVERY
GREAVES, SAWYER	ROSS, KASSIDY	

HOUSE JOURNAL
OF THE
IDAHO LEGISLATURE

ORGANIZATIONAL SESSION
SIXTY-FIFTH LEGISLATURE

FIRST ORGANIZATIONAL DAY
THURSDAY, DECEMBER 6, 2018

House of Representatives

At the hour of 9 a.m., on Thursday, December 6, 2018, the members-elect of the House of Representatives convened in the House Chamber of the Capitol Building in the City of Boise, with the Honorable Scott Bedke, Speaker of the House of the Sixty-fourth Legislature presiding, assisted by Carrie Maulin, Chief Clerk of the Sixty-fourth Legislature.

The Chief Clerk read the official proclamation as follows:

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

Table with 2 columns: DISTRICT and NAME. Lists members from District 1 to 28, including Heather Scott, Vito Barbieri, Ron Mendive, etc.

Table with 2 columns: District and Name. Lists members from District 29 to 35, including Chris Abernathy, Gary Marshall, Neil A. Anderson, etc.

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 Third day of December, in the year of our Lord, two thousand and eighteen, and of the Independence of the United States of America, the two hundred and forty-third.

/s/ LAWRENCE DENNEY
Secretary of State

The Certificate of Election was ordered filed in the office of the Chief Clerk.

Roll call showed all 70 members present.

At this time, Speaker Bedke administered the oath of office to all members-elect.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Chaplain Tom Dougherty.

There being no objection, the House advanced to the Seventh Order of Business.

7TH ORDER
Motions, Memorials, and Resolutions

At this time, Mr. Collins took the Chair.

Nominations were declared in order for the Speaker of the House.

Mr. Moyle presented in nomination the name of Mr. Scott Bedke. Seconded by Mr. Erpelding.

Mr. Moyle moved that nominations cease and that a unanimous ballot be cast for Mr. Scott Bedke. Seconded by Mr. Erpelding.

The question being, "Shall the motion carry?"

Whereupon Mr. Collins declared the motion carried by voice vote and Mr. Scott Bedke was elected Speaker of the House.

At this time, Mr. Moyle and Mr. Erpelding escorted Mr. Bedke to the podium where the oath of office was administered to him by Mr. Collins.

At this time, Speaker Bedke took the Chair.

Mr. Moyle moved that the House adopt changes to Rules 3, 24, 25, and 67 and that the changes be printed in the journal.

Seconded by Mr. Erpelding.

RULE 3

House Chamber and Spaces, Regulation of - 1) Preserving Order. - The Speaker shall preserve order and decorum and decide questions of order, subject to an appeal to the House.

2) Supervision of Legislative areas - It is the duty of the Speaker to have general charge and supervision of the House floor, chamber, galleries, office spaces, committee rooms,

adjoining and connecting hallways and passages; and to oversee decorum and preserve order therein.

#### RULE 24

**Bills – Introduction.** – After the 20th day of any session, no bill shall be introduced except by committees and after the 36th day no bill shall be introduced except by the State Affairs Committee, the Appropriations Committee, the Education Committee, the Revenue and Taxation Committee, Health and Welfare Committee, and the Ways and Means Committee. When essential to expedite the work of the House, the Speaker may designate any standing committee to serve as a privileged committee temporarily or during the remainder of the session.

#### RULE 25

**Bills, Copies for Introduction.** – All House bills, memorials, resolutions and proclamations introduced shall have one printed copy which shall be endorsed with the word "Original." Additional copies of bills may be typewritten or printed as needed and shall also be available through electronic means on the legislative website.

#### RULE 67

**Seating.** – Upon the organization of the House of Representatives and the adoption of temporary rules, the House shall be declared "at ease," and the members shall retire to the sides of the House and proceed to select their seats in the following manner:

(1) The Majority and Assistant Majority Leader, Minority and Assistant Minority Leader, the Majority Caucus Chairman and the Minority Caucus Chairman shall first select their seats.

(2) Such members of the House as may have a physical impairment that requires an accommodation shall next select their seats.

(3) Former members of the House shall next select their seats, with priority determined on the basis of the total number of terms served in the House. Those with consecutive terms immediately prior to the present session shall have priority over those with the same or a greater number of nonconsecutive terms, and of those not having served immediately prior to the present session. In the event two or more Representatives, not having served a term immediately prior to the present session, shall have served an equal number of past terms, service in the Senate shall be computed to determine priority as between them.

(4) Former members of the Senate shall next select their seats, and those having served the greatest number of terms in the Senate shall have priority.

(5) The names of all remaining members shall be placed in a hat by the Chief Clerk, the names drawn by him, and as each member selects his seat, he shall proceed to the seat selected by him and remain therein until the business of selecting seats shall be completed.

(6) In all cases in which two or more Representatives have the same priority, the order of seating shall be determined by lottery as provided in subsection (5) above.

(7) The seating arrangements set forth in the preceding paragraphs shall be subject to the provision that the members of each party shall be seated as nearly as possible in adjacent seats, and in the event one party has a majority which requires seating of its members on the side of the chamber occupied by the members of the minority party, such majority party shall have the right to select as many seats as are necessary to accommodate its membership on the side closest to the regular seats of the majority party, subject only to Paragraph 1 of this Rule, and the

minority party shall be required to make such seats available to the members of the majority party.

Whereupon the Speaker declared by voice vote that more than two-thirds of the membership having voted in the affirmative, the motion carried and the changes to Rules 3, 24, 25, and 67 were adopted and ordered printed in the House Journal.

Mr. Moyle moved that the House adopt as Rules and Joint Rules for the First and Second Sessions of the Sixty-fifth Legislature, the Rules, as corrected, and Joint Rules as adopted by the Sixty-fourth Legislature. Seconded by Mr. Erpelding.

Whereupon the Speaker declared by voice vote that a majority of the members having voted in the affirmative, the motion carried and the Rules, as corrected, and Joint Rules were adopted.

There being no objection, the House advanced to the Thirteenth Order of Business.

#### 13TH ORDER

##### Miscellaneous and Unfinished Business

At this time, the members selected their seats in accordance with House Rule 67.

There being no objection, the House advanced to the Fifteenth Order of Business.

#### 15TH ORDER

##### Announcements

Announcements were made to the body.

Mr. Moyle asked unanimous consent that the House recess until 1:30 p.m.

Without objection, the Speaker declared the House at recess until 1:30 p.m.

#### RECESS

##### Afternoon Session

The House reconvened at 1:30 p.m., the Speaker in the Chair.

Prior to recess, the House was at the Fifteenth Order of Business.

#### 16TH ORDER

##### Adjournment

Mr. Moyle moved that the House adjourn until 8 a.m., Friday, December 7, 2018. Seconded by Mr. Erpelding. Motion carried.

Whereupon the Speaker declared the House adjourned at 1:50 p.m.

SCOTT BEDKE, Speaker

ATTEST:

CARRIE MAULIN, Chief Clerk



**HOUSE JOURNAL**  
OF THE  
**IDAHO LEGISLATURE**

ORGANIZATIONAL SESSION  
SIXTY-FIFTH LEGISLATURE

**SECOND ORGANIZATIONAL DAY**  
**FRIDAY, DECEMBER 7, 2018**

House of Representatives

The House convened at 8 a.m., the Speaker in the Chair.

Roll call showed 68 members present.  
Absent and excused - Abernathy and Chew. Total - 2.  
Total - 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Chaplain Tom Dougherty.

There being no objection, the House advanced to the Thirteenth Order of Business.

**13TH ORDER**  
**Miscellaneous and Unfinished Business**

The following committee assignments were announced by the Speaker:

**STANDING COMMITTEES OF THE HOUSE**  
**SIXTY-FIFTH IDAHO LEGISLATURE**

**AGRICULTURAL AFFAIRS (15)**  
Boyle, Chairman  
Troy, Vice Chairman

Dayley  
Kerby  
Stevenson  
Zito  
Andrus  
Giddings  
Goesling  
Marshall  
Nichols  
Raymond

Erpelding  
Toone  
Abernathy

**APPROPRIATIONS (10)**  
Youngblood, Chairman  
Horman, Vice Chairman

Anderson  
Amador  
Kauffman  
Raybould  
Syme  
Troy

Wintrow  
Toone

**BUSINESS (17)**  
Dixon, Chairman  
DeMordaunt, Vice Chairman

Collins  
Crane  
Palmer  
Barbieri  
Stevenson  
Armstrong  
Clow  
Monks  
Andrus  
Furniss  
Nichols  
Raymond

Smith  
Berch  
Green(18)

**COMMERCE AND HUMAN RESOURCES (13)**

Holtzclaw, Chairman  
Anderson, Vice Chairman

Harris  
Kingsley  
Moon  
Syme  
Christensen  
Giddings  
Green(2)  
Wisniewski

Chew  
Abernathy  
Ellis

**EDUCATION (15)**

Clow, Chairman  
Kerby, Vice Chairman

Shepherd  
Boyle  
Mendive  
DeMordaunt  
Moon  
Ehardt  
Goesling  
Marshall  
Raymond  
Wisniewski

McCrostie  
Abernathy  
Berch

**ENVIRONMENT, ENERGY AND TECHNOLOGY (18)**

Vander Woude, Chairman  
Amador, Vice Chairman

Anderson  
Anderst  
Horman  
Moon  
Scott  
Ehardt  
Armstrong  
Furniss  
Hartgen  
Lickley  
Raybould  
Young

Smith  
Chew  
Ellis  
Mason

**HEALTH AND WELFARE (13)**

Wood, Chairman

Wagoner, Vice Chairman

Vander Woude  
Gibbs  
Blanksma  
Kingsley  
Zollinger  
Christensen  
Green(2)  
Lickley

Chew  
Rubel  
Davis

Moyle  
Anderst  
Dayley  
Chaney  
Gestrin  
Addis  
Dixon  
Furniss  
Giddings  
Nichols  
Ricks

Erpelding  
Ellis  
Mason

**JUDICIARY, RULES AND ADMINISTRATION (18)**

Dayley, Chairman

Chaney, Vice Chairman

Kerby  
Amador  
Zito  
Zollinger  
Ehardt  
Scott  
Goesling  
Hartgen  
Marshall  
Ricks  
Troy  
Young

Gannon  
McCrostie  
Wintrow  
Davis

Crane  
Palmer  
Barbieri  
Holtzclaw  
Monks  
Zito  
Scott  
Andrus  
Hartgen  
Young

**STATE AFFAIRS (15)**

Harris, Chairman

Armstrong, Vice Chairman

Smith  
Gannon  
Green(18)

**LOCAL GOVERNMENT (14)**

Mendive, Chairman

Kingsley, Vice Chairman

Barbieri  
Clow  
Collins  
Zollinger  
Christensen  
Green(2)  
Nichols  
Wagoner  
Wisniewski

McCrostie  
Berch  
Green(18)

Gestrin  
Kauffman  
Youngblood  
Dixon  
Harris  
Holtzclaw  
Monks  
DeMordaunt  
Syme  
Blanksma  
Addis  
Ricks

Wintrow  
Gannon  
Davis  
Rubel

**TRANSPORTATION AND DEFENSE (18)**

Palmer, Chairman

Shepherd, Vice Chairman

**RESOURCES AND CONSERVATION (18)**

Gibbs, Chairman

Gestrin, Vice Chairman

Moyle  
Shepherd  
Wood  
Boyle  
Vander Woude  
Mendive  
Kauffman  
Blanksma  
Addis  
Lickley  
Moon  
Raybould

Erpelding  
Rubel  
Mason  
Toone

Moyle  
Monks  
Blanksma

**WAYS AND MEANS (7)**

Anderst, Chairman

Erpelding  
Rubel  
Smith

There being no objection, the House advanced to the Fifteenth Order of Business.

**15TH ORDER  
Announcements**

Announcements were made to the body.

**16TH ORDER**  
**Adjournment**

Mr. Moyle moved that the Organizational Session of the Sixty-fifth Legislature adjourn Sine Die. Seconded by Mr. Erpelding.

Whereupon the Speaker declared the motion carried and the Organizational Session of the Sixty-fifth Legislature adjourned Sine Die at 9:58 a.m.

SCOTT BEDKE, Speaker

ATTEST:

CARRIE MAULIN, Chief Clerk



# HOUSE JOURNAL

OF THE

## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-FIFTH LEGISLATURE

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**FIRST LEGISLATIVE DAY  
MONDAY, JANUARY 7, 2019**

House of Representatives

The House convened at 12 noon, the Speaker in the Chair.

Roll call showed all 70 members present.

At this time, the Speaker put the House at ease for the Flag Ceremony.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Bradley Chrysler, Page.

### **3RD ORDER Approval of Journal**

January 7, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal for the First and Second days of the Organizational Session and recommend that same be adopted as corrected.

DAYLEY, Chairman

Mr. Dayley moved that the report be adopted. Seconded by Mr. Gannon. Report adopted.

There being no objection, the House advanced to the Seventh Order of Business.

### **7TH ORDER Motions, Memorials, and Resolutions**

#### **HOUSE CONCURRENT RESOLUTION NO. 1 BY MOYLE AND ERPELDING A CONCURRENT RESOLUTION**

PROVIDING FOR A JOINT SESSION OF THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE FIRST REGULAR SESSION OF THE SIXTY-FIFTH IDAHO LEGISLATURE FOR THE PURPOSE OF HEARING A MESSAGE FROM THE GOVERNOR.

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

WHEREAS, the Governor has informed the House of Representatives and the Senate that he desires to deliver a message to a Joint Session of the House of Representatives and the Senate of the First Regular Session of the Sixty-fifth Idaho Legislature in the Chamber of the House of Representatives at 1 p.m. on Monday, January 7, 2019.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-fifth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the House of Representatives and the Senate meet in Joint

Session on Monday, January 7, 2019, at 1 p.m. for the purpose of hearing the message from the Governor.

[HCR 1](#) was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

Mr. Moyle asked unanimous consent that two committees be appointed by the Speaker; one to notify the Governor, and one to notify the Senate that the House is organized and ready to do business. There being no objection, it was so ordered.

The Speaker appointed the following committees to notify the Governor and the Senate.

Representatives Collins, Palmer, and Rubel were appointed as the committee to notify the Governor and Representatives Youngblood, Harris, and Toone were appointed as the committee to notify the Senate. The committees were excused.

There being no objection, the House returned to the Fifth Order of Business.

### **5TH ORDER Report of Standing Committees**

January 7, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have printed [HCR 1](#).

DAYLEY, Chairman

[HCR 1](#) was ordered held at the Desk.

There being no objection, the House advanced to the Seventh Order of Business.

### **7TH ORDER Motions, Memorials, and Resolutions**

#### **[HCR 1](#) - GOVERNOR'S ADDRESS**

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of [HCR 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 [HCR 1](#) be read the second time by title and third time at length, and placed before the House for final consideration. Seconded by Mr. Erpelding.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Raybould, Raymond, Ricks, Scott, Shepherd, Smith, Stevenson, Syme, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Zito, Zollinger, Mr. Speaker. Total - 64.

NAYS—None.

Absent—Collins, Harris, Palmer, Rubel, Toone, Youngblood. Total - 6.

Total - 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion

carried, the rules were suspended, and [HCR 1](#) was read the second time by title and third time at length, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Moyle to open debate.

The question being, "Shall [HCR 1](#) be adopted?"

Whereupon the Speaker declared [HCR 1](#) adopted by voice vote and ordered the resolution transmitted to the Senate.

There being no objection, the House advanced to the Thirteenth Order of Business.

### 13TH ORDER Miscellaneous and Unfinished Business

#### **\*\*Committee Changes\*\***

Representative Moon will remain on Resource and Conservation Committee and leave Commerce and Human Resources Committee.

#### COMMERCE AND HUMAN RESOURCES (12)

Holtzclaw, Chairman  
Anderson, Vice Chairman

Harris  
Kingsley  
Syme  
Christensen  
Giddings  
Green(2)  
Wisniewski

Chew  
Abernathy  
Ellis

Representative Nichols will remain on Agricultural Affairs Committee and leave Local Government Committee.

#### LOCAL GOVERNMENT (13)

Mendive, Chairman  
Kingsley, Vice Chairman

Barbieri  
Clow  
Collins  
Zollinger  
Christensen  
Green(2)  
Wagoner  
Wisniewski

McCrostie  
Berch  
Green(18)

There being no objection, the House returned to the Seventh Order of Business.

### 7TH ORDER Motions, Memorials, and Resolutions

The committee appointed to notify the Governor that the House was in session returned to the House and reported they had conveyed the message to the Governor and that the Governor sent his greetings and best wishes for a productive session. The committee was thanked and discharged by the Speaker.

The committee appointed to notify the Senate that the House was in session returned to the House and reported that they had

conveyed the message to the Senate, and the Senate returned its best wishes for a productive session. The committee was thanked and discharged by the Speaker.

At this time, Senators acting as a committee from the Senate, were escorted into the House Chamber to notify the House of Representatives that the Senate was organized and ready for business. The Speaker thanked the committee.

Mr. Moyle asked unanimous consent that a committee be appointed to wait upon the Senate and escort the Senators to the House Chamber for the purpose of attending the Joint Session. There being no objection, it was so ordered.

The Speaker appointed Representatives Crane, Raymond, and Gannon as the committee to wait upon the Senate. The committee was excused.

The committee appointed to wait upon the Senate returned and reported that the Senate was waiting to enter the House Chambers. The Speaker thanked and discharged the committee.

#### JOINT SESSION

Pursuant to [HCR 1](#), the hour of 1 p.m. having arrived, the members of the Senate entered the House Chamber and met in Joint Session with Speaker Scott Bedke presiding.

Roll call showed all 70 members present.

Roll call of the Senate showed all 35 members present.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Chaplain Tom Dougherty.

Mr. Moyle asked unanimous consent that one committee be appointed to wait upon the Supreme Court Justices and Appellate Court Judges and one to wait upon the Elected Officials and escort them to the House Chamber. There being no objection, it was so ordered.

The Speaker appointed Senators Lakey and Burgoyne and Representatives Dayley and McCrostie as the committee to wait upon the Supreme Court Justices and Appellate Court Judges and Senators Vick and Buckner-Webb and Representatives Gibbs and Wintrow as the committee to wait upon the Elected Officials and escort them to the House Chamber. The committees were excused.

Mr. Moyle asked unanimous consent that the Speaker appoint a committee to wait upon the Governor and escort him to the House Chamber. There being no objection, it was so ordered.

The Speaker appointed Senators Winder and Stennett and Representatives Moyle and Erpelding as the committee to wait upon the Governor and escort him to the House Chamber. The committee was excused.

The committee appointed by the Speaker escorted the Supreme Court Justices and the Appellate Court Judges to the House Chamber where they were presented to the Joint Session.

The committee appointed by the Speaker escorted the Elected Officials to the House Chamber where they were presented to the Joint Session.

The committee appointed by the Speaker escorted the Governor to the House Chamber.

His Excellency, the Governor of the State of Idaho, Brad Little, was introduced by the Speaker and the following **State of the State Message and Budget Address** was delivered by Governor Little.

\* \* \* \* \*

Mr. Speaker, Mr. Pro Tem, Madam President, honored legislators, my fellow constitutional officers, Mr. Chief Justice and members of the judiciary, my family, friends, and my fellow Idahoans.

Before I begin, let me acknowledge our new First Lady, Teresa, and our family - Adam and Angela, and David and Kelsey. A friend of mine refers to his wife as gravity, for her ability to keep him grounded. Teresa serves that purpose for me as well as the whole state of Idaho.

It is humbling to address you as Idaho's 33rd Governor. I'm used to a slightly different vantage point during this speech. I was here more than 42 years ago as a legislative intern.

Legislators - I look forward to working with you to achieve our shared vision of making Idaho the best possible place to live for this generation and future generations of Idahoans.

I stand on the shoulders of great men and women who have mentored me along my way. Many are in this room today. Thank you for guidance and support.

As Idaho's new commander-in-chief, I want to thank the men and women serving in the Idaho National Guard. Last summer, our Idaho Army Guard deployed three Blackhawk MEDEVAC helicopters and their crews to Afghanistan. Godspeed, and I look forward to welcoming them home this spring.

Please join me in thanking Adjutant General Mike Garshak, all members of the Guard, and Idaho's veterans - past and present - for their service to our nation.

Let me say something about my predecessor and partner these past 10 years. Governor Butch Otter led Idaho during a challenging time in our history, facing down the worst recession in 70 years. Now, Idaho is the fastest growing state in the country. Let us honor his legacy by keeping our budget balanced while investing in the future. Thank you for your service, Governor Otter.

I stand here today not to reminisce about Idaho's past, but to look to our future. As Governor, I will seek to reflect our shared Idaho values and aspirations.

This means making decisions through one lens: the lens of ensuring the best possible opportunities for us, our children and grandchildren to remain in Idaho and enjoy our unparalleled quality of life.

Making decisions with a long-term perspective means staying focused on creating a regulatory and tax environment where Idahoans can get good-paying jobs.

It means having world-class schools.

It means delivering accessible and affordable healthcare.

It means giving citizens a reason to be confident in state government, by making government responsive, transparent, and accountable.

My team of agency directors and administrators is mostly in place. A requirement for each of them is a commitment to implementing our shared vision of creating the best possible opportunities for Idahoans to prosper. I'm humbled by their

willingness to serve Idaho. I'd like them to stand and be recognized.

From Boundary to Bear Lake counties, and Letha to Leadore, I can tell you with confidence the state of our state is strong.

Idahoans' incomes are the fastest growing in America. We have the highest number of people employed in our state's history.

Due to the good work of the folks in this room, Idaho remains a model for fiscal responsibility. There is no shortage of success stories that reflect the strength of our state's economy.

Woodgrain Millworks, a Fruitland-based family-owned company operates sawmills and manufactures doors and windows. Under Kelly Dame, the company recently expanded in Nampa. They acquired and modernized the old sawmill in Emmett, assisting in our efforts for forest health.

The Dame sons Brooks, Taylor, and Tanner created Proof Eyewear. They took a small company they started in their garage and now sell wooden sunglasses in more than 20 countries. The family typifies the entrepreneurial spirit that thrives in Idaho.

In Idaho Falls, Brad LaPray founded BiologiQ to create a useful plastic from the excess starch produced during potato processing. BiologiQ has grown from a simple concept into an industry-leading, sustainable bioplastics provider. It is another example of an innovative Idaho company using waste and turning it into a thriving business.

In Coeur d'Alene, Cody Peterson and Andy Huska founded Rohinni, a homegrown micro-LED manufacturer that's become a leading technology company. They design robots that install lots of tiny LED lights on everyday electronic gear. Their business is diversifying Idaho's economy, adding to our growing tech sector, and providing high-wage careers.

In Arco, Dragon Fly Tarps manufactures custom tarps for the outdoor industry. The company just moved from the local business incubation center and continues to grow.

These companies and many others across Idaho ultimately offer our kids more opportunities to stay home or come back to Idaho.

Our state is on an incredible trajectory. With your help, I intend to lead us to the next level.

Making decisions with a long-term perspective means state government is fiscally sound and invests taxpayer dollars wisely.

Last year, we delivered one of the largest tax cuts in state history. As a result, state income and business tax rates are the lowest since 1934. Idahoans are enjoying bigger paychecks.

Even though sales tax and corporate tax revenues have been robust, our personal income tax receipts are falling short. The federal tax code changed recently, but few Idahoans know they need to update their tax withholdings. I am ordering the Tax Commission to do all they can to better inform taxpayers of what they need to do to avoid a surprise income tax bill.

My team is following this issue closely, confident revenues will eventually match the rapid pace of economic growth. Though we are confident, in true Idaho fashion, we will not spend money until it's in the bank.

My budget recommendation will balance our books and fulfill important promises.

I propose working together with you to set the stage next year - using our budget surplus - to eliminate the grocery tax once and for all.

Additionally, any new tax exemption should be tied to a proportional reduction in state spending or real income generation.

As a conservative, I will utilize all other mechanisms to ensure our state remains fiscally sound over the long-term.

It is prudent to live by the advice of Speaker Bedke's grandfather: It won't be the bad years that put you out of business; it's what you did in the good years that sets you up for failure or success.

As we review our state budget we must ask key questions:

Is there too much spending on autopilot? Are we putting off maintenance that will cost our children more tomorrow? Do we have adequate rainy-day funds? How do we structure the surplus eliminator?

These measures and my proposed budget ensure we avoid the short-term fiscal mistakes that other states and the federal government continue to make.

Let's talk about my number-one priority for our state budget: education. Education policy requires long-term planning and commitment.

These past four years, with the hard work of stakeholders and many legislators in this room, Idaho has a successful record of responsible investment in education. We have increased the budget for our schools by 32 percent. This past year, Idaho teachers received one of the nation's largest year-to-year pay increases.

As Governor, I will continue our momentum and be an unrelenting advocate for educational excellence in our state.

To amplify the voices of those on the front lines of education, I will create a Children's Cabinet to advise me throughout my term on a variety of education issues. My Children's Cabinet will consist of traditional education stakeholders, parents, and groups across our state dedicated to advocating for children.

Our Task Force on Public Education and its five-year plan has been the envy of other states. It has been the force behind an unprecedented, sustained effort to improve Idaho education.

My budget recommendation implements the fifth year of the task force recommendations. This investment puts in place the next phase of increased teacher salaries. I'm also recommending an increase to the popular Advanced Opportunity program, which saves Idaho families in tuition costs and provides stepping stones for students wanting to go-on to post-secondary opportunities that best suit them.

Now that we've agreed on a new Idaho Reading Indicator, I want to boost our efforts for literacy. My budget recommendation proposes that we double literacy program funding to \$26 million.

The school districts will decide the best ways to use the funds to raise reading scores among their students. They will choose from a variety of proven intervention methods such as full-day kindergarten, reading coaches, and summer reading programs. The variety of methods recognizes no one kid is the same and that Boise may not have the solution for what works in Bonners Ferry or Blackfoot.

Our goal must be to ensure all kids begin at the same starting line in life. By the third grade, our students must learn to read so they can read to learn.

Our state still has many challenges when it comes to recruiting teachers.

In addition to supporting the next phase of teacher salary increases, my budget recommendation fulfills my promise to raise starting teacher pay to \$40,000 a year.

As we reward our educators we expect school districts to continue working with us on reporting measurements that Idahoans need to validate increased education investments.

We are proud of these efforts but there is still more to do.

Drawing on the successful model we've been using, I invite you to join me in creating an initiative I'm calling Our Kids, Idaho's Future. The charge of this broad-based task force will be to look at our education system holistically and prioritize where we should invest the next available dollar.

This initiative will provide Idaho's next five-year blueprint for education investment and reform.

I will continue to focus on increasing Idaho's go-on rates and accomplishing our goal of having 60-percent of our 25- to 34-year olds with a completed degree or a professional certificate. To do that, we must expand career technical opportunities.

Further, my budget recommendation increases funding for Opportunity Scholarship applicants, providing a market-based approach to higher education funding, with money following the students and allowing them to choose the institution and degree that best fits their needs.

In my work on economic development, I know there's a strong correlation between our education system and the attractiveness of our state to entrepreneurs and businesses.

Most importantly, a strong education system helps ensure we keep our best and brightest here in Idaho.

From the roads you drive to take your children to school to the hunting licenses you purchase, like it or not, the state has a monopoly on many services citizens cannot provide themselves. With this role, comes responsibility and accountability to Idahoans.

As your Governor, I pledge to champion citizen confidence in state government.

I've been frustrated with the major shortcomings in customer service at the Division of Motor Vehicles. The issues stem from contracting procedures. I have asked my new director at the Department of Administration to identify critical lessons from the DMV situation and provide a thorough review of our state purchasing and contract administration processes. Idahoans deserve an action plan for better results from government.

State government has a duty to protect the data citizens entrust to us. I chaired the Cybersecurity Task Force three years ago and we have made progress on this important issue.

Following these efforts, my budget recommendation lays out a plan for IT and cybersecurity modernization. This effort will significantly reduce our cyber vulnerability and provide long-term savings with the ultimate goals of protecting citizens' data and building public confidence.



There are other areas where we must maintain the trust of Idahoans.

On election day over 60% of voters approved Medicaid expansion. For months I made it clear I would honor the will of the people. I intend to work with you to implement Medicaid expansion using an Idaho approach.

We need spring in our safety net so that there are multiple pathways for the gap population to move off Medicaid and onto private coverage.

While making health care available to low-income individuals we should also do what we can to make affordable, accessible, quality health care available to all Idahoans.

An unintended outcome of the Affordable Care Act is that too many people are priced out of health insurance coverage. In the past two years, the number of uninsured Idahoans increased by 125,000 - almost double the gap population. As Idaho continues to enjoy the fastest-growing economy in the nation, the number of insured Idahoans should be increasing not decreasing.

We must pursue strategies that contain health care costs.

That's why I joined with Governor Otter last year in issuing an executive order on state-based individual market health plans. As Governor I will continue these efforts. These health care plans are comprehensive and provide our citizens more affordable choices.

The fact is we have a proven track record of delivering Idaho solutions on health care. When Idaho opted for a state-run health insurance exchange, we created an Idaho solution instead of adopting a federal one-size-fits-all mandate.

Your Health Idaho has since been recognized as one of the best exchanges in the country.

I intend to continue developing Idaho solutions that bring health care costs down for all Idahoans. I have met with federal partners to pursue alternatives for affordable health care plans.

I will fight for state flexibility and state control to develop Idaho solutions for Idaho families.

Public safety is one of the pillars of state government. Idahoans enjoy a high quality of life in part because we live in one of the safest states in the nation.

We must hold those who violate our laws accountable, but we also must invest in changing their behavior, so our communities will be safer once offenders pay their debt to society.

My budget recommendation takes on this challenge in a way that provides not only an increase in our prison capacity but also the resources needed to reduce the flow of inmates to our prisons. This will be done by expanding the St. Anthony Work Camp in eastern Idaho and opening a community reentry center in northern Idaho.

In addition to providing timely relief to Idaho's overcrowded prisons, these combined 220 beds focus specifically on helping those in custody acquire critical skills to successfully transition back into society after release.

Former offenders cannot be successful after reentry and on parole if we don't have the necessary bed space and programs - such as drug courts - to halt the revolving door.

Help for substance abuse is often only available once a person becomes an offender. There is a clear nexus between

mental health and substance abuse. We must intervene in these areas prior to individuals entering our criminal justice system.

Communities across Idaho face the scourge of opioid addiction and other substance abuse problems. Fortunately, there is a solid foundation of work on this issue. Two years ago, the Idaho Office of Drug Policy and the Department of Health and Welfare convened a stakeholder group that put together a strategic five-year action plan on tackling the issue of opioid addiction in Idaho.

We know the challenge is larger than just opioid addiction. Many problems that begin with opioids evolve into heroin and fentanyl.

Looking ahead, I will issue an executive order on substance abuse - formalizing this existing opioid plan, broadening these efforts, directing future resources, and creating non-offender programs for substance abuse.

This makes the most sense because treating addicts and those with mental health problems in prison is expensive and often too late.

As we seek ways to reduce health care costs and protect the public, we also must make sure state government is reducing all unnecessary barriers to prosperity.

One barrier is the daunting financial reality facing first-time homebuyers, particularly young people just starting their careers and families.

One specific proposal I will champion to help more Idahoans achieve the American Dream is the First-Time Home Buyer Savings Account. This account will encourage young families to set aside part of their pre-tax income to make a down payment on their first home.

Idaho is seeing unprecedented economic growth in many parts of the state. However, that growth has not been matched in all our communities. In my travels, I constantly hear how the absence of adequate broadband

infrastructure is a deterrent to growth and economic development. The Idaho Department of Commerce spent the past year analyzing the statewide challenge of inadequate broadband.

To ensure Idaho can adapt to the rapidly evolving digital world, we must actively work to improve Idaho's broadband access, pursuing all options to increase broadband connectivity. I will work with the Legislature to ensure both rural and urban Idaho are connected and well-positioned to attract and create maximum success.

I am also committed to knocking down other barriers to independence and prosperity. In May 2017, I issued the Licensing Freedom Act executive order.

Late last year, I finalized a report that outlined the scope of occupational licensing in Idaho and provided key recommendations. Working closely with the Legislature I intend to fulfill all recommendations from the Licensing Freedom Act - reducing regulatory burdens and improving customer service while protecting the public.

My first executive order as Governor will put in place two of those recommendations: sunrise and sunset processes for future occupational licensing laws.

To reduce overall regulatory burdens on our citizens and businesses, I will issue another executive order requiring state

agencies to revoke two regulations for every new regulation they want to implement. This commitment to cutting red tape will ensure we are governing with the lightest possible hand.

Looking long-term, we must address transportation deficiencies. I ask you to join me in looking at these long-term needs - specifically, the safety of our roads and bridges and the necessary improvements to preserve our citizens' most precious commodity: their time. It is critical that we provide the needed road capacity to get our people and products to their destinations in the most efficient manner.

All these efforts will help Idaho remain a beacon for prosperity and opportunity in America.

Agriculture remains the backbone of Idaho's rural economy. As is often the case, agriculture is coping with the effects of significant challenges, from commodity prices to transportation and trade.

As they have for generations, progressive farmers and ranchers meet these challenges by increasing their production and efficiency. Idaho's wheat yield was up 15 percent and set a record this year. The barley yield is up 10 percent from last year, and alfalfa is up 19 percent. Idaho jumped Oregon to become the number two hop producing state in the nation. In the past 16 years, Idaho's dairy production has doubled.

Idaho remains a heavily trade-dependent state, with around \$2 billion in agricultural exports. When markets are open, agriculture makes the most of those opportunities. When markets are disrupted, we feel it.

The profitability of Idaho agriculture and its ability to compete nationally and internationally is dependent upon the time and cost of getting our products to consumers.

I look forward to working with you to increase rail access, address truck shortages, and reduce the burdens of federal regulations.

You all know water is Idaho's lifeblood, and we've made great strides in protecting it.

Under the leadership of the Water Resource Board, we have doubled our goal of refilling and replenishing our critically important Eastern Snake Plain Aquifer, adding more water this year than was removed. While this is an impressive accomplishment, this must be an ongoing effort.

Regardless of the water year, we must focus on expanding the water infrastructure across our state.

If water is Idaho's lifeblood, our public lands are surely one of our state's greatest assets. Idaho-based collaboration is key to addressing the many issues facing public lands. Together, we must responsibly manage and protect the special places that make Idaho unique. As Governor, I will work to expand access and tackle threats to our public lands.

This work will protect important industries for our economy. From motorized recreation, rafting, skiing, and hunting, to hiking, fishing, and camping, Idaho's outdoor recreation industry generates billions in consumer spending each year and supports 78,000 jobs across the state. Iconic companies like Smith Optics, Buck Knives, CLIF Bar, Vista Outdoor, and numerous guides and outfitters call our state home.

Idaho's lands and waterways provide unparalleled outdoor recreation opportunities, enhancing the quality of life for

Idahoans and attracting visitors, which in turn power urban and rural economies across our state.

There are threats to our public lands that must be confronted. Wildfire is a part of living in the West.

Several factors contribute to the increasing frequency of catastrophic wildfires. These fires threaten public safety and pump millions of tons of pollutants into the air, harming the health of our citizens. They damage wildlife habitat and contaminate our pristine waters. They disrupt our economy and cost taxpayers millions of dollars every year.

One of those threats is the buildup of fuels on our public lands closest to where we live, work, and play.

A few weeks ago, I signed a first-of-its-kind agreement between Idaho and the U.S. Department of Agriculture. This collaborative agreement will reduce wildfire risk, improve forest health and enhance wildlife habitat, by actively managing more acres of federal forests.

The new "shared stewardship" approach unifies land management activities that are now disjointed across federal, state, and privately-owned tracts. We'll use all the tools available to us to reduce fuels around communities, including timber harvest, prescribed burns, and other activities.

We're already seeing a return on our investment in the Good Neighbor Authority, a program that utilizes state employees and contracting processes for restoration work on federal lands.

Idaho is leading the country in our fresh, collaborative approach to land management. Other states have already reached out to Idaho for the Shared Stewardship blueprint we created with the Feds.

In addition, there are now over 300 ranchers and farmers who are members of nine rangeland fire protection associations across southern Idaho. The initial attack and intel they provide on more than 9 million acres of Idaho's rangeland have given Idaho significantly improved chances against the devastation of large wildfires.

The Idaho National Laboratory (INL) is one of our state's largest employers. It is a national asset dedicated to our energy and security interests.

I have been impressed to see collaboration between the lab and our state's universities. Those enhanced ties will result in a more secure nation, a thriving laboratory, and strengthened university programs. Most importantly, it presents opportunities for our state's best and brightest students to work and raise their families right here in Idaho.

With that in mind, I am pleased to announce that I am authorizing the continuation of the Leadership in Nuclear Energy (LINE) Commission. The LINE Commission will remain dedicated to advising us so we can promote the advancement of nuclear energy and ensure the vitality of the INL.

There is an incredible opportunity for Idaho, its businesses, and its institutions of higher learning to lead our nation, and the globe in pushing the new frontiers of safe, clean nuclear energy development.

In addition to world class research, Idaho has one of the most affordable and sustainable energy supplies in America. It's clean, with a mix of hydroelectric, wind, and solar. This energy mix and low cost make Idaho competitive in attracting new industries.

I am intent on seizing this moment.

Through the free market and the innovations at the INL, Idaho will continue to expand opportunities for clean and affordable energy for our citizens and the world.

Idaho is ready to lead.

My friends, if we create an environment that brings about economic prosperity, if we continue to invest and modernize education, if we do what we can to make healthcare accessible and affordable, if we invest in our infrastructure, if we protect our natural resources, and if we assure citizen confidence in government, we will keep our best and brightest here in Idaho.

It is an honor to offer this State of the State to the interns, pages, young viewers, and our children and grandchildren. When they eventually occupy these seats here, in the People's House - if we do the job before us now - I am confident they will thank us in the decades to come.

Thank you and God bless Idaho.

\* \* \* \* \*

The Speaker thanked Governor Little.

The committee appointed to wait upon the Governor came forward and escorted him from the House Chamber and was, on its return, thanked and discharged by the Speaker.

The committee appointed to wait upon the Supreme Court Justices and the Appellate Court Judges came forward and escorted them from the House Chamber and was, on its return, thanked and discharged by the Speaker.

The committee appointed to wait upon the Elected Officials came forward and escorted them from the House Chamber and was, on its return, thanked and discharged by the Speaker.

Mr. Moyle moved that the Governor's State of the State Message and Budget Address be printed in both the House and Senate Journals. Seconded by Mr. Erpelding.

The question being, "Shall the motion carry?"

Whereupon the Speaker declared the motion carried by voice vote and ordered the Governor's State of the State Message and Budget Address printed in both the House and Senate Journals.

Mr. Moyle moved that the Joint Session be dissolved. Seconded by Mr. Erpelding. Motion carried.

The Senate returned to its Chamber.

There being no objection, the House advanced to the Fifteenth Order of Business.

**15TH ORDER  
Announcements**

Announcements were made to the body.

**16TH ORDER  
Adjournment**

Mr. Moyle moved that the House adjourn until 11 a.m., Tuesday, January 8, 2019. Seconded by Mr. Erpelding. Motion carried.

Whereupon the Speaker declared the House adjourned at 1:50 p.m.

SCOTT BEDKE, Speaker

ATTEST:

CARRIE MAULIN, Chief Clerk

# HOUSE JOURNAL

OF THE

## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-FIFTH LEGISLATURE

**SECOND LEGISLATIVE DAY  
TUESDAY, JANUARY 8, 2019**

House of Representatives

The House convened at 11 a.m., the Speaker in the Chair.

Roll call showed all 70 members present.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Kassidy Ross, Page.

### 3RD ORDER Approval of Journal

January 8, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the First Legislative Day and recommend that same be adopted as corrected.

DAYLEY, Chairman

Mr. Dayley moved that the report be adopted. Seconded by Mr. Gannon. Report adopted.

### 4TH ORDER Consideration of Messages from the Governor and the Senate OFFICE OF THE GOVERNOR Boise

January 8, 2019

The Honorable Scott Bedke  
Speaker of the House

As required by Section 57-1601, *Idaho Code*, I am transmitting the following report of the Governor's Emergency Fund for fiscal years 2018 and 2019.

<b>Balance as of July 1, 2017</b>	<b>83,744.48</b>
No activity in fiscal year 2018	
<b>Balance as of June 30, 2018</b>	<b>83,744.48</b>
No activity year-to-date in fiscal year 2019	
<b>Balance as of December 31, 2018</b>	<b>83,744.48</b>

Sincerely,  
/s/ Brad Little  
Governor

The correspondence was ordered filed in the office of the Chief Clerk.

January 7, 2019

Mr. Speaker:

I return herewith [HCR 1](#) which has passed the Senate.

NOVAK, Secretary

[HCR 1](#) was referred to the Judiciary, Rules, and Administration Committee for enrolling.

There being no objection, the House advanced to the Seventh Order of Business.

### 7TH ORDER Motions, Memorials, and Resolutions

Mr. Moyle moved that the following persons be approved as attaches to serve the House of Representatives for and during the First Regular Session of the Sixty-fifth Idaho Legislature. Seconded by Mr. Erpelding.

Majority Leadership Secretary .....	Alexa Trueba
Legislative Aide .....	Cathy Downs
Minority Chief of Staff .....	Suzanne Gore
Legislative Aide .....	Catherine Lewers
Chaplain .....	Tom Dougherty
Chief Fiscal Officer .....	Terri Franks-Smith
Chief of Staff to Speaker .....	MaryLou Molitor
Majority Pool Secretary .....	Shellie Coates
Majority Pool Secretary .....	Josie Ford
Journal Clerk .....	Lucille Harris
Chief Clerk of the House .....	Carrie Maulin
Assistant Chief Clerk .....	Chris Taylor
Secretarial Supervisor .....	Susan Werlinger
Assistant Sergeant at Arms .....	Kim Blackburn
Doorkeeper .....	Corky Madsen
Sergeant at Arms .....	Jeff Wall

Committee Secretaries:

Agricultural Affairs .....	Joan Majors
Appropriations .....	Donna Warnock
Business .....	Jayne Feik
Commerce & Human Resources .....	Karen Westen
Education .....	Erica McGinnis
Environment, Energy & Technology .....	Kimberly Lowder
Health & Welfare .....	Irene Moore
Judiciary, Rules & Administration .....	Wendy Carver-Herbert
Local Government .....	Karen Westen
Resources & Conservation .....	Tracey McDonnell
Revenue & Taxation .....	Lorrie Byerly
State Affairs .....	Julia Grief
Transportation & Defense .....	Joyce McKenzie
Ways & Means .....	Amie "Ivi" Taylor

Pages:

Arlie Bledsoe	Arianna Carlson
Bradley Chrysler	Warren Johnson
Beth Lindberg	Jex Mecham
Kassidy Ross	Alexis Walker
Avery Woods	

Whereupon the Speaker declared the motion carried by voice vote and administered the oath of office to the above named attaches.

**8TH ORDER**  
**Introduction, First Reading, and Reference**  
**of Bills and Joint Resolutions**

**HOUSE BILL NO. 1**  
**BY WAYS AND MEANS COMMITTEE**  
AN ACT

RELATING TO WATER; AMENDING CHAPTER 1, TITLE 42, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 42-115, IDAHO CODE, TO PROVIDE THAT THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES SHALL SUBORDINATE PERMITS AND LICENSES FOR CERTAIN PROJECTS ISSUED AFTER A SPECIFIED DATE TO THE CAPTURE AND RETENTION OF WATER IN EXISTING ON-STREAM STORAGE RESERVOIRS DURING AND FOLLOWING FLOOD CONTROL OPERATIONS UNTIL THE DATE OF ALLOCATION; AND DECLARING AN EMERGENCY.

**H 1** was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Fifteenth Order of Business.

**15TH ORDER**  
**Announcements**

Announcements were made to the body.

**16TH ORDER**  
**Adjournment**

Mr. Moyle moved that the House adjourn until 11 a.m., Wednesday, January 9, 2019. Seconded by Mr. Erpelding. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:16 a.m.

SCOTT BEDKE, Speaker

ATTEST:

CARRIE MAULIN, Chief Clerk

**HOUSE JOURNAL**  
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SIXTY-FIFTH LEGISLATURE

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**THIRD LEGISLATIVE DAY**  
**WEDNESDAY, JANUARY 9, 2019**

House of Representatives

The House convened at 11 a.m., the Speaker in the Chair.

Roll call showed 68 members present.  
Absent and excused - DeMordaunt and Furniss. Total - 2.  
Total - 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Beth Lindberg, Page.

**3RD ORDER**  
**Approval of Journal**

January 9, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Second Legislative Day and recommend that same be adopted as corrected.

DAYLEY, Chairman

Mr. Dayley moved that the report be adopted. Seconded by Mr. Gannon. Report adopted.

There being no objection, the House advanced to the Fifth Order of Business.

**5TH ORDER**  
**Report of Standing Committees**

January 9, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have printed [H 1](#).

DAYLEY, Chairman

[H 1](#) was referred to the Resources and Conservation Committee.

January 9, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have enrolled [HCR 1](#).

DAYLEY, Chairman

The Speaker announced he was about to sign enrolled [HCR 1](#) and, when so signed, ordered it transmitted to the Senate for the signature of the President.

There being no objection, the House advanced to the Fifteenth Order of Business.

**15TH ORDER**  
**Announcements**

Announcements were made to the body.

**16TH ORDER**  
**Adjournment**

Mr. Monks moved that the House adjourn until 11 a.m., Thursday, January 10, 2019. Seconded by Mr. Erpelding. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:11 a.m.

SCOTT BEDKE, Speaker

ATTEST:

CARRIE MAULIN, Chief Clerk

# HOUSE JOURNAL

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## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
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**FOURTH LEGISLATIVE DAY  
THURSDAY, JANUARY 10, 2019**

House of Representatives

The House convened at 11 a.m., the Speaker in the Chair.

Roll call showed 67 members present.

Absent and excused - Chaney, Gestrin, and Raybould.

Total - 3.

Total - 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Warren Johnson, Page.

**3RD ORDER  
Approval of Journal**

January 10, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Third Legislative Day and recommend that same be adopted as corrected.

DAYLEY, Chairman

Mr. Dayley moved that the report be adopted. Seconded by Mr. Gannon. Report adopted.

There being no objection, the House advanced to the Seventh Order of Business.

**7TH ORDER  
Motions, Memorials, and Resolutions**

**HOUSE CONCURRENT RESOLUTION NO. 2  
BY COMMERCE AND HUMAN RESOURCES  
COMMITTEE**

A CONCURRENT RESOLUTION  
STATING FINDINGS OF THE LEGISLATURE  
AND HONORING DIRECTOR EDDIE YEN ON HIS  
THIRTIETH ANNIVERSARY AS IDAHO'S ASIA TRADE  
REPRESENTATIVE.

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

WHEREAS, international trade is a vital component of our state's economy, with exports totaling \$4 billion annually; and

WHEREAS, in 2017, \$573 million worth of Idaho goods were shipped to Taiwan. Currently, Taiwan is Idaho's second largest export partner, trailing only Canada. Much of this success can be attributed to the hard work of Idaho's Asia Trade Representative, Director Eddie Yen; and

WHEREAS, Director Eddie Yen was hired to lead the Idaho Asia Trade Office in February 1989, and he has spent the past

thirty years working diligently on behalf of Idaho companies and organizations to increase sales and foster partnerships in Taiwan and Asia; and

WHEREAS, he has worked with hundreds of Idaho companies and has helped organize trade missions, trade shows, inbound buying delegations, and educational visits; and

WHEREAS, Director Eddie Yen has spent his career cultivating business relationships and friendships with key figures in the Taiwan market. As a result of his tireless efforts, his work has allowed countless Idaho businesses to find quality partners in Taiwan that purchase Idaho goods and services, generating a positive economic impact for Idaho companies and the State of Idaho; and

WHEREAS, he has developed and maintained relationships with government officials in Taiwan and has utilized these relationships to enhance and strengthen Idaho's trade with Taiwan; and

WHEREAS, he has traveled to Idaho at least once every year during his tenure as director, seeking out new Idaho companies interested in exporting to Taiwan and meeting with existing exporters to discuss market strategies, priorities, and challenges; and

WHEREAS, as a result of his keen expertise, the Idaho Asia Trade Office was expanded in 2015 to include Southeast Asia in addition to Taiwan; and

WHEREAS, Director Eddie Yen has been a genuine, impactful, engaged, and humble friend of the State of Idaho; and

WHEREAS, it is impossible to overstate the value of Director Eddie Yen's contribution to the State of Idaho. His work has resulted in untold economic prosperity and success for Idaho businesses, organizations, and educational institutions alike.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-fifth Idaho Legislature, the House of Representatives and the Senate concurring therein, that we honor and recognize Eddie Yen for his outstanding dedication and commitment to the State of Idaho.

BE IT FURTHER RESOLVED that we congratulate Eddie Yen on the event of his thirtieth anniversary as Idaho's Asia Trade Representative.

BE IT FURTHER RESOLVED that we thank Eddie Yen with utmost sincerity for his service to the companies, organizations, and institutions of the State of Idaho.

**HCR 2** was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Fifteenth Order of Business.

**15TH ORDER  
Announcements**

Announcements were made to the body.

**16TH ORDER  
Adjournment**

Mr. Moyle moved that the House adjourn until 8 a.m., Friday, January 11, 2019. Seconded by Mr. Erpelding. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:08 a.m.

SCOTT BEDKE, Speaker

ATTEST:

CARRIE MAULIN, Chief Clerk

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**FIFTH LEGISLATIVE DAY**  
**FRIDAY, JANUARY 11, 2019**

House of Representatives

The House convened at 8 a.m., Mr. Moyle in the Chair.

Roll call showed 63 members present.

Absent and excused - Barbieri, Bedke, Erpelding, Gestrin, Gibbs, Shepherd, and Wagoner. Total - 7.

Total - 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Arianna Carlson, Page.

### **3RD ORDER**

#### **Approval of Journal**

January 11, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Fourth Legislative Day and recommend that same be adopted as corrected.

DAYLEY, Chairman

Mr. Dayley moved that the report be adopted. Seconded by Mr. Gannon. Report adopted.

### **4TH ORDER**

#### **Consideration of Messages from the Governor and the Senate**

January 10, 2019

Mr. Speaker:

I return herewith enrolled [HCR 1](#) which has been signed by the President.

NOVAK, Secretary

Enrolled [HCR 1](#) was referred to the Judiciary, Rules, and Administration Committee for delivery to the Secretary of State.

### **5TH ORDER**

#### **Report of Standing Committees**

January 11, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have printed [HCR 2](#).

DAYLEY, Chairman

[HCR 2](#) was filed for second reading.

There being no objection, the House advanced to the Thirteenth Order of Business.

### **13TH ORDER**

#### **Miscellaneous and Unfinished Business**

The following committee assignments were made:

#### **Lincoln Day Committee**

Representative Youngblood, Chairman  
Representative Syme  
Representative Green(18)

#### **Memorial Committee**

Representative DeMordaunt, Chairman  
Representative Hartgen  
Representative Smith

#### **Idaho Day Committee**

Representatives Troy and Kauffman, Co-Chairmen  
Representative Lickley  
Representative Marshall  
Representative Mason

#### **Attache Committee**

Representative Dayley, Chairman  
Representative Troy  
Representative Anderst

There being no objection, the House advanced to the Fifteenth Order of Business.

### **15TH ORDER**

#### **Announcements**

Announcements were made to the body.

### **16TH ORDER**

#### **Adjournment**

Mr. Monks moved that the House adjourn until 11 a.m., Monday, January 14, 2019. Seconded by Ms. Rubel. Motion carried.

Whereupon the Speaker Pro Tem declared the House adjourned at 8:09 a.m.

SCOTT BEDKE, Speaker

ATTEST:

CARRIE MAULIN, Chief Clerk



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SIXTY-FIFTH LEGISLATURE

**EIGHTH LEGISLATIVE DAY**  
**MONDAY, JANUARY 14, 2019**

House of Representatives

The House convened at 11 a.m., the Speaker in the Chair.

Roll call showed 68 members present.  
Absent and excused - Crane and Gestrin. Total - 2.  
Total - 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Arlie Bledsoe, Page.

**3RD ORDER**  
**Approval of Journal**

January 14, 2019

Mr. Speaker:  
We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Fifth Legislative Day and recommend that same be adopted as corrected.

DAYLEY, Chairman

Mr. Dayley moved that the report be adopted. Seconded by Mr. Gannon. Report adopted.

There being no objection, the House advanced to the Fifth Order of Business.

**5TH ORDER**  
**Report of Standing Committees**

January 14, 2019

Mr. Speaker:  
We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have transmitted enrolled [HCR 1](#) to the Secretary of State at 8:07 a.m., as of this date, January 11, 2019.

DAYLEY, Chairman

There being no objection, the House advanced to the Eighth Order of Business.

**8TH ORDER**  
**Introduction, First Reading, and Reference**  
**of Bills and Joint Resolutions**

**HOUSE BILL NO. 2**  
**BY TRANSPORTATION AND DEFENSE COMMITTEE**  
AN ACT

RELATING TO LOGGING; AMENDING SECTION 67-2601A, IDAHO CODE, TO PROVIDE THAT THE DIRECTOR OF THE IDAHO STATE POLICE AND THE IDAHO TRANSPORTATION BOARD SHALL HAVE AUTHORITY TO PERFORM SAFETY INSPECTIONS AND SAFETY TRAINING PROGRAMS, ISSUE CERTAIN ORDERS, AND ENFORCE CERTAIN RULES IF A LOGGING TRUCK IS OPERATING ON PUBLIC HIGHWAYS; AND AMENDING SECTION 67-2901B, IDAHO CODE, TO PROVIDE THAT LOGGING TRUCKS ARE SUBJECT TO CERTAIN ADMINISTRATIVE RULES IF TRANSPORTING ON PUBLIC HIGHWAYS, TO PROVIDE FOR ENFORCEMENT OF SUCH RULES BY THE DIRECTOR OF THE IDAHO STATE POLICE AND THE IDAHO TRANSPORTATION BOARD, AND TO MAKE TECHNICAL CORRECTIONS.

**HOUSE BILL NO. 3**  
**BY HEALTH AND WELFARE COMMITTEE**  
AN ACT

RELATING TO OCCUPATIONAL LICENSING OF COUNSELORS AND THERAPISTS; AMENDING SECTION 54-3405, IDAHO CODE, TO REVISE PROVISIONS REGARDING QUALIFICATIONS FOR LICENSURE; AND AMENDING SECTION 54-3411, IDAHO CODE, TO REVISE PROVISIONS REGARDING FEES.

**HOUSE BILL NO. 4**  
**BY HEALTH AND WELFARE COMMITTEE**  
AN ACT

RELATING TO OCCUPATIONAL THERAPY LICENSURE; AMENDING SECTION 54-3708, IDAHO CODE, TO REMOVE OBSOLETE LANGUAGE; REPEALING SECTION 54-3711, IDAHO CODE, RELATING TO RENEWAL AND REINSTATEMENT OF LICENSURE; AMENDING CHAPTER 37, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-3711, IDAHO CODE, TO PROVIDE FOR RENEWAL AND REINSTATEMENT OF LICENSURE; AMENDING SECTION 54-3715, IDAHO CODE, TO REMOVE OBSOLETE LANGUAGE AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 54-3717, IDAHO CODE, TO REVISE POWERS AND TO MAKE TECHNICAL CORRECTIONS.

**HOUSE BILL NO. 5**  
**BY HEALTH AND WELFARE COMMITTEE**  
AN ACT

RELATING TO CHIROPRACTIC PRACTICE; AMENDING SECTION 54-707, IDAHO CODE, TO REMOVE A PROVISION REGARDING PEER REVIEW AND TO MAKE A TECHNICAL CORRECTION; AND REPEALING SECTION 54-715, IDAHO CODE, RELATING TO A PEER REVIEW COMMITTEE.

**HOUSE BILL NO. 6**  
**BY HEALTH AND WELFARE COMMITTEE**

AN ACT

RELATING TO SOCIAL WORK LICENSING; AMENDING SECTION 54-3202, IDAHO CODE, TO REVISE DEFINITIONS; AMENDING SECTION 54-3206, IDAHO CODE, TO REVISE PROVISIONS REGARDING LICENSING; AMENDING SECTION 54-3211, IDAHO CODE, TO REVISE TERMINOLOGY; AND AMENDING SECTION 54-3214, IDAHO CODE, TO REVISE PROVISIONS REGARDING REPRESENTATION TO THE PUBLIC.

**HOUSE BILL NO. 7**  
**BY HEALTH AND WELFARE COMMITTEE**

AN ACT

RELATING TO NURSING HOME ADMINISTRATORS; AMENDING SECTION 54-1605, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE AGE REQUIREMENT FOR LICENSURE; AND AMENDING SECTION 54-1610, IDAHO CODE, TO PROVIDE A TIME LIMIT FOR ADMINISTRATOR-IN-TRAINING PROGRAMS.

**HOUSE BILL NO. 8**  
**BY HEALTH AND WELFARE COMMITTEE**

AN ACT

RELATING TO MIDWIFERY; AMENDING SECTION 54-5503, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE BOARD OF MIDWIFERY, TO PROVIDE FOR ANNUAL ELECTION OF A CHAIRPERSON, AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-5505, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE LIST OF FORMULARY DRUGS THAT MIDWIVES ARE AUTHORIZED TO USE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-5506, IDAHO CODE, TO REMOVE OBSOLETE LANGUAGE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-5507, IDAHO CODE, TO REMOVE OBSOLETE LANGUAGE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-5511, IDAHO CODE, TO CLARIFY LANGUAGE; AND PROVIDING A SUNSET DATE.

**HOUSE BILL NO. 9**  
**BY HEALTH AND WELFARE COMMITTEE**

AN ACT

RELATING TO PHYSICIANS AND PHYSICIAN ASSISTANTS; AMENDING THE HEADING FOR CHAPTER 18, TITLE 54, IDAHO CODE; AMENDING SECTION 54-1802, IDAHO CODE, TO PROVIDE FOR PHYSICIAN ASSISTANTS; AMENDING SECTION 54-1803, IDAHO CODE, TO REVISE DEFINITIONS; AMENDING SECTION 54-1804, IDAHO CODE, TO PROVIDE EXCEPTIONS TO UNLICENSED PRACTICE, TO PROVIDE FOR PHYSICIAN ASSISTANTS, AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-1805, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE COMPOSITION OF THE STATE BOARD OF MEDICINE AND TO PROVIDE FOR PHYSICIAN ASSISTANT MEMBERSHIP; AMENDING SECTION 54-1806, IDAHO CODE, TO REVISE PROVISIONS REGARDING COMPLAINT AND INVESTIGATION OF LICENSEES, TO

PROVIDE FOR PHYSICIAN ASSISTANTS, AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-1806A, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE COMMITTEE ON PROFESSIONAL DISCIPLINE AND TO PROVIDE FOR PHYSICIAN ASSISTANTS; AMENDING SECTION 54-1807, IDAHO CODE, TO REMOVE OBSOLETE LANGUAGE AND TO REVISE PROCEDURES REGARDING REGISTRATION FEE RENEWAL; AMENDING SECTION 54-1807A, IDAHO CODE, TO REVISE PROVISIONS REGARDING PHYSICIAN ASSISTANT SUPERVISION, LICENSING FEE RENEWALS, AND THE PHYSICIAN ASSISTANT ADVISORY COMMITTEE; AMENDING SECTION 54-1808, IDAHO CODE, TO REVISE PROCEDURES REGARDING ISSUANCE OF MEDICAL LICENSURE AND TO PROVIDE FOR PHYSICIAN ASSISTANTS; AMENDING SECTION 54-1809, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE STATE BOARD OF MEDICINE FUND; AMENDING SECTION 54-1810, IDAHO CODE, TO REVISE PROCEDURES REGARDING PHYSICIAN LICENSURE BY WRITTEN EXAMINATION; AMENDING CHAPTER 18, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-1810A, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING PHYSICIAN ASSISTANT LICENSURE; AMENDING SECTION 54-1811, IDAHO CODE, TO REVISE PROVISIONS REGARDING PHYSICIAN LICENSURE BY ENDORSEMENT; AMENDING SECTION 54-1813, IDAHO CODE, TO REVISE PROVISIONS REGARDING TEMPORARY LICENSES AND REGISTRATION; AMENDING SECTION 54-1814, IDAHO CODE, TO REVISE PROVISIONS REGARDING MEDICAL DISCIPLINE; REPEALING SECTION 54-1817, IDAHO CODE, RELATING TO POST MORTEM EXAMINATIONS; AMENDING SECTION 54-1818, IDAHO CODE, TO PROVIDE FOR PHYSICIAN ASSISTANTS; REPEALING SECTION 54-1819, IDAHO CODE, RELATING TO DETERMINATION OF DEATH; AMENDING SECTION 54-1831, IDAHO CODE, TO REVISE A TITLE; AMENDING SECTION 54-1832, IDAHO CODE, TO REVISE PROVISIONS REGARDING GROUNDS FOR RESTRICTION, SUSPENSION, OR REVOCATION OF LICENSES; AMENDING SECTION 54-1833, IDAHO CODE, TO PROVIDE FOR PHYSICIAN ASSISTANTS AND TO SPECIFY CERTAIN REQUIREMENTS REGARDING PHYSICIAN ASSISTANT LICENSURE; REPEALING SECTION 54-1834, IDAHO CODE, RELATING TO EXAMINATION BY COMMITTEE; REPEALING SECTION 54-1835, IDAHO CODE, RELATING TO VOLUNTARY RESTRICTION OF LICENSURE; REPEALING SECTION 54-1836, IDAHO CODE, RELATING TO COMMITTEE REPORTS AND RECOMMENDATIONS; AMENDING SECTION 54-1837, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO REVISE PROVISIONS REGARDING PROCEEDINGS AGAINST PHYSICIANS AND PHYSICIAN ASSISTANTS; AMENDING SECTION 54-1838, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO REVISE PROVISIONS REGARDING APPEAL AND REINSTATEMENT OF LICENSES; AMENDING SECTION 54-1839, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO MAKE A TECHNICAL CORRECTION; REPEALING SECTION 54-1840, IDAHO CODE, RELATING TO PROTECTED ACTION AND COMMUNICATION; AMENDING SECTION 54-1841, IDAHO CODE, TO REVISE PROVISIONS REGARDING VOLUNTEER LICENSES; AND AMENDING SECTION 56-1012, IDAHO CODE, TO REMOVE AN OBSOLETE REFERENCE.

**HOUSE BILL NO. 10**  
**BY HEALTH AND WELFARE COMMITTEE**  
AN ACT

RELATING TO PHARMACY; AMENDING SECTION 54-1717, IDAHO CODE, TO REVISE PROVISIONS REGARDING RULES; AMENDING SECTION 54-1720, IDAHO CODE, TO REVISE PROVISIONS REGARDING OTHER DUTIES, POWERS, AND AUTHORITY OF THE BOARD OF PHARMACY; AMENDING SECTION 54-1721, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE UNLAWFUL PRACTICE OF PHARMACY; AMENDING CHAPTER 17, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-1723B, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING MULTISTATE PRACTICE OF PHARMACY; AMENDING SECTION 54-1728, IDAHO CODE, TO PROVIDE FOR CERTAIN EMERGENCY PROCEEDINGS; AMENDING SECTION 54-1729, IDAHO CODE, TO REVISE PROVISIONS REGARDING REGISTRATION AND LICENSURE OF FACILITIES; AMENDING SECTION 54-1730, IDAHO CODE, TO REVISE PROVISIONS REGARDING APPLICATIONS FOR CERTIFICATES OF REGISTRATION; AMENDING SECTION 54-1731, IDAHO CODE, TO REVISE PROVISIONS REGARDING CERTAIN NOTIFICATIONS; AMENDING SECTION 54-1732, IDAHO CODE, TO REVISE PROVISIONS REGARDING VIOLATIONS AND PENALTIES; AMENDING SECTION 54-1733, IDAHO CODE, TO REVISE PROVISIONS REGARDING VALIDITY OF PRESCRIPTION DRUG ORDERS; AMENDING SECTION 54-1733A, IDAHO CODE, TO REVISE PROVISIONS REGARDING TRANSMISSION OF PRESCRIPTION DRUG ORDERS; REPEALING SECTION 54-1734, IDAHO CODE, RELATING TO POSSESSION OF LEGEND DRUGS; REPEALING SECTION 54-1735, IDAHO CODE, RELATING TO PATIENT MEDICATION RECORDS; AMENDING CHAPTER 17, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-1762A, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING DRUG DONATION FOR ANIMALS; REPEALING SECTION 54-1763, IDAHO CODE, RELATING TO BOARD DUTIES AND POWERS; AND AMENDING SECTION 54-1770, IDAHO CODE, TO PROVIDE THAT THIS SECTION SHALL BE NULL, VOID, AND OF NO FORCE AND EFFECT ON AND AFTER JULY 1, 2021.

**HOUSE BILL NO. 11**  
**BY HEALTH AND WELFARE COMMITTEE**  
AN ACT

RELATING TO CONTROLLED SUBSTANCES; AMENDING SECTION 37-2705, IDAHO CODE, TO REVISE THE LIST OF SCHEDULE I CONTROLLED SUBSTANCES; AMENDING SECTION 37-2709, IDAHO CODE, TO PROVIDE AN EXCLUSION AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 37-2713, IDAHO CODE, TO REVISE THE LIST OF SCHEDULE V DRUGS AND SUBSTANCES; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 12**  
**BY HEALTH AND WELFARE COMMITTEE**  
AN ACT

RELATING TO PHARMACY; AMENDING SECTION 54-1733B, IDAHO CODE, TO REVISE PROVISIONS REGARDING OPIOID ANTAGONISTS.

**HOUSE BILL NO. 13**  
**BY REVENUE AND TAXATION COMMITTEE**  
AN ACT

RELATING TO THE INTERNAL REVENUE CODE; AMENDING SECTION 63-3004, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE INTERNAL REVENUE CODE; AND DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

**HOUSE BILL NO. 14**  
**BY REVENUE AND TAXATION COMMITTEE**  
AN ACT

RELATING TO INCOME TAXES; AMENDING SECTION 63-3021, IDAHO CODE, TO REVISE A PROVISION REGARDING THE CALCULATION OF A NET OPERATING LOSS IN THE CASE OF A QUALIFIED BUSINESS INCOME DEDUCTION; AMENDING SECTION 63-3022, IDAHO CODE, TO ESTABLISH A PROVISION REGARDING THE CALCULATION OF IDAHO TAXABLE INCOME IN THE CASE OF A NET OPERATING LOSS CARRYFORWARD; AND DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

**HOUSE BILL NO. 15**  
**BY REVENUE AND TAXATION COMMITTEE**  
AN ACT

RELATING TO SALES AND USE TAXES; AMENDING SECTION 63-3622AA, IDAHO CODE, TO EXEMPT PUBLIC RECORDS FEES FROM THE SALES OR USE TAX.

**HOUSE BILL NO. 16**  
**BY REVENUE AND TAXATION COMMITTEE**  
AN ACT

RELATING TO INCOME TAX; AMENDING SECTION 63-3035, IDAHO CODE, TO PROVIDE UPDATED TERMINOLOGY REGARDING EMPLOYEE WITHHOLDING ALLOWANCES AND ALLOWANCE CERTIFICATES AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

**HOUSE BILL NO. 17**  
**BY REVENUE AND TAXATION COMMITTEE**  
AN ACT

RELATING TO THE GROCERY TAX CREDIT; AMENDING SECTION 63-3024A, IDAHO CODE, TO REVISE AND UPDATE REFERENCES TO THE TERMINOLOGY USED IN THE INTERNAL REVENUE CODE REGARDING DEPENDENT DEDUCTIONS FOR THE PURPOSE OF THE GROCERY TAX CREDIT AND TO REMOVE OBSOLETE LANGUAGE; AND DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

[H 2](#), [H 3](#), [H 4](#), [H 5](#), [H 6](#), [H 7](#), [H 8](#), [H 9](#), [H 10](#), [H 11](#), [H 12](#), [H 13](#), [H 14](#), [H 15](#), [H 16](#), and [H 17](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Tenth Order of Business.

**10TH ORDER**  
**Second Reading of Bills and Joint Resolutions**

[HCR 2](#), by Commerce and Human Resources Committee, was read the second time by title and filed for third reading.

There being no objection, the House advanced to the Fifteenth Order of Business.

**15TH ORDER**  
**Announcements**

Announcements were made to the body.

**16TH ORDER**  
**Adjournment**

Mr. Moyle moved that the House adjourn until 10:45 a.m., Tuesday, January 15, 2019. Seconded by Mr. Erpelding. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:19 a.m.

SCOTT BEDKE, Speaker

ATTEST:

CARRIE MAULIN, Chief Clerk

# HOUSE JOURNAL

OF THE

## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-FIFTH LEGISLATURE

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**NINTH LEGISLATIVE DAY  
TUESDAY, JANUARY 15, 2019**

House of Representatives

The House convened at 10:45 a.m., the Speaker in the Chair.

Roll call showed 69 members present.  
Absent and excused - Gestrin. Total - 1.  
Total - 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Jex Mecham, Page.

### 3RD ORDER

#### Approval of Journal

January 15, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Eighth Legislative Day and recommend that same be adopted as corrected.

DAYLEY, Chairman

Mr. Dayley moved that the report be adopted. Seconded by Mr. Gannon. Report adopted.

There being no objection, the House advanced to the Fifth Order of Business.

### 5TH ORDER

#### Report of Standing Committees

January 15, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have printed [H 2](#), [H 3](#), [H 4](#), [H 5](#), [H 6](#), [H 7](#), [H 8](#), [H 9](#), [H 10](#), [H 11](#), [H 12](#), [H 13](#), [H 14](#), [H 15](#), [H 16](#), and [H 17](#).

DAYLEY, Chairman

[H 2](#) was referred to the Transportation and Defense Committee.

[H 3](#), [H 4](#), [H 5](#), [H 6](#), [H 7](#), [H 8](#), [H 9](#), [H 10](#), [H 11](#), and [H 12](#) were referred to the Health and Welfare Committee.

[H 13](#), [H 14](#), [H 15](#), [H 16](#), and [H 17](#) were referred to the Revenue and Taxation Committee.

There being no objection, the House advanced to the Eighth Order of Business.

### 8TH ORDER

#### Introduction, First Reading, and Reference of Bills and Joint Resolutions

#### HOUSE BILL NO. 18 BY HEALTH AND WELFARE COMMITTEE

AN ACT

RELATING TO ADULT PROTECTIVE SERVICES; AMENDING SECTION 39-5301A, IDAHO CODE, TO REVISE TERMINOLOGY; AMENDING SECTION 39-5302, IDAHO CODE, TO REVISE DEFINITIONS; AMENDING SECTION 39-5303, IDAHO CODE, TO REVISE TERMINOLOGY AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 39-5304, IDAHO CODE, TO REVISE TERMINOLOGY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 39-5305, IDAHO CODE, TO REVISE TERMINOLOGY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 39-5306, IDAHO CODE, TO REVISE TERMINOLOGY; AMENDING SECTION 39-5308, IDAHO CODE, TO REVISE TERMINOLOGY AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 39-5309, IDAHO CODE, TO REVISE TERMINOLOGY; AND AMENDING SECTION 67-5011, IDAHO CODE, TO REVISE PROVISIONS REGARDING SERVICES FOR VULNERABLE ADULTS.

[H 18](#) was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Eleventh Order of Business.

### 11TH ORDER

#### Third Reading of Bills and Joint Resolutions

#### [HCR 2](#) - EDDIE YEN

[HCR 2](#) was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Holtzclaw to open debate.

The question being, "Shall [HCR 2](#) be adopted?"

Whereupon the Speaker declared [HCR 2](#) adopted by voice vote and ordered the resolution transmitted to the Senate.

There being no objection, the House advanced to the Fifteenth Order of Business.

### 15TH ORDER

#### Announcements

Announcements were made to the body.

### 16TH ORDER

#### Adjournment

Mr. Moyle moved that the House adjourn until 10:30 a.m., Wednesday, January 16, 2019. Seconded by Mr. Erpelding. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:04 a.m.

SCOTT BEDKE, Speaker

ATTEST:

CARRIE MAULIN, Chief Clerk

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**TENTH LEGISLATIVE DAY**  
**WEDNESDAY, JANUARY 16, 2019**

House of Representatives

The House convened at 10:30 a.m., the Speaker in the Chair.

Roll call showed 68 members present.

Absent and excused - Boyle and Chew. Total - 2.

Total - 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Avery Woods, Page.

### **3RD ORDER**

#### **Approval of Journal**

January 16, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Ninth Legislative Day and recommend that same be adopted as corrected.

DAYLEY, Chairman

Mr. Dayley moved that the report be adopted. Seconded by Mr. Gannon. Report adopted.

At this time, the Speaker put the House at ease for the State of the Judiciary Address.

\*\*\*\*\*

#### **State of the Judiciary**

At this time, Mr. Moyle introduced Roger S. Burdick, Chief Justice of the Idaho Supreme Court, who delivered the State of the Judiciary Address to the members of the House.

\*\*\*\*\*

Prior to going at ease, the House was at the Third Order of Business.

There being no objection, the House advanced to the Fifth Order of Business.

### **5TH ORDER**

#### **Report of Standing Committees**

January 16, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have printed [H 18](#).

DAYLEY, Chairman

[H 18](#) was referred to the Health and Welfare Committee.

There being no objection, the House advanced to the Eighth Order of Business.

### **8TH ORDER**

#### **Introduction, First Reading, and Reference of Bills and Joint Resolutions**

#### **HOUSE BILL NO. 19** **BY REVENUE AND TAXATION COMMITTEE** AN ACT

RELATING TO INCOME TAXES; AMENDING SECTION 63-3029L, IDAHO CODE, TO CLARIFY RESIDENT ELIGIBILITY FOR THE CHILD TAX CREDIT; AND DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

#### **HOUSE BILL NO. 20** **BY APPROPRIATIONS COMMITTEE** AN ACT

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF ADMINISTRATION FOR THE DIVISION OF PUBLIC WORKS FOR FISCAL YEAR 2019; REPURPOSING AN APPROPRIATION FOR SPECIFIC PROJECTS FOR FISCAL YEAR 2019; AND DECLARING AN EMERGENCY.

#### **HOUSE BILL NO. 21** **BY COMMERCE AND HUMAN RESOURCES COMMITTEE** AN ACT

RELATING TO LABOR NEGOTIATIONS; AMENDING SECTION 74-206A, IDAHO CODE, TO PROVIDE THAT LABOR NEGOTIATION ARBITRATORS, FACT FINDERS, MEDIATORS, OR FACILITATORS SHALL MEET IN OPEN SESSION WHEN MEETING WITH BOTH PARTIES TO THE NEGOTIATION AT THE SAME TIME AND TO CLARIFY THAT DECISIONS REGARDING LABOR CONTRACT OFFERS AND COUNTEROFFERS MUST BE MADE IN OPEN SESSION; AND REPEALING SECTION 4, CHAPTER 271, LAWS OF 2015, RELATING TO THE SUNSET DATE OF THE SECTION.

#### **HOUSE BILL NO. 22** **BY HEALTH AND WELFARE COMMITTEE** AN ACT

RELATING TO SPEECH AND HEARING SERVICES; AMENDING SECTION 54-2904, IDAHO CODE, TO PROVIDE FOR ELECTRONIC PROOF OF LICENSURE AND TO MAKE A TECHNICAL CORRECTION; AND AMENDING SECTION 54-2916A, IDAHO CODE, TO REMOVE A REQUIREMENT THAT A SIGN LANGUAGE INTERPRETER ATTAIN A MINIMUM AGE TO BE ELIGIBLE FOR LICENSURE AND TO MAKE A TECHNICAL CORRECTION.

[H 19](#), [H 20](#), [H 21](#), and [H 22](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Fifteenth Order of Business.

### **15TH ORDER**

#### **Announcements**

Announcements were made to the body.

**16TH ORDER**  
**Adjournment**

Mr. Moyle moved that the House adjourn until 11 a.m., Thursday, January 17, 2019. Seconded by Mr. Erpelding. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:06 a.m.

SCOTT BEDKE, Speaker

ATTEST:

CARRIE MAULIN, Chief Clerk



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**ELEVENTH LEGISLATIVE DAY**  
**THURSDAY, JANUARY 17, 2019**

House of Representatives

The House convened at 11 a.m., the Speaker in the Chair.

Roll call showed all 70 members present.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Alexis Walker, Page.

### 3RD ORDER

#### Approval of Journal

January 17, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Tenth Legislative Day and recommend that same be adopted as corrected.

DAYLEY, Chairman

Mr. Dayley moved that the report be adopted. Seconded by Mr. Gannon. Report adopted.

### 4TH ORDER

#### Consideration of Messages from the Governor and the Senate

THE OFFICE OF THE GOVERNOR

#### CERTIFICATE OF APPOINTMENT

**KNOW ALL MEN**, that pursuant to the provisions of Section 59-917, Idaho Code, THYRA STEVENSON, State Representative, District 6, Seat A, Lewis and Nez Perce Counties, State of Idaho, has nominated, MORGAN LOHMAN, of 406 Burrell Avenue, Lewiston, Idaho 83501, to perform the duties of this office temporarily as Acting State Representative, District 6, Seat A.

**NOW, THEREFORE, I, BRAD LITTLE**, Governor of the State of Idaho, by virtue of the authority vested in me do hereby appoint Morgan Lohman of Lewiston, Idaho, to the office of Acting State Representative, District 6, Seat A, for a term commencing January 17, 2019, through Monday, January 21, 2019.

**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 January, in the year of our Lord two thousand and nineteen, and of the Independence of the

United States of America, the two hundred and forty-third year and of the Statehood of Idaho the one hundred twenty-ninth.

/s/ BRAD LITTLE

Governor

/s/ LAWRENCE DENNEY

Secretary of State

The Certificate of Appointment was ordered filed in the office of the Chief Clerk.

The Speaker announced the oath of office had previously been administered to Morgan Lohman.

### 5TH ORDER

#### Report of Standing Committees

January 17, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have printed [H 19](#), [H 20](#), [H 21](#), and [H 22](#).

DAYLEY, Chairman

[H 20](#) was filed for second reading.

[H 19](#) was referred to the Revenue and Taxation Committee.

[H 21](#) was referred to the Commerce and Human Resources Committee.

[H 22](#) was referred to the Health and Welfare Committee.

January 17, 2019

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration [H 13](#), [H 14](#), [H 15](#), [H 16](#), and [H 17](#) and recommend that they do pass.

COLLINS, Chairman

[H 13](#), [H 14](#), [H 15](#), [H 16](#), and [H 17](#) were filed for second reading.

There being no objection, the House advanced to the Eighth Order of Business.

### 8TH ORDER

#### Introduction, First Reading, and Reference of Bills and Joint Resolutions

#### HOUSE BILL NO. 23

**BY TRANSPORTATION AND DEFENSE COMMITTEE**  
AN ACT

RELATING TO THE MILITARY; AMENDING SECTION 46-1102, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE MODEL STATE CODE OF MILITARY JUSTICE.

#### HOUSE BILL NO. 24

**BY TRANSPORTATION AND DEFENSE COMMITTEE**  
AN ACT

RELATING TO RECREATIONAL ACTIVITIES; AMENDING SECTION 67-7101, IDAHO CODE, TO REVISE DEFINITIONS AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY.



**HOUSE BILL NO. 25**  
**BY LOCAL GOVERNMENT COMMITTEE**  
AN ACT

RELATING TO ANNEXATION; AMENDING SECTION 50-222, IDAHO CODE, TO PROVIDE A REQUIREMENT REGARDING ANNEXATION OF CERTAIN AGRICULTURAL LAND AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 26**  
**BY ENVIRONMENT, ENERGY AND TECHNOLOGY COMMITTEE**  
AN ACT

RELATING TO UNDERGROUND STORAGE TANK SYSTEMS; AMENDING CHAPTER 88, TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 39-8805A, IDAHO CODE, TO PROVIDE A COMPLIANCE DATE FOR CERTAIN RULES AND TO PROVIDE FOR RETROACTIVE APPLICATION OF SPECIFIED PROVISIONS.

**HOUSE BILL NO. 27**  
**BY REVENUE AND TAXATION COMMITTEE**  
AN ACT

RELATING TO INSURANCE; AMENDING SECTION 41-402, IDAHO CODE, TO PROVIDE THAT AMOUNTS IN CERTAIN DOCUMENTS SHALL BE ROUNDED TO THE NEAREST WHOLE DOLLAR AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 41-1229, IDAHO CODE, TO PROVIDE THAT AMOUNTS IN CERTAIN DOCUMENTS SHALL BE ROUNDED TO THE NEAREST WHOLE DOLLAR AND TO MAKE A TECHNICAL CORRECTION.

[H 23](#), [H 24](#), [H 25](#), [H 26](#), and [H 27](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Fifteenth Order of Business.

**15TH ORDER**  
**Announcements**

Announcements were made to the body.

**16TH ORDER**  
**Adjournment**

Mr. Moyle moved that the House adjourn until 8 a.m., Friday, January 18, 2019. Seconded by Mr. Erpelding. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:15 a.m.

SCOTT BEDKE, Speaker

ATTEST:

CARRIE MAULIN, Chief Clerk

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**TWELFTH LEGISLATIVE DAY**  
**FRIDAY, JANUARY 18, 2019**

House of Representatives

The House convened at 8 a.m., the Speaker in the Chair.

Roll call showed 66 members present.

Absent and excused - Barbieri, Boyle, Moon, and Shepherd.

Total - 4.

Total - 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Bradley Chrysler, Page.

### 3RD ORDER

#### Approval of Journal

January 18, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Eleventh Legislative Day and recommend that same be adopted as corrected.

DAYLEY, Chairman

Mr. Dayley moved that the report be adopted. Seconded by Mr. Gannon. Report adopted.

There being no objection, the House advanced to the Fifth Order of Business.

### 5TH ORDER

#### Report of Standing Committees

January 18, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have printed [H 23](#), [H 24](#), [H 25](#), [H 26](#), and [H 27](#).

DAYLEY, Chairman

[H 23](#) and [H 24](#) were referred to the Transportation and Defense Committee.

[H 25](#) was referred to the Local Government Committee.

[H 26](#) was referred to the Environment, Energy and Technology Committee.

[H 27](#) was referred to the Revenue and Taxation Committee.

January 17, 2019  
Mr. Speaker:

We, your COMMITTEE ON RESOURCES AND CONSERVATION, report that we have had under consideration [H 1](#) and recommend that it do pass.

GIBBS, Chairman

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

There being no objection, the House advanced to the Seventh Order of Business.

### 7TH ORDER

#### Motions, Memorials, and Resolutions

#### HOUSE RESOLUTION NO. 1

#### BY JUDICIARY, RULES AND ADMINISTRATION

#### COMMITTEE

#### A HOUSE RESOLUTION

STATING FINDINGS OF THE HOUSE OF REPRESENTATIVES AND REPEALING RULE 76 OF THE RULES OF THE HOUSE OF REPRESENTATIVES; AND STATING FINDINGS OF THE HOUSE OF REPRESENTATIVES AND PROVIDING FOR THE ADDITION OF A NEW RULE 76 TO THE RULES OF THE HOUSE OF REPRESENTATIVES.

Be It Resolved by the House of Representatives of the State of Idaho:

WHEREAS, the House of Representatives deems it necessary and desirable to repeal Rule 76 of the Rules of the House of Representatives.

NOW, THEREFORE, BE IT RESOLVED by the members of the House of Representatives, assembled in the First Regular Session of the Sixty-fifth Idaho Legislature, that Rule 76 of the Rules of the House of Representatives, be, and the same is hereby repealed.

WHEREAS, the House of Representatives deems it necessary and desirable to add a new Rule 76 to the Rules of the House of Representatives.

NOW, THEREFORE, BE IT RESOLVED by the members of the House of Representatives, assembled in the First Regular Session of the Sixty-fifth Idaho Legislature, that the Rules of the House of Representatives shall be amended by the addition thereto of a new Rule 76 to read as follows:

#### RULE 76

Committee on Ethics. – (1) Committee Established.

(a) Before the end of the twelfth day of the first regular session of each Legislature, an Ethics Committee shall be organized, and its membership shall be determined. The Ethics Committee shall consist of five members of the House, three of whom shall be members of the majority party and two of whom shall be members of the minority party. House members holding leadership positions shall not serve on the Ethics Committee. Committee Chairmen may serve on the Ethics Committee. Ethics Committee members shall not have been previously sanctioned by the House for an ethics violation pursuant to any House ethics rule.

(b) The Caucus Chairman of each party shall conduct the election of Ethics Committee members as follows:

(i) Phase I: At a designated caucus meeting, each Caucus Chairman shall receive from members of their respective caucus a silent ballot nominating for membership on the Ethics Committee up to

three members who have previously served at least one full term. Each Caucus Chairman and the two elected at-large Legislative Council members for the caucus shall prepare a ballot of nominees consisting respectively of the five nominees by the majority party and the four nominees by the minority party receiving the most nominating votes.

(ii) Phase II: By silent ballot, each member of the majority party shall vote for three nominees, and of the minority party for two nominees, on their respective ballots. The Caucus Chairman and the two elected at-large Legislative Council members for the caucus shall count the votes and prioritize the members from greatest to least number of votes received. The three members of the majority party and the two members of the minority party receiving the highest number of votes shall be the members of the Ethics Committee for the term of the Legislature. Others receiving votes shall serve in order of priority as Committee alternates for their respective party.

(c) Committee members may be reelected to a subsequent Committee. A vacancy on the Committee shall be filled with the highest priority alternate available to the party entitled to fill the vacancy. When no elected alternates are available to fill a vacancy, such vacancy shall be filled by majority vote of the House members of the party entitled to fill the vacancy. Except as otherwise provided in subsection (6) of this rule, a member filling a vacancy shall serve for the remainder of the unexpired term.

(d) The Speaker of the House shall appoint one of the members of the Committee as Chairman of the Committee.

(2) Powers and Duties of Committee. The Committee shall have the power and duty to:

(a) Determine its own rules of procedure that provide for the orderly conduct of Committee meetings, investigations, and hearings. Such rules shall be consistent with this rule and other applicable rules and statutes.

(b) Function without regard to recess periods or adjournments.

(c) Retain such counsel and investigators as it deems necessary for the performance of its duties under this rule.

(d) Take testimony under oath.

(e) Incur expenditures. The Chairman shall approve all expenditures incurred by the Committee, which shall be paid by vouchers and warrants drawn as provided by law from appropriations made to the Legislative Account.

(f) Issue subpoenas and subpoenas duces tecum.

(g) Discover evidence relevant to an allegation. Formal rules of evidence are not applicable; however, evidence shall be weighed according to its reliability.

(h) Consult with the Office of the Idaho Attorney General for guidance as needed.

(i) Enlist a staff person to perform needed administrative tasks.

(j) Maintain a permanent record of all complaints and corresponding Committee investigations, hearings, letters, and other actions which may be kept in a confidential file within the Chief Clerk's office. Permanent records shall include:

- (i) Date complaint was received by the Ethics Committee;
- (ii) Name and contact information of complainant;
- (iii) Name of accused member;
- (iv) Summary of the allegation(s);
- (v) Any evidence gathered and reviewed by the Committee;

(vi) All records of Committee action; and

(vii) Final disposition of all complaint(s).

(k) Initiate its own complaint on an affirmative vote of four-fifths of the Ethics Committee. Committee complaints may be initiated by the Committee as a result of a Committee investigation or as a result of receipt of any complaint or other information that does not meet the requirements of this rule regarding the form of a complaint, but which contains allegations that would form the basis of a valid complaint.

(3) Confidentiality of Proceedings. Except as provided in this rule, all proceedings before the Committee shall constitute extraordinary circumstances, shall be held in Executive Session, and shall be exempt from public disclosure pursuant to House Rule 57, and Sections 74-207 and 74-106(1), Idaho Code. The complainant, the subject, and all Committee members and staff involved in a complaint shall maintain strict confidentiality unless otherwise provided in this rule. Any breach may be grounds for its own ethics investigation.

(4) Complaints, Form and Filing of. All complaints shall:

(a) Be in writing;

(b) State the name and contact information of the member submitting the complaint;

(c) State the name of the member or members alleged to be in violation of law, rule, or legislative policy;

(d) Set forth the date or time frame of the violation. The conduct providing the basis of the complaint must have occurred within three years of the date of filing;

(e) Describe the allegation(s) outlining the behavior that, if true, would be a violation of state law, House rule, or legislative policy;

(f) Identify the factual data in the complainant's possession at the time of submission supporting the allegation. Opinions are not facts. Evidence is not to include hearsay that would be inadmissible in a court proceeding; any evidence of this type will be dismissed; and

(g) Be signed under oath by the complainant stating the allegations in the complaint are true and correct to the best of the complainant's knowledge and belief.

(5) Complaints, Who May File. The Chairman of the Committee shall receive complaints from any member of the House. Also:

(a) Referrals and/or investigations from the Respectful Workplace Committee.

(b) Ethics Committee-initiated complaints.

(6) Complaints Against Committee Members. If a Committee member is the subject of a written and signed complaint, that Committee member is disqualified and shall not serve on the Committee for any purpose relating to the complaint. Under such circumstances, the vacancy shall be filled by an alternate, in accordance with the provisions of subsection (1)(b)(ii) of this rule, which vacancy shall be filled only for purposes relating to such complaint.

(7) Complaints, Initial Intake. The Committee Chairman and the ranking minority member shall review each complaint and supporting information to ensure that it meets the requirements as to form. Deficient complaints may be returned to the complainant with a description of the deficiency to be corrected. After intake of the completed complaint, it shall be forwarded to the full Committee for review. At this time, the Speaker of the House shall be notified of the receipt of a complaint; provided, however, if the Speaker is the subject of the complaint, the Majority and Minority Leaders shall be notified instead. Upon notification by the Committee, any person in leadership notified is held to the standard of confidentiality stated in subsection (3) of this rule.

(8) Complaints, Committee Review. Complaints found to meet the standard of form will be forwarded to the full Committee for review. The Committee shall review each claim to determine if there is a valid allegation and will determine if probable cause exists that an ethics violation may have taken place. By way of example, an allegation of an ethics violation may take the form of, but is not limited to, one or more of the following:

- (a) Use of public office for private pecuniary gain;
- (b) Violation of rule or legislative policy of the House;
- (c) Disclosure of information that is confidential, as provided in House rule or policy;
- (d) Acts that the Committee finds may constitute a felony under state or federal law;
- (e) Violation of the Respectful Workplace policy; and
- (f) Conduct violating the norms of the House or betrayal of the public trust.

(9) Complaints, Notifications. Upon receipt, review, and acceptance of a valid complaint, the Committee shall notify the member who is the subject of the complaint. The member shall be provided with a copy of the complaint and any evidence provided in support of the complaint.

(10) Complaints, Dismissal. At any time, a complaint found by a majority vote of the Committee to be baseless, frivolous, retaliatory in nature, or without merit shall be dismissed without further consideration. Upon dismissal by the Committee, the Chairman shall provide a letter of dismissal to the following:

- (a) The complainant;
- (b) The subject of the complaint; and
- (c) The Speaker of the House; except, however, if the Speaker is the subject of the complaint, then to the Majority and Minority Leaders instead.

(11) Complaints, Response to the Complaint by the Subject. Upon review and determination by the Ethics Committee that there is probable cause to believe a violation of the ethics rule may have taken place, the Committee shall allow the subject of the complaint to provide a written response and corresponding evidence to support their position to the Committee. The member may provide a written answer with supporting documentation to the Chairman of the Committee no later than 14 days from receipt of the copy of the complaint.

(12) Investigatory Phase. Any complaint not dismissed by the Committee, and notwithstanding the receipt of a response from the accused within the provided 14 days, shall undergo a full and thorough investigation using the prescribed powers and duties of the Committee.

(a) The investigation period shall be timely in fashion, with an initial 30-day deadline. The Committee may, upon a majority vote of the entire Committee, extend the period for an additional 30 days should it be deemed necessary. If the Committee is unable to complete the investigation within the 60-day period allowed, it may at its discretion extend the deadline additionally, again by a majority vote of the full Committee. Documentation outlining the cause for the extension shall be provided in the permanent record.

(b) Investigations done by or on behalf of the Respectful Workplace Committee and transmitted to the Ethics Committee may be used in whole or in part by the Ethics Committee to complete its investigation of the complaint.

(c) The Committee may issue confidential updates to House majority and minority leadership as to the progress of an investigation.

(d) If the pendency of a proceeding before the Committee is generally known to the public, through independent sources, and the subject matter thereof is of public interest or speculation, and public confidence in the administration

of the ethics guidelines may be threatened because of lack of information concerning the status of the proceeding and the requirements of due process, the Committee may, on its own motion, issue brief statements as it deems appropriate in order to confirm the existence of an investigation, to clarify the procedural aspects of a proceeding, and to explain that all members are entitled to fair and equal treatment under this rule.

(13) Investigatory Phase, Conclusion. At the conclusion of its investigation, the Committee shall make a determination whether a violation has occurred, based on a preponderance of evidence.

(a) If an allegation is determined to be baseless, without merit, frivolous, or retaliatory in nature, the allegation shall be dismissed. Upon dismissal, a written statement of the dismissal shall be forwarded to the complainant, the subject of the complaint, and the Speaker; provided, however, if the Speaker is the subject of the complaint, then to the Majority and Minority Leaders instead.

(b) If the Committee determines by a preponderance of the evidence that misconduct has occurred, the Committee shall notify in writing both parties and the full House membership of its intention to hold a public hearing.

(14) Public Hearings by the Ethics Committee. Any public hearing conducted under this rule shall be done so in a timely manner after written notice is provided to the full House. The Committee may hold public hearings at any time, including legislative interim periods.

(a) The complainant, or an authorized agent of the complainant, shall first present the complaint, supporting evidence, and testimony to the Committee.

(b) The member complained against shall be entitled to appear, present evidence, cross-examine witnesses, be represented by counsel, and raise objection to any evidence presented. The accused may defer presentation of any defense until all the evidence has been presented in support of the complaint. The accused shall have a full and fair opportunity to obtain and review all of the evidence in support of the complaint.

(c) At its sole discretion, the Committee may designate another member or a third party to present the complaint, supporting evidence, and testimony to the Committee, or to assist the complainant in doing so.

(15) Public Hearing, Conclusion of and Committee Report. If, after investigation and hearings held pursuant to this rule, the Committee finds by clear and convincing evidence that a violation of the standards contained in this rule occurred, the Committee shall make an appropriate recommendation to the House of Representatives. The Committee shall issue its recommendation within 30 days of conclusion of the public hearing. If the Committee does not issue a recommendation within 30 days of conclusion of the public hearing, the charges shall be deemed dismissed. By four-fifths vote of the Committee, the Committee shall recommend one of the following:

- (a) Dismissal of the charges;
- (b) Written reprimand;
- (c) Censure, with or without conditions or restrictions placed upon the member; or
- (d) Expulsion from the House of Representatives for good cause (Section 11 of Article III, Idaho Constitution).

(16) Committee Report to House. The House of Representatives shall vote on the recommendation of the Ethics Committee during the regular or extraordinary session in which the Committee reports.

(a) If the Committee meets and reports during the interim when the Legislature is not in session, then the

House of Representatives shall vote on the Committee recommendation during the next regular or extraordinary session.

(b) Committee recommendations shall be presented to the full House in the form of a House Resolution which, once introduced, shall be referred directly to the second reading calendar. The Resolution shall not be referred further to any Committee and shall not be amendable in any manner after its introduction.

(c) A Resolution of dismissal, reprimand, or censure of a member requires a majority vote of members present for passage.

(d) Expulsion of a member shall require the affirmative vote of two-thirds of all members for passage (Section 11 of Article III, Idaho Constitution).

(17) Final Action. Action taken by the Ethics Committee and the House pursuant to this rule is final and not subject to judicial review.

BE IT FURTHER RESOLVED that, notwithstanding the repeal and reenactment of House Rule 76 pursuant to the passage of this Resolution, the members of the Ethics Committee as determined prior to passage of this Resolution are hereby confirmed and shall continue to serve as members of the Ethics Committee for the Sixty-fifth Legislature.

[HR 1](#) was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

#### 8TH ORDER

##### Introduction, First Reading, and Reference of Bills and Joint Resolutions

#### HOUSE BILL NO. 28 BY APPROPRIATIONS COMMITTEE AN ACT

RELATING TO APPROPRIATIONS; PROVIDING AN APPROPRIATION AND A TRANSFER OF FUNDS TO THE PEST CONTROL DEFICIENCY FUND; AND DECLARING AN EMERGENCY.

#### HOUSE BILL NO. 29 BY STATE AFFAIRS COMMITTEE AN ACT

RELATING TO ABORTION COMPLICATIONS; AMENDING SECTION 39-9503, IDAHO CODE, TO REVISE A DEFINITION; AMENDING SECTION 39-9504, IDAHO CODE, TO REVISE PROVISIONS REGARDING A CERTAIN REPORT; AND DECLARING AN EMERGENCY.

#### HOUSE BILL NO. 30 BY JUDICIARY, RULES AND ADMINISTRATION COMMITTEE AN ACT

RELATING TO CRIMINAL DEFENDANTS; AMENDING SECTION 18-211, IDAHO CODE, TO PROVIDE FOR CERTAIN NOTIFICATION AND FOR THE APPOINTMENT OR DESIGNATION OF AN EVALUATION COMMITTEE AND TO MAKE TECHNICAL CORRECTIONS.

#### HOUSE BILL NO. 31 BY JUDICIARY, RULES AND ADMINISTRATION COMMITTEE AN ACT

RELATING TO DIVORCE; AMENDING SECTION 32-716, IDAHO CODE, TO REVISE A PROVISION

REGARDING WHEN A FINAL DECREE SHALL BE ENTERED.

#### HOUSE BILL NO. 32 BY JUDICIARY, RULES AND ADMINISTRATION COMMITTEE AN ACT

RELATING TO MOTOR VEHICLES; AMENDING SECTION 18-8005, IDAHO CODE, TO PROVIDE FOR SUBSTANCE USE DISORDERS SERVICE PROVIDERS AND SUBSTANCE USE DISORDER ASSESSMENTS AND TO MAKE TECHNICAL CORRECTIONS.

#### HOUSE BILL NO. 33 BY JUDICIARY, RULES AND ADMINISTRATION COMMITTEE AN ACT

RELATING TO SEARCH WARRANTS; AMENDING SECTION 19-4404, IDAHO CODE, TO PROVIDE THAT AN ORAL STATEMENT SHALL BE TRANSCRIBED IF REQUESTED AND TO MAKE TECHNICAL CORRECTIONS.

#### HOUSE BILL NO. 34 BY JUDICIARY, RULES AND ADMINISTRATION COMMITTEE AN ACT

RELATING TO SEXUAL OFFENDER REGISTRATION; AMENDING SECTION 18-8303, IDAHO CODE, TO REVISE A DEFINITION; AND AMENDING SECTION 18-8304, IDAHO CODE, TO REVISE A PROVISION REGARDING APPLICABILITY.

[H 28](#), [H 29](#), [H 30](#), [H 31](#), [H 32](#), [H 33](#), and [H 34](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Tenth Order of Business.

#### 10TH ORDER

##### Second Reading of Bills and Joint Resolutions

[H 20](#), by Appropriations Committee, was read the second time by title and filed for third reading.

[H 13](#), [H 14](#), [H 15](#), [H 16](#), and [H 17](#), by Revenue and Taxation Committee, were read the second time by title and filed for third reading.

There being no objection, the House advanced to the Fifteenth Order of Business.

#### 15TH ORDER Announcements

Announcements were made to the body.

#### 16TH ORDER Adjournment

Mr. Moyle moved that the House adjourn until 11 a.m., Monday, January 21, 2019. Seconded by Mr. Erpelding. Motion carried.

Whereupon the Speaker declared the House adjourned at 8:12 a.m.

SCOTT BEDKE, Speaker

ATTEST:

CARRIE MAULIN, Chief Clerk

# HOUSE JOURNAL

OF THE

## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-FIFTH LEGISLATURE

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FIFTEENTH LEGISLATIVE DAY  
MONDAY, JANUARY 21, 2019

House of Representatives

The House convened at 11 a.m., the Speaker in the Chair.

Roll call showed 68 members present.  
Absent and excused - Berch and Shepherd. Total - 2.  
Total - 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Cassidy Ross, Page.

### 3RD ORDER

#### Approval of Journal

January 21, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Twelfth Legislative Day and recommend that same be adopted as corrected.

DAYLEY, Chairman

Mr. Dayley moved that the report be adopted. Seconded by Mr. Gannon. Report adopted.

There being no objection, the House advanced to the Fifth Order of Business.

### 5TH ORDER

#### Report of Standing Committees

January 21, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have printed [HR 1](#), [H 28](#), [H 29](#), [H 30](#), [H 31](#), [H 32](#), [H 33](#), and [H 34](#).

DAYLEY, Chairman

[H 28](#) was filed for second reading.

[HR 1](#), [H 30](#), [H 31](#), [H 32](#), [H 33](#), and [H 34](#) were referred to the Judiciary, Rules and Administration Committee.

[H 29](#) was referred to the State Affairs Committee.

There being no objection, the House advanced to the Tenth Order of Business.

### 10TH ORDER

#### Second Reading of Bills and Joint Resolutions

[H 1](#), by Ways and Means Committee, was read the second time by title and filed for third reading.

### 11TH ORDER

#### Third Reading of Bills and Joint Resolutions

#### [H 20](#) - APPROPRIATIONS - DEPARTMENT OF ADMINISTRATION - PERMANENT BUILDING FUND

[H 20](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Anderson to open debate.

The question being, "Shall [H 20](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Smith, Stevenson(Lohman), Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 68.

NAYS—None.

Absent—Berch, Shepherd. Total - 2.

Total - 70.

Whereupon the Speaker declared that [H 20](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

#### [H 13](#) - TAXES

[H 13](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Erpelding to open debate.

The question being, "Shall [H 13](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Blanksma, Chaney, Chew, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Goesling, Green(18), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moyle, Palmer, Raybould, Raymond, Ricks, Rubel, Smith, Stevenson(Lohman), Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 59.

NAYS—Barbieri, Boyle, Christensen, Giddings, Green(2), Moon, Nichols, Scott, Young. Total - 9.

Absent—Berch, Shepherd. Total - 2.

Total - 70.

Whereupon the Speaker declared that [H 13](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

#### [H 14](#) - INCOME TAXES

[H 14](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Ellis to open debate.

The question being, "Shall [H 14](#) pass?"



Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Blanksma, Boyle, Chaney, Chew, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Smith, Stevenson(Lohman), Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 65.

NAYS—Christensen, Green(2), Young. Total - 3.

Absent—Berch, Shepherd. Total - 2.

Total - 70.

Whereupon the Speaker declared that [H 14](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

### **H 15 - SALES AND USE TAX**

[H 15](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Nichols to open debate.

The question being, "Shall [H 15](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Smith, Stevenson(Lohman), Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 67.

NAYS—None.

Absent—Berch, Erpelding, Shepherd. Total - 3.

Total - 70.

Whereupon the Speaker declared that [H 15](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

### **H 16 - INCOME TAX**

[H 16](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Ricks to open debate.

The question being, "Shall [H 16](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Armstrong, Blanksma, Chaney, Chew, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Goesling, Green(18), Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Lickley, Marshall, Mason, McCrostie, Monks, Moyle, Palmer, Raybould, Raymond, Ricks, Rubel, Smith, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wood, Youngblood, Zollinger, Mr. Speaker. Total - 52.

NAYS—Andrus, Barbieri, Boyle, Christensen, Giddings, Green(2), Harris, Kingsley, Mendive, Moon, Nichols, Scott, Stevenson(Lohman), Wisniewski, Young, Zito. Total - 16.

Absent—Berch, Shepherd. Total - 2.

Total - 70.

Whereupon the Speaker declared that [H 16](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

### **H 17 - GROCERY TAX CREDIT**

[H 17](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Erpelding to open debate.

The question being, "Shall [H 17](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Smith, Stevenson(Lohman), Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 68.

NAYS—None.

Absent—Berch, Shepherd. Total - 2.

Total - 70.

Whereupon the Speaker declared that [H 17](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Andrus asked unanimous consent that Rule 70(1), with the exception of smoking, be suspended for the remainder of session. There being no objection, it was so ordered.

There being no objection, the House advanced to the Thirteenth Order of Business.

## **13TH ORDER**

### **Miscellaneous and Unfinished Business**

#### **Ethics Committee**

Pursuant to House Rule 76, Representatives Dixon, Horman, Barbieri, Gannon, and Wintrow have been elected by their respective caucuses to serve as members on the House Ethics Committee. Speaker Bedke has appointed Representative Dixon as chairman. Representatives Crane and Wood have been elected by the majority caucus as first and second alternate. Representative McCrostie has been elected by the minority caucus as an alternate.

There being no objection, the House advanced to the Fifteenth Order of Business.

## **15TH ORDER**

### **Announcements**

Announcements were made to the body.

**16TH ORDER  
Adjournment**

Mr. Moyle moved that the House adjourn until 11 a.m., Tuesday, January 22, 2019. Seconded by Mr. Erpelding. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:28 a.m.

SCOTT BEDKE, Speaker

ATTEST:

CARRIE MAULIN, Chief Clerk



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## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-FIFTH LEGISLATURE

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**SIXTEENTH LEGISLATIVE DAY  
TUESDAY, JANUARY 22, 2019**

House of Representatives

The House convened at 11 a.m., Mr. Moyle in the Chair.

Roll call showed 67 members present.

Absent and excused - Armstrong, Ellis, and Shepherd.

Total - 3.

Total - 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Beth Lindberg, Page.

### 3RD ORDER Approval of Journal

January 22, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Fifteenth Legislative Day and recommend that same be adopted as corrected.

DAYLEY, Chairman

Mr. Dayley moved that the report be adopted. Seconded by Mr. Gannon. Report adopted.

There being no objection, the House advanced to the Fifth Order of Business.

### 5TH ORDER Report of Standing Committees

January 22, 2019

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration [H 19](#) and [H 27](#) and recommend that they do pass.

COLLINS, Chairman

[H 19](#) and [H 27](#) were filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

### 7TH ORDER Motions, Memorials, and Resolutions

#### HOUSE CONCURRENT RESOLUTION NO. 3 BY HEALTH AND WELFARE COMMITTEE A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND RECOGNIZING THE LAST WEEK OF FEBRUARY EACH YEAR AS EATING DISORDERS AWARENESS WEEK IN THE STATE OF IDAHO, IN CONJUNCTION WITH THE OBSERVANCE OF NATIONAL EATING DISORDERS AWARENESS WEEK.

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

WHEREAS, eating disorders are shrouded in stigma, secrecy, and stereotypes, and the goal of the National Eating Disorders Awareness Week campaign is to shine a light on these deadly illnesses, dispel misinformation, and connect people with the support they need to recover; and

WHEREAS, eating disorders are serious conditions that are potentially life-threatening and have a great impact on both a person's physical and emotional health. Too often, signs and symptoms are overlooked, and many individuals, families, and communities are unaware of the devastating mental and physical consequences of eating disorders, as well as the pressures, attitudes, and behaviors that shape them; and

WHEREAS, in the United States, 20 million women and 10 million men suffer from clinically significant eating disorders at some time in their lives. These disorders affect people from all backgrounds and include anorexia nervosa, bulimia nervosa, and binge eating disorders; and

WHEREAS, the National Eating Disorders Association strives to address the many misconceptions regarding eating disorders and to highlight the availability of resources for treatment and support; and

WHEREAS, National Eating Disorders Awareness Week is a collaborative effort consisting primarily of volunteers, including eating disorder professionals, health care providers, students, educators, social workers, and individuals committed to raising awareness of the dangers surrounding eating disorders and the need for early intervention and treatment access; and

WHEREAS, eating disorders usually appear in adolescence and are associated with substantial psychological problems, including depression, substance abuse, and suicide. They are serious illnesses, not lifestyle choices. In fact, anorexia has the highest mortality rate of any mental illness; and

WHEREAS, many cases of eating disorders go undetected. Less than one-third of youth with eating disorders will receive treatment; and

WHEREAS, eating disorders experts have found that prompt and intensive treatment significantly improves the chances of recovery. It is therefore important for educators, medical providers, parents, and community members to be aware of the early warning signs and the symptoms of eating disorders; and

WHEREAS, National Eating Disorders Awareness Week encourages people to share their stories and experiences of disordered eating and body-image struggles; highlights the importance of screenings for the early detection of and intervention in eating disorders; and destroys myths and presents eating disorders as a public health issue that affects all kinds of people, regardless of age, gender, ethnicity, size, or background; and

WHEREAS, the recognition of National Eating Disorders Awareness Week performs the vital function of promoting public and media attention to the seriousness of eating disorders,

improving education about the biological and environmental causes of eating disorders, and helping those who are struggling with these debilitating diseases.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-fifth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the Legislature hereby recognizes the last week of February each year as Eating Disorders Awareness Week in the State of Idaho.

**HOUSE JOINT MEMORIAL NO. 1**  
**BY HEALTH AND WELFARE COMMITTEE**  
A JOINT MEMORIAL

TO THE CHAIRMAN OF THE FEDERAL COMMUNICATIONS COMMISSION, 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 House of Representatives and the Senate of the State of Idaho assembled in the First Regular Session of the Sixty-fifth Idaho Legislature, do hereby respectfully represent that:

WHEREAS, the Centers for Disease Control and Prevention (CDC) reported 45,000 deaths by suicide in the United States in 2016, with rates of suicide since 1999 increasing in every state; and

WHEREAS, the CDC reported that suicide is the tenth leading cause of death in the United States, and one of just three of the leading causes of death that are on the rise; and

WHEREAS, Idaho and other western states have the highest rates of suicide in the nation, and the CDC reports that the rate of suicide is increasing in Idaho and surrounding western states by rates that range from 30% to 58% since 1999; and

WHEREAS, the United States faces an urgent public health crisis as these deaths contribute to the declining life expectancy for Americans; and

WHEREAS, the United States House of Representatives passed H.R. 2345, the National Suicide Hotline Improvement Act of 2018, by a vote of 379 to 1, with both Congressman Raúl Labrador and Congressman Mike Simpson voting in the affirmative; and the United States Senate passed H.R. 2345 by unanimous consent; and

WHEREAS, on August 14, 2018, President Donald Trump signed H.R. 2345 into law as Public Law No. 115-233; and

WHEREAS, Public Law 115-233 requires the Federal Communications Commission (FCC) to conduct a study that examines the feasibility of designating a simple, easy-to-remember, three-digit dialing code to be used for a national suicide prevention and mental health crisis hotline system; and

WHEREAS, the FCC's report must recommend whether a particular N11 dialing code or another simple, easy-to-remember, three-digit dialing code should be used for a national suicide prevention and mental health crisis hotline system and, if so, the logistics and costs associated with designating such a dialing code; and

WHEREAS, 611 is the only undesignated N11 number available, and in 1997, the FCC found that 611 would be available when "needed for other national purposes"; and

WHEREAS, since 1968, 911 has been used for emergency service, and the simplicity and ubiquity of the 911 dialing code makes the N11 pattern the most logical pattern to follow for a national suicide prevention and mental health crisis hotline.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-fifth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the FCC should recognize that combating the staggering growth of suicide deaths is an important national purpose.

BE IT FURTHER RESOLVED that, in response to the growing rate of suicide deaths, the FCC should designate 611 as the new national suicide prevention and mental health crisis hotline telephone number.

BE IT FURTHER RESOLVED that if the FCC does not make such a designation, the delegation representing the State of Idaho in Congress is hereby respectfully requested to pursue legislation to that end.

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives be, and she is hereby authorized and directed to forward a copy of this Memorial to the Chairman of the Federal Communications Commission, the President of the United States Senate, the Speaker of the United States House of Representatives, and to the congressional delegation representing the State of Idaho in the Congress of the United States.

[HCR 3](#) and [HJM 1](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

**8TH ORDER**  
**Introduction, First Reading, and Reference**  
**of Bills and Joint Resolutions**

**HOUSE BILL NO. 35**  
**BY APPROPRIATIONS COMMITTEE**  
AN ACT

RELATING TO THE APPROPRIATION TO THE MEDICAL BOARDS FOR FISCAL YEAR 2019; APPROPRIATING ADDITIONAL MONEYS TO THE MEDICAL BOARDS FOR FISCAL YEAR 2019; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 36**  
**BY APPROPRIATIONS COMMITTEE**  
AN ACT

RELATING TO THE APPROPRIATION TO THE COMMISSION FOR THE BLIND AND VISUALLY IMPAIRED FOR FISCAL YEAR 2019; APPROPRIATING ADDITIONAL MONEYS TO THE COMMISSION FOR THE BLIND AND VISUALLY IMPAIRED FOR FISCAL YEAR 2019; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 37**  
**BY HEALTH AND WELFARE COMMITTEE**  
AN ACT

RELATING TO CHILDREN'S MENTAL HEALTH SERVICES; AMENDING SECTION 16-2403, IDAHO CODE, TO REVISE A DEFINITION AND TO MAKE TECHNICAL CORRECTIONS.

[H 35](#), [H 36](#), and [H 37](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Tenth Order of Business.

**10TH ORDER**  
**Second Reading of Bills and Joint Resolutions**

**H 28**, by Appropriations Committee, was read the second time by title and filed for third reading.

**11TH ORDER**  
**Third Reading of Bills and Joint Resolutions**

**H 1 - WATER**

**H 1** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Bedke to open debate.

The question being, "Shall **H 1** pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 67.

NAYS—None.

Absent—Armstrong, Ellis, Shepherd. Total - 3.

Total - 70.

Whereupon the Speaker Pro Tem declared that **H 1** passed the House. Title was approved and the bill ordered transmitted to the Senate.

There being no objection, the House advanced to the Fifteenth Order of Business.

**15TH ORDER**  
**Announcements**

Announcements were made to the body.

**16TH ORDER**  
**Adjournment**

Mr. Monks moved that the House adjourn until 11 a.m., Wednesday, January 23, 2019. Seconded by Mr. Erpelding. Motion carried.

Whereupon the Speaker Pro Tem declared the House adjourned at 11:21 a.m.

SCOTT BEDKE, Speaker

ATTEST:

CARRIE MAULIN, Chief Clerk

# HOUSE JOURNAL

OF THE

## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-FIFTH LEGISLATURE

---

**SEVENTEENTH LEGISLATIVE DAY**  
**WEDNESDAY, JANUARY 23, 2019**

House of Representatives

The House convened at 11 a.m., the Speaker in the Chair.

Roll call showed 68 members present.  
Absent and excused - Shepherd and Smith. Total - 2.  
Total - 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Warren Johnson, Page.

### 3RD ORDER

#### Approval of Journal

January 23, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Sixteenth Legislative Day and recommend that same be adopted as corrected.

DAYLEY, Chairman

Mr. Dayley moved that the report be adopted. Seconded by Mr. Gannon. Report adopted.

### 4TH ORDER

#### Consideration of Messages from the Governor and the Senate

THE OFFICE OF THE GOVERNOR

#### CERTIFICATE OF APPOINTMENT

**KNOW ALL MEN**, that pursuant to the provisions of Section 59-917, Idaho Code, MUFFY DAVIS, State Representative, District 26, Seat A, Blaine, Camas, Gooding, and Lincoln County, State of Idaho, has nominated, KAREN JILL THEA, of 1630 Heroic Road, Hailey, ID 83333, to perform the duties of this office temporarily as Acting State Representative, District 26, Seat A.

**NOW, THEREFORE, I, BRAD LITTLE**, Governor of the State of Idaho, by virtue of the authority vested in me do hereby appoint Karen Jill Thea of Hailey, Idaho, to the office of Acting State Representative, District 26, Seat A, for a term commencing January 23, 2019, and continuing until such time as Representative Davis is able to resume her duties.

**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 18th day of January, in the year of our Lord two thousand and nineteen, and of the Independence of the

United States of America, the two hundred and forty-third year and of the Statehood of Idaho the one hundred twenty-ninth.

/s/ BRAD LITTLE  
Governor  
/s/ LAWRENCE DENNEY  
Secretary of State

The Certificate of Appointment was ordered filed in the office of the Chief Clerk.

The Speaker announced the oath of office had previously been administered to Karen Jill Thea.

January 22, 2019

Mr. Speaker:

I transmit herewith [S 1002](#) which has passed the Senate.  
NOVAK, Secretary

[S 1002](#) was filed for first reading.

### 5TH ORDER

#### Report of Standing Committees

January 23, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have printed [HCR 3](#), [HJM 1](#), [H 35](#), [H 36](#), and [H 37](#).

DAYLEY, Chairman

[HCR 3](#), [HJM 1](#), and [H 37](#) were referred to the Health and Welfare Committee.

[H 35](#) and [H 36](#) were filed for second reading.

January 22, 2019

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration [H 2](#) and recommend that it do pass.

PALMER, Chairman

[H 2](#) was filed for second reading.

January 23, 2019

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration [H 3](#), [H 4](#), [H 5](#), and [H 6](#) and recommend that they do pass.

WOOD, Chairman

[H 3](#), [H 4](#), [H 5](#), and [H 6](#) were filed for second reading.

There being no objection, the House advanced to the Eighth Order of Business.

### 8TH ORDER

#### Introduction, First Reading, and Reference of Bills and Joint Resolutions

#### HOUSE BILL NO. 38

#### BY AGRICULTURAL AFFAIRS COMMITTEE

#### AN ACT

RELATING TO THE FOOD SAFETY MODERNIZATION ACT; AMENDING SECTION 22-113, IDAHO CODE, TO REVISE A DATE BY WHICH CERTAIN CONTRACTS AND

CONTRACTING AUTHORITY SHALL TRANSITION TO THE IDAHO STATE DEPARTMENT OF AGRICULTURE.

**HOUSE BILL NO. 39**  
**BY LOCAL GOVERNMENT COMMITTEE**  
AN ACT

RELATING TO THE IDAHO BUILDING CODE ACT; AMENDING SECTION 39-4108, IDAHO CODE, TO PROVIDE FOR BUILDING PLANS EXAMINERS, TO REMOVE REFERENCE TO THE INTERNATIONAL CONFERENCE OF BUILDING OFFICIALS, AND TO REVISE A PROVISION REGARDING INSPECTOR CERTIFICATION.

**HOUSE BILL NO. 40**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO PROFESSIONAL SERVICE CONTRACTS; AMENDING SECTION 67-2320, IDAHO CODE, TO REVISE PROVISIONS REGARDING SELECTIONS FOR CERTAIN PROFESSIONAL SERVICE CONTRACTS AND TO MAKE TECHNICAL CORRECTIONS.

**HOUSE BILL NO. 41**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO SEVERANCE PAY FOR PUBLIC EMPLOYEES; AMENDING CHAPTER 10, TITLE 59, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 59-1027, IDAHO CODE, TO PROVIDE THAT NO PUBLIC EMPLOYEE SHALL BE ELIGIBLE FOR SEVERANCE PAY AND TO PROVIDE DEFINITIONS; REPEALING SECTION 67-5342, IDAHO CODE, RELATING TO SEVERANCE PAY FOR STATE EMPLOYEES; REPEALING SECTION 67-5342A, IDAHO CODE, RELATING TO SEVERANCE PAY AND PURCHASE OF MEMBERSHIP SERVICE BY STATE EMPLOYEES; AND AMENDING SECTION 59-1363, IDAHO CODE, TO REMOVE A PROVISION REGARDING EMPLOYER PURCHASE OF MEMBERSHIP SERVICE.

**HOUSE BILL NO. 42**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO LABOR NEGOTIATIONS; AMENDING SECTION 74-206A, IDAHO CODE, TO PROVIDE THAT LABOR NEGOTIATION ARBITRATORS, FACT FINDERS, MEDIATORS, OR FACILITATORS SHALL MEET IN OPEN SESSION WHEN MEETING WITH BOTH PARTIES TO THE NEGOTIATION AT THE SAME TIME AND TO CLARIFY THAT DECISIONS REGARDING LABOR CONTRACT OFFERS AND COUNTEROFFERS MUST BE MADE IN OPEN SESSION; AND REPEALING SECTION 4, CHAPTER 271, LAWS OF 2015, RELATING TO THE SUNSET DATE OF THE SECTION.

[H 38](#), [H 39](#), [H 40](#), [H 41](#), and [H 42](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

[S 1002](#), by Finance Committee, was introduced, read the first time by title, and filed for second reading.

There being no objection, the House advanced to the Tenth Order of Business.

**10TH ORDER**  
**Second Reading of Bills and Joint Resolutions**

[H 19](#) and [H 27](#), by Revenue and Taxation Committee, were read the second time by title and filed for third reading.

**11TH ORDER**  
**Third Reading of Bills and Joint Resolutions**

**[H 28](#) - APPROPRIATIONS**

[H 28](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Kauffman to open debate.

The question being, "Shall [H 28](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis(Thea), Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 68.

NAYS—None.

Absent—Shepherd, Smith. Total - 2.

Total - 70.

Whereupon the Speaker declared that [H 28](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

There being no objection, the House advanced to the Fifteenth Order of Business.

**15TH ORDER**  
**Announcements**

Announcements were made to the body.

**16TH ORDER**  
**Adjournment**

Mr. Moyle moved that the House adjourn until 11 a.m., Thursday, January 24, 2019. Seconded by Mr. Erpelding. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:15 a.m.

SCOTT BEDKE, Speaker

ATTEST:

CARRIE MAULIN, Chief Clerk



# HOUSE JOURNAL

OF THE

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**EIGHTEENTH LEGISLATIVE DAY**  
**THURSDAY, JANUARY 24, 2019**

House of Representatives

The House convened at 11 a.m., the Speaker in the Chair.

Roll call showed 68 members present.  
Absent and excused - Anderst and Troy. Total - 2.  
Total - 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Arlie Bledsoe, Page.

### 3RD ORDER

#### Approval of Journal

January 24, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Seventeenth Legislative Day and recommend that same be adopted as corrected.

DAYLEY, Chairman

Mr. Dayley moved that the report be adopted. Seconded by Mr. Gannon. Report adopted.

There being no objection, the House advanced to the Fifth Order of Business.

### 5TH ORDER

#### Report of Standing Committees

January 24, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have printed [H 38](#), [H 39](#), [H 40](#), [H 41](#), and [H 42](#).

DAYLEY, Chairman

[H 38](#) was referred to the Agricultural Affairs Committee.

[H 39](#) was referred to the Business Committee.

[H 40](#) and [H 41](#) were referred to the Commerce and Human Resources Committee.

[H 42](#) was referred to the State Affairs Committee.

January 23, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have had under consideration [H 30](#), [H 31](#), [H 32](#), [H 33](#), and [H 34](#) and recommend that they do pass.

DAYLEY, Chairman

[H 30](#), [H 31](#), [H 32](#), [H 33](#), and [H 34](#) were filed for second reading.

January 24, 2019

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration [H 7](#), [H 8](#), and [H 18](#) and recommend that they do pass.

WOOD, Chairman

[H 7](#), [H 8](#), and [H 18](#) were filed for second reading.

There being no objection, the House advanced to the Eighth Order of Business.

### 8TH ORDER

#### Introduction, First Reading, and Reference of Bills and Joint Resolutions

#### HOUSE BILL NO. 43

#### BY JUDICIARY, RULES AND ADMINISTRATION COMMITTEE

AN ACT

RELATING TO PUBLIC DEFENSE; AMENDING SECTION 19-850, IDAHO CODE, TO REVISE TERMINOLOGY; AMENDING SECTION 19-851, IDAHO CODE, TO REVISE TERMINOLOGY AND TO MAKE A TECHNICAL CORRECTION; AND AMENDING SECTION 19-862A, IDAHO CODE, TO REMOVE OUTDATED PROVISIONS, TO REVISE THE DATE FOR SUBMISSION OF A COMPLIANCE PROPOSAL, TO REVISE TERMINOLOGY, TO PROVIDE FOR COMPLIANCE PROPOSALS, AND TO MAKE A TECHNICAL CORRECTION.

#### HOUSE BILL NO. 44

#### BY RESOURCES AND CONSERVATION COMMITTEE

AN ACT

RELATING TO THE FOREST PRACTICES ACT ADMINISTRATION; AMENDING SECTION 38-134, IDAHO CODE, TO REVISE ANNUAL ASSESSMENT PROVISIONS REGARDING PRIVATE OWNERS OF CERTAIN FOREST LANDS.

#### HOUSE BILL NO. 45

#### BY BUSINESS COMMITTEE

AN ACT

RELATING TO DRIVING BUSINESSES; AMENDING SECTION 54-5406, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE REQUIREMENTS OF A BOARD-APPROVED APPRENTICESHIP TRAINING PROGRAM; AND DECLARING AN EMERGENCY.

#### HOUSE BILL NO. 46

#### BY BUSINESS COMMITTEE

AN ACT

RELATING TO CERTIFIED SHORTHAND REPORTERS; AMENDING SECTION 54-3107, IDAHO CODE, TO REVISE PROVISIONS REGARDING EXAMINATION AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 54-3108, IDAHO CODE, TO PROVIDE FOR A NEW TYPE OF EXAMINATION AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING CHAPTER 31, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-3109A, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING CERTIFICATION BY ENDORSEMENT.

[H 43](#), [H 44](#), [H 45](#), and [H 46](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Tenth Order of Business.

#### 10TH ORDER

##### Second Reading of Bills and Joint Resolutions

[H 35](#) and [H 36](#), by Appropriations Committee, were read the second time by title and filed for third reading.

[H 2](#), by Transportation and Defense Committee, was read the second time by title and filed for third reading.

[H 3](#), [H 4](#), [H 5](#), and [H 6](#), by Health and Welfare Committee, were read the second time by title and filed for third reading.

[S 1002](#), by Finance Committee, was read the second time by title and filed for third reading.

#### 11TH ORDER

##### Third Reading of Bills and Joint Resolutions

#### [H 19](#) - INCOME TAXES

[H 19](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Ricks to open debate.

The question being, "Shall [H 19](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis(Thea), Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 68.

NAYS—None.

Absent—Anderst, Troy. Total - 2.

Total - 70.

Whereupon the Speaker declared that [H 19](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

#### [H 27](#) - INSURANCE

[H 27](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Dixon to open debate.

The question being, "Shall [H 27](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis(Thea), Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon,

Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 68.

NAYS—None.

Absent—Anderst, Troy. Total - 2.

Total - 70.

Whereupon the Speaker declared that [H 27](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

There being no objection, the House advanced to the Fifteenth Order of Business.

#### 15TH ORDER Announcements

Announcements were made to the body.

#### 16TH ORDER Adjournment

Mr. Moyle moved that the House adjourn until 8 a.m., Friday, January 25, 2019. Seconded by Mr. Erpelding. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:15 a.m.

SCOTT BEDKE, Speaker

ATTEST:

CARRIE MAULIN, Chief Clerk

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NINETEENTH LEGISLATIVE DAY  
FRIDAY, JANUARY 25, 2019

House of Representatives

The House convened at 8 a.m., the Speaker in the Chair.

Roll call showed 64 members present.

Absent and excused - Barbieri, Davis, Green(18), Nichols, Shepherd, and Young. Total - 6.

Total - 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Arianna Carlson, Page.

### 3RD ORDER

#### Approval of Journal

January 25, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Eighteenth Legislative Day and recommend that same be adopted as corrected.

DAYLEY, Chairman

Mr. Dayley moved that the report be adopted. Seconded by Mr. Gannon. Report adopted.

There being no objection, the House advanced to the Fifth Order of Business.

### 5TH ORDER

#### Report of Standing Committees

January 25, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have printed [H 43](#), [H 44](#), [H 45](#), and [H 46](#).

DAYLEY, Chairman

[H 43](#) was referred to the Judiciary, Rules and Administration Committee.

[H 44](#) was referred to the Resources and Conservation Committee.

[H 45](#) and [H 46](#) were referred to the Business Committee.

January 24, 2019

Mr. Speaker:

We, your COMMITTEE ON LOCAL GOVERNMENT, report that we have had under consideration [H 25](#) and recommend that it do pass.

MENDIVE, Chairman

[H 25](#) was filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

### 7TH ORDER

#### Motions, Memorials, and Resolutions

### HOUSE JOINT MEMORIAL NO. 2

#### BY ERPELDING

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 STATE OF IDAHO IN THE CONGRESS OF THE UNITED STATES.

We, your Memorialists, the House of Representatives and the Senate of the State of Idaho assembled in the First Regular Session of the Sixty-fifth Idaho Legislature, do hereby respectfully represent that:

WHEREAS, Congress was meant to be a citizen legislature. Congressional representatives were intended to go to Washington, D.C., serve for a short time, and then return to live under the laws they had made; and

WHEREAS, Congress is too often a haven for career politicians who put their own power and privileges ahead of public service; and

WHEREAS, many congressional incumbents are nearly impossible to unseat because of their powerful connections and financial backing from lobbyists and special interests; and

WHEREAS, members of Congress have a very low public approval rating but an extremely high reelection rate; and

WHEREAS, Congress has the power to propose amendments to the United States Constitution; and

WHEREAS, a large majority of Americans support term limits.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-fifth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the congressional delegation representing the State of Idaho is urged to sponsor and support a congressional joint resolution that proposes an amendment to the United States Constitution, creating term limits of 16 years of service as a member of the United States House of Representatives and 18 years of service as a member of the United States Senate.

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives 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 delegation representing the State of Idaho in the Congress of the United States.

### HOUSE CONCURRENT RESOLUTION NO. 4

#### BY GIDDINGS

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND REJECTING A CERTAIN RULE OF THE DEPARTMENT OF HEALTH AND WELFARE RELATING TO IMMUNIZATION REQUIREMENTS FOR IDAHO SCHOOL CHILDREN.

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 Department of Health and Welfare relating to Immunization Requirements for Idaho School Children 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-fifth Idaho Legislature, the House of Representatives and the Senate concurring therein, that IDAPA 16.02.15, relating to Immunization Requirements for Idaho School Children, adopted as a pending rule under Docket Number 16-0215-1802, the entire rulemaking docket, be, and the same is hereby rejected and declared null, void, and of no force and effect.

#### **HOUSE CONCURRENT RESOLUTION NO. 5**

**BY SCOTT**

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND REJECTING A CERTAIN RULE OF THE DEPARTMENT OF HEALTH AND WELFARE RELATING TO VITAL STATISTICS RULES.

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 Department of Health and Welfare relating to Vital Statistics Rules 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-fifth Idaho Legislature, the House of Representatives and the Senate concurring therein, that IDAPA 16.02.08, Vital Statistics Rules, Section 201., Subsection 06., adopted as a pending rule under Docket Number 16-0208-1801, only, be, and the same is hereby rejected and declared null, void, and of no force and effect.

[HJM 2](#), [HCR 4](#), and [HCR 5](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

#### **8TH ORDER**

**Introduction, First Reading, and Reference  
of Bills and Joint Resolutions**

#### **HOUSE JOINT RESOLUTION NO. 1**

**BY WINTROW**

A JOINT RESOLUTION

PROPOSING AN AMENDMENT TO ARTICLE I, OF THE CONSTITUTION OF THE STATE OF IDAHO, BY THE ADDITION OF A NEW SECTION 24, ARTICLE I, OF THE CONSTITUTION OF THE STATE OF IDAHO, RELATING TO THE EQUALITY OF RIGHTS AND RESPONSIBILITIES OF THE SEXES; 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.

#### **HOUSE BILL NO. 47**

**BY RUBEL**

AN ACT

RELATING TO AGREEMENT AMONG THE STATES TO ELECT THE PRESIDENT BY NATIONAL POPULAR VOTE; AMENDING SECTION 34-1501, IDAHO CODE, TO PROVIDE FOR CERTAIN DUTIES OF THE SECRETARY OF STATE AFTER THE EFFECTIVE DATE OF THE AGREEMENT; AMENDING TITLE 34, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 16, TITLE 34, IDAHO CODE, TO PROVIDE FOR THE AGREEMENT AMONG THE STATES TO ELECT THE PRESIDENT BY NATIONAL POPULAR VOTE; AND PROVIDING LEGISLATIVE INTENT.

#### **HOUSE BILL NO. 48**

**BY RUBEL**

AN ACT

RELATING TO THE REGULATION OF AUXILIARY CONTAINERS; REPEALING SECTION 67-2340, IDAHO CODE, RELATING TO STATE PREEMPTION OF LOCAL REGULATION OF AUXILIARY CONTAINERS, INCLUDING PLASTIC BAGS.

#### **HOUSE BILL NO. 49**

**BY RUBEL**

AN ACT

RELATING TO REGISTRATION OF ELECTORS; PROVIDING A SHORT TITLE; AMENDING SECTION 34-404, IDAHO CODE, TO PROVIDE FOR REGISTRATION OF ELIGIBLE ELECTORS AT DRIVER'S LICENSING OFFICES, TO PROVIDE THAT THE DIVISION OF MOTOR VEHICLES SHALL FORWARD REGISTRATION APPLICATIONS TO THE OFFICE OF THE COUNTY CLERK, AND TO MAKE TECHNICAL CORRECTIONS.

#### **HOUSE BILL NO. 50**

**BY RUBEL**

AN ACT

RELATING TO MINIMUM WAGES; AMENDING SECTION 44-1502, IDAHO CODE, TO REMOVE THE PROHIBITION ON POLITICAL SUBDIVISIONS ENACTING A HIGHER MINIMUM WAGE THAN THE STATE MINIMUM WAGE AND TO MAKE TECHNICAL CORRECTIONS.

#### **HOUSE BILL NO. 51**

**BY RUBEL**

AN ACT

RELATING TO EMINENT DOMAIN; AMENDING SECTION 7-701A, IDAHO CODE, TO REMOVE LANGUAGE PROHIBITING THE USE OF EMINENT DOMAIN FOR THE PURPOSE OF CERTAIN RECREATIONAL TRAILS AND TO MAKE TECHNICAL CORRECTIONS.

#### **HOUSE BILL NO. 52**

**BY MCCROSTIE**

AN ACT

RELATING TO THE YOUTH MENTAL HEALTH PROTECTION ACT; AMENDING CHAPTER 24, TITLE 16, IDAHO CODE, BY THE ADDITION OF NEW SECTIONS 16-2435 THROUGH 16-2439, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO STATE LEGISLATIVE FINDINGS,

TO DEFINE "CONVERSION THERAPY," TO PROVIDE FOR VIOLATIONS AND ENFORCEMENT FOR CERTAIN PERSONS WHO PERFORM CONVERSION THERAPY, AND TO PROHIBIT STATE FUNDING FOR CONVERSION THERAPY; AND PROVIDING SEVERABILITY.

**HOUSE BILL NO. 53**  
**BY GANNON**  
AN ACT

RELATING TO RAILROADS; AMENDING CHAPTER 4, TITLE 62, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 62-425, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING CREW REQUIREMENTS FOR TRAINS OR LOCOMOTIVES.

**HOUSE BILL NO. 54**  
**BY CHEW**  
AN ACT

RELATING TO THE MINIMUM WAGE LAW; AMENDING SECTION 44-1502, IDAHO CODE, TO REMOVE A PROVISION REGARDING THE MINIMUM WAGE FOR A PERSON LESS THAN TWENTY YEARS OF AGE DURING SUCH PERSON'S FIRST NINETY DAYS OF EMPLOYMENT AND TO MAKE TECHNICAL CORRECTIONS.

**HOUSE BILL NO. 55**  
**BY CHEW**  
AN ACT

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

[HJR 1](#), [H 47](#), [H 48](#), [H 49](#), [H 50](#), [H 51](#), [H 52](#), [H 53](#), [H 54](#), and [H 55](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Tenth Order of Business.

**10TH ORDER**  
**Second Reading of Bills and Joint Resolutions**

[H 30](#), [H 31](#), [H 32](#), [H 33](#), and [H 34](#), by Judiciary, Rules and Administration Committee, were read the second time by title and filed for third reading.

[H 7](#), [H 8](#), and [H 18](#), by Health and Welfare Committee, were read the second time by title and filed for third reading.

**11TH ORDER**  
**Third Reading of Bills and Joint Resolutions**

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places until Monday, January 28, 2019. There being no objection, it was so ordered.

There being no objection, the House advanced to the Fifteenth Order of Business.

**15TH ORDER**  
**Announcements**

Announcements were made to the body.

**16TH ORDER**  
**Adjournment**

Mr. Moyle moved that the House adjourn until 11 a.m., Monday, January 28, 2019. Seconded by Mr. Erpelding. Motion carried.

Whereupon the Speaker declared the House adjourned at 8:14 a.m.

SCOTT BEDKE, Speaker

ATTEST:  
CARRIE MAULIN, Chief Clerk

# HOUSE JOURNAL

OF THE

## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-FIFTH LEGISLATURE

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**TWENTY-SECOND LEGISLATIVE DAY**  
**MONDAY, JANUARY 28, 2019**

House of Representatives

The House convened at 11 a.m., the Speaker in the Chair.

Roll call showed all 70 members present.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Jex Mecham, Page.

### 3RD ORDER

#### Approval of Journal

January 28, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Nineteenth Legislative Day and recommend that same be adopted as corrected.

DAYLEY, Chairman

Mr. Dayley moved that the report be adopted. Seconded by Mr. Gannon. Report adopted.

### 4TH ORDER

#### Consideration of Messages from the Governor and the Senate

THE OFFICE OF THE GOVERNOR

#### CERTIFICATE OF APPOINTMENT

**KNOW ALL MEN**, that pursuant to the provisions of Section 59-917, Idaho Code, NEIL A. ANDERSON, State Representative, District 31, Seat A, Bingham County, State of Idaho, has nominated, NATHAN P. ANDERSON, of 673 West 45 South, Blackfoot, Idaho 83221, to perform the duties of this office temporarily as Acting State Representative, District 31, Seat A.

**NOW, THEREFORE, I, BRAD LITTLE**, Governor of the State of Idaho, by virtue of the authority vested in me do hereby appoint Nathan P. Anderson of Blackfoot, Idaho, to the office of Acting State Representative, District 31, Seat A, for a term commencing January 28, 2019, and continuing through Wednesday, January 30, 2019.

**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 22nd day of January, in the year of our Lord two thousand and nineteen, and of the Independence of the

United States of America, the two hundred and forty-third year and of the Statehood of Idaho the one hundred twenty-ninth.

/s/ BRAD LITTLE

Governor

/s/ LAWRENCE DENNEY

Secretary of State

The Certificate of Appointment was ordered filed in the office of the Chief Clerk.

The Speaker announced the oath of office had previously been administered to Nathan P. Anderson.

### 5TH ORDER

#### Report of Standing Committees

January 28, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have printed [HJM 2](#), [HCR 4](#), [HCR 5](#), [HJR 1](#), [H 47](#), [H 48](#), [H 49](#), [H 50](#), [H 51](#), [H 52](#), [H 53](#), [H 54](#), and [H 55](#).

DAYLEY, Chairman

[HJM 2](#), [HCR 4](#), [HCR 5](#), [HJR 1](#), [H 47](#), [H 48](#), [H 49](#), [H 50](#), [H 51](#), [H 52](#), [H 53](#), [H 54](#), and [H 55](#) were referred to the Ways and Means Committee.

January 25, 2019

Mr. Speaker:

We, your COMMITTEE ON BUSINESS, return misdirected [H 39](#) to the Desk.

DIXON, Chairman

[H 39](#) was referred to Local Government Committee.

January 25, 2019

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration [H 9](#) and recommend that it do pass.

WOOD, Chairman

[H 9](#) was filed for second reading.

January 28, 2019

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration [H 10](#), [H 11](#), and [H 12](#) and recommend that they do pass.

WOOD, Chairman

[H 10](#), [H 11](#), and [H 12](#) were filed for second reading.

January 28, 2019

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration [H 42](#) and recommend that it do pass.

HARRIS, Chairman

[H 42](#) was filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

**7TH ORDER**  
**Motions, Memorials, and Resolutions**

**HOUSE JOINT MEMORIAL NO. 3**  
**BY STATE AFFAIRS 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 THE FEDERAL COMMUNICATIONS COMMISSION.

We, your Memorialists, the House of Representatives and the Senate of the State of Idaho assembled in the First Regular Session of the Sixty-fifth Idaho Legislature, do hereby respectfully represent that:

WHEREAS, communication is essential to Idaho's economy for conducting business, social interaction, and emergency contacts; and

WHEREAS, phone communication, and particularly cell phone communication and related uses, is subject to distraction, disruption, and interference as a result of unwanted and unsolicited phone calls from recordings and persons who do not identify themselves and use false phone numbers to promote warranties, health products, credit cards, computer repair, and many products they have no intention of providing; and

WHEREAS, the unscrupulous and dishonest use of our phone communication system is becoming so frequent that it interferes with commerce because increasingly users do not answer the phone, missing legitimate and important calls; and

WHEREAS, Idaho state statutes, do not call registries, and other remedies have become ineffective because those who engage in this misbehavior have no intention of obeying the law and are able to avoid being apprehended or detected because they are calling from locations outside of the United States or, if calling within the United States, they use sophisticated hacking methods; and

WHEREAS, Idaho state and local governments do not have the expertise to control the increasing burden upon Idaho citizens and particularly do not have the jurisdiction to pursue offshore illegal activities.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-fifth Idaho Legislature, the House of Representatives and the Senate concurring therein, that we support the citizens of the State of Idaho and request that the Federal Communications Commission, with the support and assistance of our congressional delegation, provide the resources necessary and take every reasonable step to procure the necessary expertise to prosecute and end this interference and misuse of our communications system.

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives 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, to the congressional delegation representing the State of Idaho in the Congress of the United States, and to the Federal Communications Commission.

[HJM 3](#) was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

**8TH ORDER**  
**Introduction, First Reading, and Reference**  
**of Bills and Joint Resolutions**

**HOUSE BILL NO. 56**  
**BY APPROPRIATIONS COMMITTEE**  
AN ACT

RELATING TO THE APPROPRIATION TO THE DIVISION OF BUILDING SAFETY FOR FISCAL YEAR 2019; APPROPRIATING ADDITIONAL MONEYS TO THE DIVISION OF BUILDING SAFETY FOR FISCAL YEAR 2019; REDUCING THE APPROPRIATION TO THE DIVISION OF BUILDING SAFETY FOR FISCAL YEAR 2019; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 57**  
**BY APPROPRIATIONS COMMITTEE**  
AN ACT

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF FISH AND GAME FOR FISCAL YEAR 2019; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF FISH AND GAME FOR FISCAL YEAR 2019; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 58**  
**BY HEALTH AND WELFARE COMMITTEE**  
AN ACT

RELATING TO PHARMACY; AMENDING SECTION 54-1732, IDAHO CODE, TO PROVIDE AN EXCEPTION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-1761, IDAHO CODE, TO REVISE DEFINITIONS; REPEALING SECTION 54-1762, IDAHO CODE, RELATING TO THE IDAHO LEGEND DRUG DONATION ACT; AND AMENDING CHAPTER 17, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-1762, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING LEGEND DRUG DONATION.

**HOUSE BILL NO. 59**  
**BY HEALTH AND WELFARE COMMITTEE**  
AN ACT

RELATING TO ORGAN DONATION; AMENDING SECTION 49-315, IDAHO CODE, TO REVISE AN AGE REQUIREMENT AND TO MAKE A TECHNICAL CORRECTION; AND AMENDING SECTION 49-2444, IDAHO CODE, TO REVISE AN AGE REQUIREMENT AND TO MAKE TECHNICAL CORRECTIONS.

[H 56](#), [H 57](#), [H 58](#), and [H 59](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Tenth Order of Business.

**10TH ORDER**  
**Second Reading of Bills and Joint Resolutions**

[H 25](#), by Local Government Committee, was read the second time by title and filed for third reading.

**11TH ORDER****Third Reading of Bills and Joint Resolutions**

Mr. Moyle asked unanimous consent that **H 3** and **H 34** retain their places on the Third Reading Calendar for one legislative day. There being no objection, it was so ordered.

**H 35 - APPROPRIATIONS - MEDICAL BOARDS**

**H 35** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Horman to open debate.

The question being, "Shall **H 35** pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson(Anderson), Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 70.

Whereupon the Speaker declared that **H 35** passed the House. Title was approved and the bill ordered transmitted to the Senate.

**H 36 - APPROPRIATIONS - COMMISSION FOR THE BLIND AND VISUALLY IMPAIRED**

**H 36** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Toone to open debate.

The question being, "Shall **H 36** pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson(Anderson), Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 70.

Whereupon the Speaker declared that **H 36** passed the House. Title was approved and the bill ordered transmitted to the Senate.

**H 2 - LOGGING**

**H 2** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Dixon to open debate.

The question being, "Shall **H 2** pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson(Anderson), Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 70.

Whereupon the Speaker declared that **H 2** passed the House. Title was approved and the bill ordered transmitted to the Senate.

**H 4 - OCCUPATIONAL THERAPISTS**

**H 4** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Lickley to open debate.

The question being, "Shall **H 4** pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson(Anderson), Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 70.

Whereupon the Speaker declared that **H 4** passed the House. Title was approved and the bill ordered transmitted to the Senate.

**H 5 - OCCUPATIONAL LICENSING**

**H 5** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Green(2) to open debate.

The question being, "Shall **H 5** pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson(Anderson), Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 70.



Whereupon the Speaker declared that [H 5](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

### [H 6 - OCCUPATIONAL LICENSING](#)

[H 6](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Christensen to open debate.

The question being, "Shall [H 6](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson(Anderson), Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 69.

NAYS—Scott. Total - 1.  
Total - 70.

Whereupon the Speaker declared that [H 6](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

### [S 1002 - APPROPRIATIONS - INDUSTRIAL COMMISSION](#)

[S 1002](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Syme to open debate.

The question being, "Shall [S 1002](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson(Anderson), Anderst, Andrus, Armstrong, Berch, Blanksma, Chaney, Chew, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moyle, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 63.

NAYS—Barbieri, Boyle, Christensen, Moon, Nichols, Palmer, Young. Total - 7.  
Total - 70.

Whereupon the Speaker declared that [S 1002](#) passed the House. Title was approved and the bill ordered returned to the Senate.

### [H 30 - CRIMES](#)

[H 30](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Ricks to open debate.

The question being, "Shall [H 30](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson(Anderson), Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 70.

Whereupon the Speaker declared that [H 30](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

### [H 31 - DIVORCE](#)

[H 31](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. McCrostie to open debate.

The question being, "Shall [H 31](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson(Anderson), Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 70.

Whereupon the Speaker declared that [H 31](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

### [H 32 - MOTOR VEHICLES](#)

[H 32](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Davis to open debate.

The question being, "Shall [H 32](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson(Anderson), Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Troy,

Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 70.

Whereupon the Speaker declared that **H 32** passed the House. Title was approved and the bill ordered transmitted to the Senate.

### **H 33 - SEARCH WARRANTS**

**H 33** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Hartgen to open debate.

The question being, "Shall **H 33** pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson(Anderson), Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 69.

NAYS—Green(2). Total - 1.  
Total - 70.

Whereupon the Speaker declared that **H 33** passed the House. Title was approved and the bill ordered transmitted to the Senate.

### **H 7 - OCCUPATIONAL LICENSING**

**H 7** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Blanksma to open debate.

The question being, "Shall **H 7** pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson(Anderson), Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 70.

Whereupon the Speaker declared that **H 7** passed the House. Title was approved and the bill ordered transmitted to the Senate.

### **H 8 - MIDWIFERY**

**H 8** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Rubel to open debate.

The question being, "Shall **H 8** pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson(Anderson), Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 70.

Whereupon the Speaker declared that **H 8** passed the House. Title was approved and the bill ordered transmitted to the Senate.

### **H 18 - ADULT PROTECTIVE SERVICES**

**H 18** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Zollinger to open debate.

The question being, "Shall **H 18** pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson(Anderson), Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 70.

Whereupon the Speaker declared that **H 18** passed the House. Title was approved and the bill ordered transmitted to the Senate.

There being no objection, the House advanced to the Fifteenth Order of Business.

### **15TH ORDER Announcements**

Announcements were made to the body.

### **16TH ORDER Adjournment**

Mr. Moyle moved that the House adjourn until 11 a.m., Tuesday, January 29, 2019. Seconded by Mr. Erpelding. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:50 a.m.

SCOTT BEDKE, Speaker

ATTEST:

CARRIE MAULIN, Chief Clerk

# HOUSE JOURNAL

OF THE

## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-FIFTH LEGISLATURE

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**TWENTY-THIRD LEGISLATIVE DAY**  
**TUESDAY, JANUARY 29, 2019**

House of Representatives

The House convened at 11 a.m., the Speaker in the Chair.

Roll call showed 69 members present.  
Absent and excused - Palmer. Total - 1.  
Total - 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Avery Woods, Page.

### 3RD ORDER

#### Approval of Journal

January 29, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Twenty-second Legislative Day and recommend that same be adopted as corrected.

DAYLEY, Chairman

Mr. Dayley moved that the report be adopted. Seconded by Mr. Gannon. Report adopted.

### 4TH ORDER

#### Consideration of Messages from the Governor and the Senate

January 28, 2019

Mr. Speaker:

I transmit herewith [S 1016](#) which has passed the Senate.

NOVAK, Secretary

[S 1016](#) was filed for first reading.

January 28, 2019

Mr. Speaker:

I return herewith [H 13](#) and [H 20](#) which have passed the Senate.

NOVAK, Secretary

[H 13](#) and [H 20](#) were referred to the Judiciary, Rules, and Administration Committee for enrolling.

### 5TH ORDER

#### Report of Standing Committees

January 29, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have printed [HJM 3](#), [H 56](#), [H 57](#), [H 58](#), and [H 59](#).

DAYLEY, Chairman

[HJM 3](#), [H 56](#), and [H 57](#) were filed for second reading.

[H 58](#) and [H 59](#) were referred to the Health and Welfare Committee.

January 28, 2019

Mr. Speaker:

We, your COMMITTEE ON AGRICULTURAL AFFAIRS, report that we have had under consideration [H 38](#) and recommend that it do pass.

BOYLE, Chairman

[H 38](#) was filed for second reading.

January 28, 2019

Mr. Speaker:

We, your COMMITTEE ON ENVIRONMENT, ENERGY AND TECHNOLOGY, report that we have had under consideration [H 26](#) and recommend that it do pass.

VANDER WOUDE, Chairman

[H 26](#) was filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

### 7TH ORDER

#### Motions, Memorials, and Resolutions

**HOUSE CONCURRENT RESOLUTION NO. 6**  
**BY EDUCATION COMMITTEE**  
A CONCURRENT RESOLUTION  
STATING FINDINGS OF THE LEGISLATURE AND  
RECOGNIZING MUSIC IN OUR SCHOOLS MONTH.

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

WHEREAS, the study of music is basic to a complete education; provides a competitive edge for successful educational reform; engages students in individual and group activity; contributes to young people's development through listening, reading, self-expression, and creativity; and develops creativity, problem-solving, and critical and evaluative skills; and

WHEREAS, music education helps students acquire skills in production and performance of music, as well as an understanding of history and culture; and

WHEREAS, music education in schools includes a broad range of types of music and active musical experiences; and

WHEREAS, music and the other arts significantly enhance the morale and quality of the school environment; and

WHEREAS, Music in Our Schools Month is the National Association for Music Education's annual monthlong celebration, held every March since 1985 to engage music educators, students, and communities in promoting the benefits of high-quality music education programs in schools; and

WHEREAS, the Idaho Music Educators Association is concerned with maintaining and improving school music programs for all students regardless of their socioeconomic status or their abilities.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-fifth Idaho Legislature, the House of Representatives and the Senate concurring therein, that we recognize and commend the Idaho Music Educators Association for its concern for and efforts to enhance the quality of music education in Idaho schools.

BE IT FURTHER RESOLVED that we hereby recognize the month of March each year as Music in Our Schools Month in the State of Idaho, and we endorse the observance of Music in Our Schools Month as an opportunity to support the purposes and



practices of music education and encourage teachers, students, and all citizens to participate.

[HCR 6](#) was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

### 8TH ORDER

#### Introduction, First Reading, and Reference of Bills and Joint Resolutions

#### HOUSE BILL NO. 60

##### BY AGRICULTURAL AFFAIRS COMMITTEE

AN ACT

RELATING TO COOPERATIVE MARKETING ASSOCIATIONS; AMENDING SECTION 22-2614, IDAHO CODE, TO REMOVE A PROVISION REGARDING A VOTING LIMITATION, TO PROVIDE FOR BYLAW REQUIREMENTS, AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 22-2617, IDAHO CODE, TO REVISE MARKETING CONTRACT PROVISIONS.

#### HOUSE BILL NO. 61

##### BY REVENUE AND TAXATION COMMITTEE

AN ACT

RELATING TO INCOME TAXES; AMENDING CHAPTER 30, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3029H, IDAHO CODE, TO PROVIDE FOR A SHORT LINE RAILROAD NONREFUNDABLE TAX CREDIT FOR QUALIFIED RAILROAD EXPENDITURES, TO DEFINE TERMS, TO PROVIDE FOR LIMITED TRANSFERABILITY, AND TO PROVIDE FOR AN ANNUAL REPORT; AND PROVIDING AN EFFECTIVE DATE.

#### HOUSE BILL NO. 62

##### BY REVENUE AND TAXATION COMMITTEE

AN ACT

RELATING TO THE OCCUPANCY TAX; AMENDING SECTION 63-317, IDAHO CODE, TO REVISE PROVISIONS REGARDING OCCUPANCY TAX PROCEDURES AND TO PROVIDE FOR A CERTAIN NOTIFICATION FROM THE COUNTY ASSESSOR; AMENDING SECTION 63-702, IDAHO CODE, TO AUTHORIZE A REDUCTION IN OCCUPANCY TAXES UNDER CERTAIN CIRCUMSTANCES; AMENDING SECTION 63-703, IDAHO CODE, TO PROVIDE FOR THE DIVISION OF AN OCCUPANCY TAX REDUCTION BETWEEN INDIVIDUALS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 63-704, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE AMOUNT OF PROPERTY TAX REDUCTION AND TO PROVIDE FOR AN OCCUPANCY TAX REDUCTION; AMENDING SECTION 63-705, IDAHO CODE, TO PROVIDE FOR AN OCCUPANCY TAX REDUCTION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 63-705A, IDAHO CODE, TO REVISE PROVISIONS REGARDING A SPECIAL PROPERTY TAX REDUCTION FOR DISABLED VETERANS AND TO PROVIDE FOR AN OCCUPANCY TAX REDUCTION; AMENDING SECTION 63-706, IDAHO CODE, TO PROVIDE A TIME BY WHICH A CLAIM FOR AN OCCUPANCY TAX REDUCTION MUST BE FILED; AMENDING SECTION 63-707, IDAHO CODE, TO REVISE PROVISIONS REGARDING A TAX REDUCTION ROLL; AMENDING SECTION 63-709, IDAHO CODE, TO PROVIDE REIMBURSEMENT PROCEDURES FOR THE STATE

TAX COMMISSION REGARDING THE OCCUPANCY TAX AND TO MAKE A TECHNICAL CORRECTION; AND DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

#### HOUSE BILL NO. 63

##### BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO WINE; AMENDING SECTION 23-1303, IDAHO CODE, TO REVISE THE DEFINITION OF "DESSERT WINE" AND TO MAKE TECHNICAL CORRECTIONS.

#### HOUSE BILL NO. 64

##### BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO ABORTION COMPLICATIONS; AMENDING SECTION 39-9503, IDAHO CODE, TO REVISE A DEFINITION; AMENDING SECTION 39-9504, IDAHO CODE, TO REVISE PROVISIONS REGARDING CERTAIN REPORTS; AND DECLARING AN EMERGENCY.

#### HOUSE BILL NO. 65

##### BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO ADMINISTRATIVE RULES; PROVIDING LEGISLATIVE INTENT; AMENDING SECTION 67-5203, IDAHO CODE, TO REVISE A PROVISION REGARDING A CUMULATIVE INDEX OF RULEMAKING; AMENDING SECTION 67-5205, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE PUBLICATION AND AVAILABILITY OF CERTAIN RULEMAKING DOCUMENTS, TO REMOVE AN OBSOLETE PROVISION, AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 67-5220, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE AVAILABILITY OF CERTAIN INFORMATION AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 67-5221, IDAHO CODE, TO REVISE A PROVISION REGARDING NOTICE POSTED ONLINE AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 67-5224, IDAHO CODE, TO REVISE PROVISIONS REGARDING PENDING RULES AND TO REMOVE AN OBSOLETE PROVISION; AMENDING SECTION 67-5226, IDAHO CODE, TO REVISE A PROVISION REGARDING TEMPORARY RULES AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 67-5291, IDAHO CODE, TO REVISE PROVISIONS REGARDING APPROVAL AND REJECTION OF RULES AND TO PROVIDE THAT THE ADMINISTRATIVE RULES COORDINATOR SHALL HAVE CERTAIN RESPONSIBILITIES.

[H 60](#), [H 61](#), [H 62](#), [H 63](#), [H 64](#), and [H 65](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

[S 1016](#), by Finance Committee, was introduced, read the first time by title, and filed for second reading.

There being no objection, the House advanced to the Tenth Order of Business.

### 10TH ORDER

#### Second Reading of Bills and Joint Resolutions

[H 9](#), [H 10](#), [H 11](#), and [H 12](#), by Health and Welfare Committee, were read the second time by title and filed for third reading.

[H 42](#), by State Affairs Committee, was read the second time by title and filed for third reading.

### 11TH ORDER

#### Third Reading of Bills and Joint Resolutions

#### [H 3](#) - OCCUPATIONAL LICENSING

[H 3](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Kingsley to open debate.

The question being, "Shall [H 3](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderst, Andrus, Armstrong, Berch, Blanksma, Chew, Collins, Davis, Dayley, DeMordaunt, Ellis, Erpelding, Furniss, Gannon, Gibbs, Goesling, Green(18), Hartgen, Holtzclaw, Horman, Kauffman, Kingsley, Lickley, Mason, McCrostie, Raybould, Raymond, Rubel, Smith, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wood, Youngblood, Mr. Speaker. Total - 41.

NAYS—Anderson(Anderson), Barbieri, Boyle, Chaney, Christensen, Clow, Crane, Dixon, Ehardt, Gestrin, Giddings, Green(2), Harris, Kerby, Marshall, Mendive, Monks, Moon, Moyle, Nichols, Ricks, Scott, Shepherd, Stevenson, Wisniewski, Young, Zito, Zollinger. Total - 28.

Absent—Palmer. Total - 1.

Total - 70.

Whereupon the Speaker declared that [H 3](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

#### [H 34](#) - SEXUAL OFFENDER REGISTRATION

[H 34](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Scott to open debate.

The question being, "Shall [H 34](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson(Anderson), Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 69.

NAYS—None.

Absent—Palmer. Total - 1.

Total - 70.

Whereupon the Speaker declared that [H 34](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

#### [H 25](#) - ANNEXATION

[H 25](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Moyle and Mr. Wagoner to open debate.

The question being, "Shall [H 25](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson(Anderson), Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 69.

NAYS—None.

Absent—Palmer. Total - 1.

Total - 70.

Whereupon the Speaker declared that [H 25](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

There being no objection, the House advanced to the Fifteenth Order of Business.

#### 15TH ORDER Announcements

Announcements were made to the body.

#### 16TH ORDER Adjournment

Mr. Moyle moved that the House adjourn until 11 a.m., Wednesday, January 30, 2019. Seconded by Mr. Erpelding. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:28 a.m.

SCOTT BEDKE, Speaker

ATTEST:

CARRIE MAULIN, Chief Clerk

# HOUSE JOURNAL

OF THE

## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-FIFTH LEGISLATURE

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**TWENTY-FOURTH LEGISLATIVE DAY  
WEDNESDAY, JANUARY 30, 2019**

House of Representatives

The House convened at 11 a.m., the Speaker in the Chair.

Roll call showed 69 members present.  
Absent and excused - Dayley. Total - 1.  
Total - 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Alexis Walker, Page.

### 3RD ORDER

#### Approval of Journal

January 30, 2019

Mr. Speaker:  
We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Twenty-third Legislative Day and recommend that same be adopted as corrected.

DAYLEY, Chairman

Mr. Dayley moved that the report be adopted. Seconded by Mr. Gannon. Report adopted.

### 4TH ORDER

#### Consideration of Messages from the Governor and the Senate

January 29, 2019

Mr. Speaker:  
I transmit herewith [S 1017](#), [S 1004](#), and [S 1025](#) which have passed the Senate.

NOVAK, Secretary

[S 1017](#), [S 1004](#), and [S 1025](#) were filed for first reading.

January 29, 2019

Mr. Speaker:  
I return herewith [H 28](#) which has passed the Senate.

NOVAK, Secretary

[H 28](#) was referred to the Judiciary, Rules, and Administration Committee for enrolling.

### 5TH ORDER

#### Report of Standing Committees

January 30, 2019

Mr. Speaker:  
We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have printed [HCR 6](#), [H 60](#), [H 61](#), [H 62](#), [H 63](#), [H 64](#), and [H 65](#).

DAYLEY, Chairman

[HCR 6](#) was referred to the Education Committee.

[H 60](#) was referred to the Agricultural Affairs Committee.

[H 61](#) and [H 62](#) were referred to the Revenue and Taxation Committee.

[H 63](#), [H 64](#), and [H 65](#) were referred to the State Affairs Committee.

January 30, 2019

Mr. Speaker:  
We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have enrolled [H 13](#) and [H 20](#).

DAYLEY, Chairman

The Speaker announced he was about to sign enrolled [H 13](#) and [H 20](#) and, when so signed, ordered them transmitted to the Senate for the signature of the President.

January 29, 2019

Mr. Speaker:  
We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have had under consideration [H 43](#) and recommend that it do pass.

DAYLEY, Chairman

[H 43](#) was filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

### 7TH ORDER

#### Motions, Memorials, and Resolutions

**HOUSE CONCURRENT RESOLUTION NO. 7  
BY RESOURCES AND CONSERVATION COMMITTEE**  
A CONCURRENT RESOLUTION  
STATING FINDINGS OF THE LEGISLATURE AND REJECTING A CERTAIN RULE OF THE DEPARTMENT OF FISH AND GAME RELATING TO RULES GOVERNING THE IMPORTATION, POSSESSION, RELEASE, SALE, OR SALVAGE OF WILDLIFE.

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 Department of Fish and Game relating to Rules Governing the Importation, Possession, Release, Sale, or Salvage of Wildlife 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-fifth Idaho Legislature, the House of Representatives and the Senate concurring therein, that IDAPA 13.01.10, relating to Rules Governing the Importation, Possession, Release, Sale, or Salvage of Wildlife, adopted as a pending rule under Docket Number 13-0110-1801, the entire rulemaking docket, be, and the same is hereby rejected and declared null, void, and of no force and effect.

**HCR 7** was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

**8TH ORDER**  
**Introduction, First Reading, and Reference**  
**of Bills and Joint Resolutions**

**HOUSE BILL NO. 66**  
**BY APPROPRIATIONS COMMITTEE**  
AN ACT

RELATING TO THE APPROPRIATION TO THE IDAHO TRANSPORTATION DEPARTMENT FOR FISCAL YEAR 2019; APPROPRIATING ADDITIONAL MONEYS TO THE IDAHO TRANSPORTATION DEPARTMENT FOR THE CAPITAL FACILITIES PROGRAM FOR FISCAL YEAR 2019; APPROPRIATING ADDITIONAL MONEYS TO THE IDAHO TRANSPORTATION DEPARTMENT FOR THE CONTRACT CONSTRUCTION AND RIGHT-OF-WAY ACQUISITION PROGRAM FOR FISCAL YEAR 2019; APPROPRIATING ADDITIONAL MONEYS TO THE IDAHO TRANSPORTATION DEPARTMENT FOR THE CONTRACT CONSTRUCTION AND RIGHT-OF-WAY ACQUISITION PROGRAM FOR FISCAL YEAR 2019; APPROPRIATING ADDITIONAL MONEYS TO THE IDAHO TRANSPORTATION DEPARTMENT FOR THE CONTRACT CONSTRUCTION AND RIGHT-OF-WAY ACQUISITION PROGRAM FOR FISCAL YEAR 2019; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 67**  
**BY RESOURCES AND CONSERVATION COMMITTEE**  
AN ACT

RELATING TO LOW TEMPERATURE GEOTHERMAL RESOURCES; AMENDING SECTION 42-233, IDAHO CODE, TO PROVIDE FOR THE EXEMPTION OF PROPOSED USES OF LOW TEMPERATURE GEOTHERMAL RESOURCES PRIMARILY FOR REASONS OTHER THAN HEAT VALUE BY THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES AND TO MAKE A TECHNICAL CORRECTION.

**HOUSE BILL NO. 68**  
**BY COMMERCE AND HUMAN RESOURCES**  
**COMMITTEE**  
AN ACT

RELATING TO RETIREMENT; AMENDING SECTION 59-1342, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE CALCULATION OF PUBLIC EMPLOYEE RETIREMENT BENEFITS FOR STATE LEGISLATORS AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 59-1346, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE CALCULATION OF EARLY RETIREMENT ALLOWANCES FOR STATE

LEGISLATORS AND TO MAKE A TECHNICAL CORRECTION.

**HOUSE BILL NO. 69**  
**BY COMMERCE AND HUMAN RESOURCES**  
**COMMITTEE**  
AN ACT

RELATING TO THE PUBLIC EMPLOYEE RETIREMENT SYSTEM OF IDAHO; AMENDING SECTION 59-1302, IDAHO CODE, TO REVISE THE DEFINITION OF "EMPLOYEE."

**HOUSE BILL NO. 70**  
**BY JUDICIARY, RULES AND ADMINISTRATION**  
**COMMITTEE**  
AN ACT

RELATING TO FIREARMS; AMENDING SECTION 18-310, IDAHO CODE, TO PROVIDE THAT A PERSON CONVICTED OF THE CRIME OF SEXUAL BATTERY OF A MINOR CHILD SIXTEEN OR SEVENTEEN YEARS OF AGE SHALL NOT HAVE CERTAIN RIGHTS RESTORED AND TO MAKE TECHNICAL CORRECTIONS.

**HOUSE BILL NO. 71**  
**BY BUSINESS COMMITTEE**  
AN ACT

RELATING TO INSURANCE; AMENDING SECTION 41-3802, IDAHO CODE, TO REVISE DEFINITIONS AND TO MAKE A TECHNICAL CORRECTION; AMENDING CHAPTER 38, TITLE 41, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 41-3815A, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING GROUP-WIDE SUPERVISION OF INTERNATIONALLY ACTIVE INSURANCE GROUPS; AMENDING SECTION 41-3816, IDAHO CODE, TO REVISE PROVISIONS REGARDING CONFIDENTIAL TREATMENT OF CERTAIN DOCUMENTS, MATERIALS, AND INFORMATION AND TO MAKE TECHNICAL CORRECTIONS; AND PROVIDING SEVERABILITY.

**HOUSE BILL NO. 72**  
**BY BUSINESS COMMITTEE**  
AN ACT

RELATING TO FINANCIAL MANAGEMENT; REPEALING SECTION 67-1911, IDAHO CODE, RELATING TO THE FINANCIAL MANAGEMENT TECHNICAL DEVELOPMENT COMMITTEE.

**HOUSE BILL NO. 73**  
**BY BUSINESS COMMITTEE**  
AN ACT

RELATING TO THE DIVISION OF FINANCIAL MANAGEMENT; AMENDING SECTION 67-5202, IDAHO CODE, TO ESTABLISH THE OFFICE OF THE ADMINISTRATIVE RULES COORDINATOR IN THE DIVISION OF FINANCIAL MANAGEMENT, TO PROVIDE THAT THE COORDINATOR SHALL BE APPOINTED BY AND SERVE AT THE PLEASURE OF THE ADMINISTRATOR OF THE DIVISION OF FINANCIAL MANAGEMENT, TO REMOVE OBSOLETE LANGUAGE, AND TO MAKE TECHNICAL CORRECTIONS.



[H 66](#), [H 67](#), [H 68](#), [H 69](#), [H 70](#), [H 71](#), [H 72](#), and [H 73](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

[S 1004](#), by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the Judiciary, Rules and Administration Committee.

[S 1017](#) and [S 1025](#), by Finance Committee, were introduced, read the first time by title, and filed for second reading.

There being no objection, the House advanced to the Tenth Order of Business.

### 10TH ORDER

#### Second Reading of Bills and Joint Resolutions

[HJM 3](#), by State Affairs Committee, was read the second time by title and filed for third reading.

[H 56](#) and [H 57](#), by Appropriations Committee, were read the second time by title and filed for third reading.

[H 38](#), by Agricultural Affairs Committee, was read the second time by title and filed for third reading.

[H 26](#), by Environment, Energy and Technology Committee, was read the second time by title and filed for third reading.

[S 1016](#), by Finance Committee, was read the second time by title and filed for third reading.

### 11TH ORDER

#### Third Reading of Bills and Joint Resolutions

#### [H 9](#) - BOARD OF MEDICINE

[H 9](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Wagoner to open debate.

The question being, "Shall [H 9](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson(Anderson), Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 69.

NAYS—None.

Absent—Dayley. Total - 1.

Total - 70.

Whereupon the Speaker declared that [H 9](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

#### [H 10](#) - PHARMACY

[H 10](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Chew to open debate.

The question being, "Shall [H 10](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson(Anderson), Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 69.

NAYS—None.

Absent—Dayley. Total - 1.

Total - 70.

Whereupon the Speaker declared that [H 10](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

#### [H 11](#) - CONTROLLED SUBSTANCES

[H 11](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Chew to open debate.

The question being, "Shall [H 11](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson(Anderson), Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 69.

NAYS—None.

Absent—Dayley. Total - 1.

Total - 70.

Whereupon the Speaker declared that [H 11](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

#### [H 12](#) - PHARMACY

[H 12](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Wood to open debate.

The question being, "Shall [H 12](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson(Anderson), Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris,

Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 69.

NAYS–None.

Absent–Dayley. Total - 1.

Total - 70.

Whereupon the Speaker declared that [H 12](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

### **[H 42](#) - LABOR**

[H 42](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Harris to open debate.

The question being, "Shall [H 42](#) pass?"

Roll call resulted as follows:

AYES–Abernathy, Addis, Amador, Anderson(Anderson), Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 69.

NAYS–None.

Absent–Dayley. Total - 1.

Total - 70.

Whereupon the Speaker declared that [H 42](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

There being no objection, the House advanced to the Fifteenth Order of Business.

### **15TH ORDER Announcements**

Announcements were made to the body.

### **16TH ORDER Adjournment**

Mr. Moyle moved that the House adjourn until 11 a.m., Thursday, January 31, 2019. Seconded by Mr. Erpelding. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:31 a.m.

SCOTT BEDKE, Speaker

ATTEST:

CARRIE MAULIN, Chief Clerk

# HOUSE JOURNAL

OF THE

## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-FIFTH LEGISLATURE

**TWENTY-FIFTH LEGISLATIVE DAY**  
**THURSDAY, JANUARY 31, 2019**

House of Representatives

The House convened at 11 a.m., the Speaker in the Chair.

Roll call showed all 70 members present.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Bradley Chrysler, Page.

### 3RD ORDER

#### Approval of Journal

January 31, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Twenty-fourth Legislative Day and recommend that same be adopted as corrected.

DAYLEY, Chairman

Mr. Dayley moved that the report be adopted. Seconded by Mr. Gannon. Report adopted.

### 4TH ORDER

#### Consideration of Messages from the Governor and the Senate

January 30, 2019

Mr. Speaker:

I transmit herewith enrolled [S 1002](#) for the signature of the Speaker.

NOVAK, Secretary

The Speaker announced he was about to sign enrolled [S 1002](#) when so signed, ordered it returned to the Senate.

### 5TH ORDER

#### Report of Standing Committees

January 31, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have printed [HCR 7](#), [H 66](#), [H 67](#), [H 68](#), [H 69](#), [H 70](#), [H 71](#), [H 72](#), and [H 73](#).

DAYLEY, Chairman

[HCR 7](#), [H 66](#), and [H 72](#) were filed for second reading.

[H 67](#) was referred to the Resources and Conservation Committee.

[H 68](#) and [H 69](#) were referred to the Commerce and Human Resources Committee.

[H 70](#) was referred to the Judiciary, Rules and Administration Committee.

[H 71](#) and [H 73](#) were referred to the Business Committee.

January 31, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have enrolled [H 28](#).

DAYLEY, Chairman

The Speaker announced he was about to sign enrolled [H 28](#) and, when so signed, ordered it transmitted to the Senate for the signature of the President.

January 30, 2019

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration [H 24](#) and recommend that it do pass.

PALMER, Chairman

[H 24](#) was filed for second reading.

January 30, 2019

Mr. Speaker:

We, your COMMITTEE ON LOCAL GOVERNMENT, report that we have had under consideration [H 39](#) and recommend that it do pass.

MENDIVE, Chairman

[H 39](#) was filed for second reading.

January 31, 2019

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration [H 22](#), [H 37](#), [HCR 3](#), and [HJM 1](#) and recommend that they do pass.

WOOD, Chairman

[H 22](#), [H 37](#), [HCR 3](#), and [HJM 1](#) were filed for second reading.

There being no objection, the House advanced to the Eighth Order of Business.

### 8TH ORDER

#### Introduction, First Reading, and Reference of Bills and Joint Resolutions

#### HOUSE BILL NO. 74

#### BY TRANSPORTATION AND DEFENSE COMMITTEE

#### AN ACT

RELATING TO RECREATIONAL ACTIVITIES; AMENDING SECTION 19-4705, IDAHO CODE, TO PROVIDE FOR FINES AND FORFEITURES REGARDING FAILURE TO OBTAIN A CERTIFICATE OF NUMBER AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 49-426, IDAHO CODE, TO PROVIDE FOR OFF-HIGHWAY VEHICLES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 67-7101, IDAHO CODE, TO DEFINE A TERM AND REVISE DEFINITIONS; AMENDING SECTION 67-7103, IDAHO CODE, TO REVISE PROVISIONS REGARDING SNOWMOBILE CERTIFICATES OF NUMBER; AMENDING SECTION 67-7104, IDAHO CODE, TO REVISE PROVISIONS REGARDING A NONRESIDENT SNOWMOBILE OWNER OR APPLICANT; AMENDING SECTION 67-7106, IDAHO CODE, TO REVISE PROVISIONS REGARDING DISTRIBUTION OF MONEYS TO SNOWMOBILE FUNDS;

AMENDING SECTION 67-7108, IDAHO CODE, TO CLARIFY THE PROHIBITION AGAINST NUMBERING OFF-HIGHWAY VEHICLES AND SNOWMOBILES BY POLITICAL SUBDIVISIONS; AMENDING SECTION 67-7111, IDAHO CODE, TO CLARIFY PROVISIONS REGARDING ACCIDENTS INVOLVING OFF-HIGHWAY VEHICLES OR SNOWMOBILES; AMENDING SECTION 67-7113, IDAHO CODE, TO ESTABLISH A VIOLATION REGARDING OFF-HIGHWAY VEHICLES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 67-7114, IDAHO CODE, TO PROVIDE THAT IT SHALL BE UNLAWFUL TO DRIVE OR OPERATE AN OFF-HIGHWAY VEHICLE WHILE UNDER THE INFLUENCE OF ALCOHOL, DRUGS, OR ANY OTHER INTOXICATING SUBSTANCE; AMENDING SECTION 67-7115, IDAHO CODE, TO REVISE TERMINOLOGY; AMENDING SECTION 67-7122, IDAHO CODE, TO REVISE PROVISIONS REGARDING CERTIFICATES OF NUMBER AND VALIDATION STICKERS; AMENDING SECTION 67-7123, IDAHO CODE, TO REVISE TERMINOLOGY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 67-7126, IDAHO CODE, TO REVISE PROVISIONS REGARDING FEES COLLECTED FOR CERTIFICATES OF NUMBER AND USER CERTIFICATES; AMENDING SECTION 67-7127, IDAHO CODE, TO REVISE TERMINOLOGY, TO SPECIFY CERTAIN REQUIREMENTS REGARDING MOTORBIKE RECREATION ACCOUNT MONEYS, AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 67-7128, IDAHO CODE, TO REVISE TERMINOLOGY; AMENDING SECTION 67-7132, IDAHO CODE, TO PROVIDE THAT THE BOARD, RATHER THAN THE DIRECTOR, SHALL ADOPT AND ENFORCE ADMINISTRATIVE RULES AND REGULATIONS; AMENDING SECTION 67-7133, IDAHO CODE, TO PROVIDE THAT THE BOARD SHALL PROMULGATE RULES AND TO MAKE A TECHNICAL CORRECTION; AND AMENDING CHAPTER 71, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-7134, IDAHO CODE, TO ESTABLISH AN OPTIONAL BIENNIAL FEE.

**HOUSE BILL NO. 75**

**BY TRANSPORTATION AND DEFENSE COMMITTEE**  
AN ACT

RELATING TO RECREATIONAL ACTIVITIES; REPEALING SECTION 67-7124, IDAHO CODE, RELATING TO A NONRESIDENT CERTIFICATE EXEMPTION; AMENDING CHAPTER 71, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-7124, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING NONRESIDENT OFF-HIGHWAY VEHICLE USER CERTIFICATES; AND AMENDING SECTION 67-7126, IDAHO CODE, TO PROVIDE FOR USER CERTIFICATES AND TO MAKE A TECHNICAL CORRECTION.

**HOUSE BILL NO. 76**

**BY TRANSPORTATION AND DEFENSE COMMITTEE**  
AN ACT

RELATING TO ELECTRIC-ASSISTED BICYCLES; AMENDING SECTION 40-616, IDAHO CODE, TO PROVIDE FOR ELECTRIC-ASSISTED BICYCLES; AMENDING SECTION 49-106, IDAHO CODE, TO PROVIDE A DEFINITION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 49-114, IDAHO CODE, TO REVISE DEFINITIONS AND PROVIDE A DEFINITION; AMENDING SECTION 49-123, IDAHO CODE, TO PROVIDE FOR ELECTRIC-ASSISTED

BICYCLES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 49-310, IDAHO CODE, TO PROVIDE AN EXEMPTION FOR ELECTRIC-ASSISTED BICYCLES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 49-720, IDAHO CODE, TO PROVIDE FOR ELECTRIC-ASSISTED BICYCLES, TO PROVIDE A CORRECT CODE REFERENCE, AND TO MAKE TECHNICAL CORRECTIONS; AMENDING CHAPTER 7, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-725, IDAHO CODE, TO PROVIDE FOR RIGHTS AND DUTIES OF ELECTRIC-ASSISTED BICYCLES; AMENDING CHAPTER 7, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-726, IDAHO CODE, TO PROVIDE EXEMPTION FROM INSURANCE, LICENSING, AND REGISTRATION FOR ELECTRIC-ASSISTED BICYCLES; AMENDING CHAPTER 7, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-727, IDAHO CODE, TO PROVIDE FOR THE LABELING OF ELECTRIC-ASSISTED BICYCLES; AMENDING CHAPTER 7, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-728, IDAHO CODE, TO PROVIDE FOR PATH USE BY ELECTRIC-ASSISTED BICYCLES; AND AMENDING CHAPTER 7, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-729, IDAHO CODE, TO PROVIDE FOR VIOLATIONS.

**HOUSE BILL NO. 77**

**BY LOCAL GOVERNMENT COMMITTEE**  
AN ACT

RELATING TO MOTOR VEHICLES; AMENDING CHAPTER 14, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-1401B, IDAHO CODE, TO ESTABLISH PROVISIONS PROHIBITING LOCAL AUTHORITIES FROM ENACTING REGULATIONS, RESOLUTIONS, OR ORDINANCES THAT PROHIBIT OR RESTRICT THE USE OF A HANDHELD WIRELESS DEVICE WHILE DRIVING A MOVING MOTOR VEHICLE AND TO PROVIDE THAT CERTAIN REGULATIONS, RESOLUTIONS, OR ORDINANCES SHALL BE NULL, VOID, AND OF NO FORCE AND EFFECT.

[H 74](#), [H 75](#), [H 76](#), and [H 77](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Tenth Order of Business.

**10TH ORDER**

**Second Reading of Bills and Joint Resolutions**

[H 43](#), by Judiciary, Rules and Administration Committee, was read the second time by title and filed for third reading.

[S 1017](#) and [S 1025](#), by Finance Committee, were read the second time by title and filed for third reading.

**11TH ORDER**

**Third Reading of Bills and Joint Resolutions**

**[HJM 3](#) - COMMUNICATION SYSTEMS**

[HJM 3](#) was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Gannon to open debate.

The question being, "Shall [HJM 3](#) be adopted?"



Whereupon the Speaker declared [HJM 3](#) adopted by voice vote and ordered the memorial transmitted to the Senate.

### [H 56](#) - APPROPRIATIONS - DIVISION OF BUILDING SAFETY

[H 56](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Horman to open debate.

The question being, "Shall [H 56](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 69.

NAYS—None.

Absent—Berch. Total - 1.

Total - 70.

Whereupon the Speaker declared that [H 56](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

### [H 57](#) - APPROPRIATIONS - DEPARTMENT OF FISH AND GAME

[H 57](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Troy to open debate.

The question being, "Shall [H 57](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Blanksma, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 63.

NAYS—Barbieri, Boyle, Ehardt, Green(2), Moon. Total - 5.

Absent—Berch, Ellis. Total - 2.

Total - 70.

Whereupon the Speaker declared that [H 57](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

### [H 38](#) - FOOD SAFETY MODERNIZATION ACT

[H 38](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Kauffman to open debate.

The question being, "Shall [H 38](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 68.

NAYS—None.

Absent—Berch, Ellis. Total - 2.

Total - 70.

Whereupon the Speaker declared that [H 38](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

### [H 26](#) - UNDERGROUND STORAGE TANK SYSTEMS

[H 26](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Vander Woude to open debate.

The question being, "Shall [H 26](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 68.

NAYS—None.

Absent—Berch, Ellis. Total - 2.

Total - 70.

Whereupon the Speaker declared that [H 26](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

### [S 1016](#) - APPROPRIATIONS - IDAHO STATE HISTORICAL SOCIETY

[S 1016](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Wintrow to open debate.

The question being, "Shall [S 1016](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley,

Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 68.

NAYS—None.

Absent—Berch, Ellis. Total - 2.

Total - 70.

Whereupon the Speaker declared that [S 1016](#) passed the House. Title was approved and the bill ordered returned to the Senate.

There being no objection, the House advanced to the Fifteenth Order of Business.

**15TH ORDER**  
**Announcements**

Announcements were made to the body.

**16TH ORDER**  
**Adjournment**

Mr. Moyle moved that the House adjourn until 11 a.m., Friday, February 1, 2019. Seconded by Mr. Erpelding. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:35 a.m.

SCOTT BEDKE, Speaker

ATTEST:

CARRIE MAULIN, Chief Clerk

# HOUSE JOURNAL OF THE IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-FIFTH LEGISLATURE

—————  
TWENTY-SIXTH LEGISLATIVE DAY  
FRIDAY, FEBRUARY 1, 2019

House of Representatives

The House convened at 11 a.m., the Speaker in the Chair.

Roll call showed 64 members present.

Absent and excused - Abernathy, Erpelding, Kingsley, Rubel, Shepherd, and Wood. Total - 6.

Total - 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Kassidy Ross, Page.

### 3RD ORDER Approval of Journal

February 1, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Twenty-fifth Legislative Day and recommend that same be adopted as corrected.

DAYLEY, Chairman

Mr. Dayley moved that the report be adopted. Seconded by Mr. Gannon. Report adopted.

### 4TH ORDER Consideration of Messages from the Governor and the Senate

January 31, 2019

Mr. Speaker:

I return herewith enrolled [H 13](#) and [H 20](#) which have been signed by the President.

NOVAK, Secretary

Enrolled [H 13](#) and [H 20](#) were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

### 5TH ORDER Report of Standing Committees

February 1, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have printed [H 74](#), [H 75](#), [H 76](#), and [H 77](#).

DAYLEY, Chairman

[H 74](#), [H 75](#), and [H 76](#) were referred to the Transportation and Defense Committee.

[H 77](#) was ordered held at the Desk.

January 31, 2019

Mr. Speaker:

We, your COMMITTEE ON RESOURCES AND CONSERVATION, report that we have had under consideration [H 44](#) and recommend that it do pass.

GIBBS, Chairman

[H 44](#) was filed for second reading.

February 1, 2019

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration [H 64](#) and recommend that it do pass.

HARRIS, Chairman

[H 64](#) was filed for second reading.

February 1, 2019

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration [H 62](#) and recommend that it do pass.

COLLINS, Chairman

[H 62](#) was filed for second reading.

There being no objection, the House advanced to the Eighth Order of Business.

### 8TH ORDER Introduction, First Reading, and Reference of Bills and Joint Resolutions

#### HOUSE BILL NO. 78 BY JUDICIARY, RULES AND ADMINISTRATION COMMITTEE AN ACT

RELATING TO CRIMES AND PUNISHMENTS; AMENDING SECTION 18-8002, IDAHO CODE, TO PROVIDE THAT CERTAIN INFORMATION SHALL BE GIVEN AT THE TIME OF EVIDENTIARY TESTING FOR ALCOHOL, DRUGS, OR OTHER INTOXICATING SUBSTANCES, TO PROVIDE THAT PERSONS PARTICIPATING IN A DIVERSION PROGRAM MAY BE ELIGIBLE FOR CERTAIN DRIVING PRIVILEGES, AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 18-8002A, IDAHO CODE, TO REVISE PROVISIONS REGARDING CERTAIN INFORMATION GIVEN TO PERSONS UNDERGOING EVIDENTIARY TESTING FOR ALCOHOL, DRUGS, OR OTHER INTOXICATING SUBSTANCES, TO PROVIDE FOR DRIVING PRIVILEGES IN A DIVERSION PROGRAM, AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 18-8005, IDAHO CODE, TO REVISE PROVISIONS REGARDING PENALTIES; AMENDING SECTION 18-8008, IDAHO CODE, TO REVISE THE DEFINITION OF IGNITION INTERLOCK SYSTEM AND TO MAKE A TECHNICAL CORRECTION; AMENDING CHAPTER 35, TITLE 19, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 19-3507, IDAHO CODE, TO DEFINE A TERM AND TO PROVIDE LEGISLATIVE INTENT; AMENDING CHAPTER 35, TITLE 19, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 19-3508, IDAHO CODE, TO PROVIDE ELIGIBILITY REQUIREMENTS FOR A DIVERSION PROGRAM; AMENDING CHAPTER 35, TITLE 19, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 19-3509, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING DIVERSION PROGRAMS; AND AMENDING SECTION

20-617, IDAHO CODE, TO PROVIDE THAT PERSONS PARTICIPATING IN DIVERSION PROGRAMS MAY BE REQUIRED TO PERFORM CERTAIN LABOR.

**HOUSE BILL NO. 79**  
**BY JUDICIARY, RULES AND ADMINISTRATION**  
**COMMITTEE**

AN ACT

RELATING TO LEGAL IMMUNITY; AMENDING CHAPTER 3, TITLE 5, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 5-345, IDAHO CODE, TO PROVIDE IMMUNITY FROM CIVIL LIABILITY FOR FIRST RESPONDERS RENDERING CERTAIN AID TO A DOG OR CAT; AMENDING CHAPTER 70, TITLE 18, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 18-7045, IDAHO CODE, TO PROVIDE IMMUNITY FROM PROSECUTION FOR FIRST RESPONDERS RENDERING CERTAIN AID TO A DOG OR CAT; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 80**  
**BY RESOURCES AND CONSERVATION COMMITTEE**  
**AN ACT**

RELATING TO FISH AND GAME; AMENDING SECTION 36-1108, IDAHO CODE, TO REVISE PROVISIONS REGARDING CERTAIN AGREEMENTS AND COMPENSATION FOR DAMAGE BY PRONGHORN ANTELOPE, ELK, DEER AND MOOSE AND TO MAKE TECHNICAL CORRECTIONS.

**HOUSE BILL NO. 81**  
**BY RESOURCES AND CONSERVATION COMMITTEE**  
**AN ACT**

RELATING TO FISH AND GAME; AMENDING SECTION 36-1604, IDAHO CODE, TO DEFINE A TERM AND TO REVISE PROVISIONS REGARDING APPLICABILITY OF SPECIFIED LAW TO THE DUTIES AND LIABILITY OF CERTAIN OWNERS OF LAND.

**HOUSE BILL NO. 82**  
**BY BUSINESS COMMITTEE**  
**AN ACT**

RELATING TO HOMEOWNER'S ASSOCIATIONS; AMENDING SECTION 55-115, IDAHO CODE, TO PROVIDE FOR CERTAIN PROHIBITED CONDUCT BY HOMEOWNER'S ASSOCIATIONS AND TO PROVIDE EXCEPTIONS.

**HOUSE BILL NO. 83**  
**BY BUSINESS COMMITTEE**  
**AN ACT**

RELATING TO RECORDER'S FEES; AMENDING SECTION 31-3205, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE FEES A COUNTY RECORDER MAY RECEIVE.

**HOUSE BILL NO. 84**  
**BY BUSINESS COMMITTEE**  
**AN ACT**

RELATING TO GENERAL BUSINESS CORPORATIONS; AMENDING SECTION 30-29-120, IDAHO CODE, TO REVISE PROVISIONS REGARDING REQUIREMENTS FOR DOCUMENTS AND EXTRINSIC FACTS AND TO REVISE TERMINOLOGY; AMENDING CHAPTER 29, TITLE 30, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 30-29-123, IDAHO CODE, TO PROVIDE FOR THE EFFECTIVE DATE OF A FILED DOCUMENT;

AMENDING SECTION 30-29-140, IDAHO CODE, TO REVISE DEFINITIONS AND TO DEFINE TERMS; AMENDING SECTION 30-29-141, IDAHO CODE, TO REVISE PROVISIONS REGARDING NOTICES AND OTHER COMMUNICATIONS; AMENDING CHAPTER 29, TITLE 30, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 30-29-142, IDAHO CODE, TO PROVIDE FOR THE NUMBER OF SHAREHOLDERS; AMENDING CHAPTER 29, TITLE 30, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 30-29-143, IDAHO CODE, TO PROVIDE FOR A QUALIFIED DIRECTOR; AMENDING CHAPTER 29, TITLE 30, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 30-29-144, IDAHO CODE, TO PROVIDE FOR HOUSEHOLDING; AMENDING CHAPTER 29, TITLE 30, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 30-29-145, IDAHO CODE, TO DEFINE TERMS; AMENDING CHAPTER 29, TITLE 30, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 30-29-146, IDAHO CODE, TO PROVIDE FOR DEFECTIVE CORPORATE ACTIONS; AMENDING CHAPTER 29, TITLE 30, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 30-29-147, IDAHO CODE, TO PROVIDE FOR RATIFICATION OF DEFECTIVE CORPORATE ACTIONS; AMENDING CHAPTER 29, TITLE 30, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 30-29-148, IDAHO CODE, TO PROVIDE FOR ACTION ON RATIFICATION; AMENDING CHAPTER 29, TITLE 30, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 30-29-149, IDAHO CODE, TO PROVIDE FOR NOTICE REQUIREMENTS; AMENDING CHAPTER 29, TITLE 30, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 30-29-150, IDAHO CODE, TO PROVIDE FOR EFFECT ON RATIFICATION; AMENDING CHAPTER 29, TITLE 30, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 30-29-151, IDAHO CODE, TO PROVIDE FOR FILINGS; AMENDING CHAPTER 29, TITLE 30, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 30-29-152, IDAHO CODE, TO PROVIDE FOR JUDICIAL PROCEEDINGS REGARDING VALIDITY OF CORPORATE ACTIONS; AMENDING SECTION 30-29-202, IDAHO CODE, TO REVISE PROVISIONS REGARDING ARTICLES OF INCORPORATION; AMENDING SECTION 30-29-203, IDAHO CODE, TO REVISE PROVISIONS REGARDING INCORPORATION; AMENDING SECTION 30-29-204, IDAHO CODE, TO REVISE PROVISIONS REGARDING LIABILITY FOR PREINCORPORATION TRANSACTIONS; AMENDING SECTION 30-29-205, IDAHO CODE, TO REVISE PROVISIONS REGARDING ORGANIZATION OF A CORPORATION; AMENDING SECTION 30-29-206, IDAHO CODE, TO REVISE PROVISIONS REGARDING BYLAWS; AMENDING SECTION 30-29-207, IDAHO CODE, TO REVISE PROVISIONS REGARDING EMERGENCY BYLAWS; AMENDING CHAPTER 29, TITLE 30, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 30-29-208, IDAHO CODE, TO PROVIDE FOR FORUM SELECTION PROVISIONS; AMENDING SECTION 30-29-301, IDAHO CODE, TO REVISE PROVISIONS REGARDING PURPOSES; AMENDING SECTION 30-29-302, IDAHO CODE, TO REVISE PROVISIONS REGARDING GENERAL POWERS; AMENDING SECTION 30-29-303, IDAHO CODE, TO REVISE PROVISIONS REGARDING EMERGENCY POWERS; AMENDING SECTION 30-29-304, IDAHO CODE, TO REVISE PROVISIONS REGARDING LACK OF POWER TO ACT; AMENDING SECTION 30-29-601, IDAHO CODE, TO REVISE PROVISIONS REGARDING AUTHORIZED SHARES; AMENDING SECTION 30-29-602, IDAHO CODE, TO REVISE PROVISIONS REGARDING TERMS OF CLASS

OR SERIES DETERMINED BY BOARD OF DIRECTORS; AMENDING SECTION 30-29-603, IDAHO CODE, TO REVISE PROVISIONS REGARDING ISSUED AND OUTSTANDING SHARES; AMENDING SECTION 30-29-604, IDAHO CODE, TO REVISE PROVISIONS REGARDING FRACTIONAL SHARES; AMENDING SECTION 30-29-620, IDAHO CODE, TO REVISE PROVISIONS REGARDING SUBSCRIPTION FOR SHARES BEFORE INCORPORATION; AMENDING SECTION 30-29-621, IDAHO CODE, TO REVISE PROVISIONS REGARDING ISSUANCE OF SHARES; AMENDING SECTION 30-29-622, IDAHO CODE, TO REVISE PROVISIONS REGARDING LIABILITY OF SHAREHOLDERS; AMENDING SECTION 30-29-623, IDAHO CODE, TO REVISE PROVISIONS REGARDING SHARE DIVIDENDS; AMENDING SECTION 30-29-624, IDAHO CODE, TO REVISE PROVISIONS REGARDING SHARE RIGHTS, OPTIONS, WARRANTS, AND AWARDS; AMENDING SECTION 30-29-625, IDAHO CODE, TO REVISE PROVISIONS REGARDING FORM AND CONTENT OF CERTIFICATES; AMENDING SECTION 30-29-626, IDAHO CODE, TO REVISE PROVISIONS REGARDING SHARES WITHOUT CERTIFICATES; AMENDING SECTION 30-29-627, IDAHO CODE, TO REVISE PROVISIONS REGARDING RESTRICTION ON TRANSFER OF SHARES; REPEALING SECTION 30-29-628, IDAHO CODE, RELATING TO EXPENSE OF ISSUE; AMENDING SECTION 30-29-630, IDAHO CODE, TO REVISE PROVISIONS REGARDING SHAREHOLDERS' PREEMPTIVE RIGHTS; AMENDING SECTION 30-29-631, IDAHO CODE, TO REVISE PROVISIONS REGARDING A CORPORATION'S ACQUISITION OF ITS OWN SHARES; AMENDING SECTION 30-29-640, IDAHO CODE, TO REVISE PROVISIONS REGARDING DISTRIBUTIONS TO SHAREHOLDERS; AMENDING SECTION 30-29-701, IDAHO CODE, TO REVISE PROVISIONS REGARDING ANNUAL MEETINGS; AMENDING SECTION 30-29-702, IDAHO CODE, TO REVISE PROVISIONS REGARDING SPECIAL MEETINGS; AMENDING SECTION 30-29-703, IDAHO CODE, TO REVISE PROVISIONS REGARDING COURT-ORDERED MEETINGS; AMENDING SECTION 30-29-704, IDAHO CODE, TO REVISE PROVISIONS REGARDING ACTION WITHOUT A MEETING; AMENDING SECTION 30-29-705, IDAHO CODE, TO REVISE PROVISIONS REGARDING NOTICE OF A MEETING; AMENDING SECTION 30-29-706, IDAHO CODE, TO REVISE PROVISIONS REGARDING WAIVER OF NOTICE; AMENDING SECTION 30-29-707, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE RECORD DATE FOR A MEETING; AMENDING SECTION 30-29-708, IDAHO CODE, TO REVISE PROVISIONS REGARDING CONDUCT OF A MEETING; AMENDING CHAPTER 29, TITLE 30, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 30-29-709, IDAHO CODE, TO PROVIDE FOR REMOTE PARTICIPATION IN SHAREHOLDERS' MEETINGS; AMENDING SECTION 30-29-720, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE SHAREHOLDERS' LIST FOR A MEETING; AMENDING SECTION 30-29-721, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE VOTING ENTITLEMENT OF SHARES; AMENDING SECTION 30-29-722, IDAHO CODE, TO REVISE PROVISIONS REGARDING PROXIES; AMENDING SECTION 30-29-723, IDAHO CODE, TO REVISE PROVISIONS REGARDING SHARES HELD BY INTERMEDIARIES AND NOMINEES; AMENDING SECTION 30-29-724, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE ACCEPTANCE

OF VOTES AND OTHER INSTRUMENTS; AMENDING SECTION 30-29-725, IDAHO CODE, TO REVISE PROVISIONS REGARDING QUORUM AND VOTING REQUIREMENTS FOR VOTING GROUPS; AMENDING SECTION 30-29-726, IDAHO CODE, TO REVISE PROVISIONS REGARDING ACTION BY SINGLE AND MULTIPLE VOTING GROUPS; AMENDING SECTION 30-29-727, IDAHO CODE, TO REVISE PROVISIONS REGARDING MODIFYING QUORUM OR VOTING REQUIREMENTS; AMENDING SECTION 30-29-728, IDAHO CODE, TO REVISE PROVISIONS REGARDING VOTING FOR DIRECTORS AND CUMULATIVE VOTING; AMENDING SECTION 30-29-729, IDAHO CODE, TO REVISE PROVISIONS REGARDING INSPECTORS OF AN ELECTION; AMENDING SECTION 30-29-730, IDAHO CODE, TO REVISE PROVISIONS REGARDING VOTING TRUSTS; AMENDING SECTION 30-29-731, IDAHO CODE, TO REVISE PROVISIONS REGARDING VOTING AGREEMENTS; AMENDING SECTION 30-29-732, IDAHO CODE, TO REVISE PROVISIONS REGARDING SHAREHOLDER AGREEMENTS; AMENDING SECTION 30-29-740, IDAHO CODE, TO REVISE PROVISIONS REGARDING PART DEFINITIONS AND TO DEFINE A TERM; AMENDING SECTION 30-29-741, IDAHO CODE, TO REVISE PROVISIONS REGARDING STANDING; AMENDING SECTION 30-29-742, IDAHO CODE, TO REVISE PROVISIONS REGARDING DEMAND; AMENDING SECTION 30-29-744, IDAHO CODE, TO REVISE PROVISIONS REGARDING DISMISSAL; AMENDING SECTION 30-29-745, IDAHO CODE, TO REVISE A PROVISION REGARDING DISCONTINUANCE OR SETTLEMENT; AMENDING SECTION 30-29-746, IDAHO CODE, TO REVISE PROVISIONS REGARDING PAYMENT OF EXPENSES; AMENDING CHAPTER 29, TITLE 30, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 30-29-748, IDAHO CODE, TO PROVIDE FOR A SHAREHOLDER ACTION TO APPOINT A CUSTODIAN OR RECEIVER; AMENDING CHAPTER 29, TITLE 30, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 30-29-749, IDAHO CODE, TO PROVIDE FOR JUDICIAL DETERMINATION OF CORPORATE OFFICES AND REVIEW OF ELECTIONS AND SHAREHOLDER VOTES; AMENDING SECTION 30-29-801, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE REQUIREMENT FOR AND DUTIES OF THE BOARD OF DIRECTORS; AMENDING SECTION 30-29-802, IDAHO CODE, TO REVISE PROVISIONS REGARDING QUALIFICATIONS OF DIRECTORS; AMENDING SECTION 30-29-803, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE NUMBER AND ELECTION OF DIRECTORS; AMENDING SECTION 30-29-804, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE ELECTION OF DIRECTORS BY CERTAIN CLASSES OR SERIES OF SHARES; AMENDING SECTION 30-29-805, IDAHO CODE, TO REVISE PROVISIONS REGARDING TERMS OF DIRECTORS GENERALLY; AMENDING SECTION 30-29-806, IDAHO CODE, TO REVISE PROVISIONS REGARDING STAGGERED TERMS FOR DIRECTORS; AMENDING SECTION 30-29-807, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE RESIGNATION OF DIRECTORS; AMENDING SECTION 30-29-808, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE REMOVAL OF DIRECTORS BY SHAREHOLDERS; AMENDING SECTION 30-29-809, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE REMOVAL OF DIRECTORS BY A JUDICIAL PROCEEDING; AMENDING

SECTION 30-29-810, IDAHO CODE, TO REVISE PROVISIONS REGARDING A VACANCY ON THE BOARD OF DIRECTORS; AMENDING SECTION 30-29-820, IDAHO CODE, TO REVISE PROVISIONS REGARDING CERTAIN MEETINGS; AMENDING SECTION 30-29-821, IDAHO CODE, TO REVISE PROVISIONS REGARDING ACTION WITHOUT A MEETING; AMENDING SECTION 30-29-822, IDAHO CODE, TO REVISE PROVISIONS REGARDING NOTICE OF A MEETING; AMENDING SECTION 30-29-823, IDAHO CODE, TO REVISE PROVISIONS REGARDING WAIVER OF NOTICE; AMENDING SECTION 30-29-824, IDAHO CODE, TO REVISE PROVISIONS REGARDING A QUORUM AND VOTING; AMENDING SECTION 30-29-825, IDAHO CODE, TO REVISE PROVISIONS REGARDING COMMITTEES OF THE BOARD; AMENDING CHAPTER 29, TITLE 30, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 30-29-826, IDAHO CODE, TO PROVIDE FOR THE SUBMISSION OF MATTERS FOR A SHAREHOLDER VOTE; AMENDING SECTION 30-29-830, IDAHO CODE, TO REVISE PROVISIONS REGARDING STANDARDS OF CONDUCT FOR DIRECTORS; AMENDING SECTION 30-29-831, IDAHO CODE, TO REVISE PROVISIONS REGARDING STANDARDS OF LIABILITY FOR DIRECTORS; AMENDING SECTION 30-29-833, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO REVISE PROVISIONS REGARDING DIRECTORS' LIABILITY FOR UNLAWFUL DISTRIBUTIONS; AMENDING SECTION 30-29-840, IDAHO CODE, TO REVISE PROVISIONS REGARDING OFFICERS; AMENDING SECTION 30-29-841, IDAHO CODE, TO REVISE PROVISIONS REGARDING FUNCTIONS OF OFFICERS; AMENDING SECTION 30-29-842, IDAHO CODE, TO REVISE PROVISIONS REGARDING STANDARDS OF CONDUCT FOR OFFICERS; AMENDING SECTION 30-29-843, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE RESIGNATION AND REMOVAL OF OFFICERS; AMENDING SECTION 30-29-844, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE CONTRACT RIGHTS OF OFFICERS; AMENDING SECTION 30-29-850, IDAHO CODE, TO REMOVE DEFINITIONS AND TO REVISE DEFINITIONS; AMENDING SECTION 30-29-851, IDAHO CODE, TO REVISE PROVISIONS REGARDING PERMISSIBLE INDEMNIFICATION; AMENDING SECTION 30-29-852, IDAHO CODE, TO REVISE A PROVISION REGARDING MANDATORY INDEMNIFICATION; AMENDING SECTION 30-29-853, IDAHO CODE, TO REVISE PROVISIONS REGARDING AN ADVANCE FOR EXPENSES; AMENDING SECTION 30-29-854, IDAHO CODE, TO REVISE PROVISIONS REGARDING COURT-ORDERED INDEMNIFICATION AND AN ADVANCE FOR EXPENSES; AMENDING SECTION 30-29-855, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE DETERMINATION AND AUTHORIZATION OF INDEMNIFICATION; AMENDING SECTION 30-29-856, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE INDEMNIFICATION OF OFFICERS; AMENDING SECTION 30-29-857, IDAHO CODE, TO REVISE PROVISIONS REGARDING INSURANCE; AMENDING SECTION 30-29-858, IDAHO CODE, TO REVISE PROVISIONS REGARDING VARIATION BY CORPORATE ACTION AND APPLICATION OF INDEMNIFICATION PROVISIONS; REPEALING SECTION 30-29-860, IDAHO CODE, RELATING TO DEFINITIONS; AMENDING CHAPTER 29, TITLE 30, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 30-29-860, IDAHO CODE, TO DEFINE TERMS; AMENDING SECTION 30-29-861,

IDAHO CODE, TO REVISE PROVISIONS REGARDING JUDICIAL ACTION; AMENDING SECTION 30-29-862, IDAHO CODE, TO REVISE PROVISIONS REGARDING DIRECTORS' ACTION; AMENDING SECTION 30-29-863, IDAHO CODE, TO REVISE PROVISIONS REGARDING SHAREHOLDERS' ACTION; AMENDING CHAPTER 29, TITLE 30, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 30-29-870, IDAHO CODE, TO PROVIDE FOR CERTAIN BUSINESS OPPORTUNITIES; AMENDING CHAPTER 29, TITLE 30, IDAHO CODE, BY THE ADDITION OF A NEW PART 9, CHAPTER 29, TITLE 30, IDAHO CODE, TO DEFINE TERMS, TO PROVIDE FOR ACTION ON A PLAN OF DOMESTICATION, ARTICLES OF DOMESTICATION AND EFFECTIVENESS, THE EFFECT OF DOMESTICATION, ACTION ON A PLAN OF CONVERSION, ARTICLES OF CONVERSION AND EFFECTIVENESS, AND THE EFFECT OF CONVERSION; AMENDING SECTION 30-29-1001, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE AUTHORITY TO AMEND; AMENDING SECTION 30-29-1003, IDAHO CODE, TO REVISE PROVISIONS REGARDING AMENDMENT BY THE BOARD OF DIRECTORS AND SHAREHOLDERS; AMENDING SECTION 30-29-1004, IDAHO CODE, TO REVISE PROVISIONS REGARDING VOTING ON AMENDMENTS BY VOTING GROUPS; AMENDING SECTION 30-29-1005, IDAHO CODE, TO REVISE PROVISIONS REGARDING AMENDMENT BY THE BOARD OF DIRECTORS; AMENDING SECTION 30-29-1006, IDAHO CODE, TO REVISE PROVISIONS REGARDING ARTICLES OF AMENDMENT; AMENDING SECTION 30-29-1007, IDAHO CODE, TO REVISE PROVISIONS REGARDING RESTATED ARTICLES OF INCORPORATION; AMENDING SECTION 30-29-1008, IDAHO CODE, TO REVISE PROVISIONS REGARDING AMENDMENT PURSUANT TO REORGANIZATION; AMENDING SECTION 30-29-1009, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE EFFECT OF AMENDMENT; AMENDING SECTION 30-29-1020, IDAHO CODE, TO REVISE PROVISIONS REGARDING AUTHORITY TO AMEND; AMENDING SECTION 30-29-1021, IDAHO CODE, TO REVISE PROVISIONS REGARDING A BYLAW INCREASING A QUORUM OR VOTING REQUIREMENTS FOR DIRECTORS; AMENDING CHAPTER 29, TITLE 30, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 30-29-1022, IDAHO CODE, TO PROVIDE FOR BYLAW PROVISIONS RELATING TO THE ELECTION OF DIRECTORS; AMENDING THE HEADING FOR PART 11, CHAPTER 29, TITLE 30, IDAHO CODE, TO REVISE THE PART DESCRIPTION; AMENDING CHAPTER 29, TITLE 30, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 30-29-1101, IDAHO CODE, TO DEFINE TERMS; AMENDING SECTION 30-29-1104, IDAHO CODE, TO REVISE PROVISIONS REGARDING ACTION ON A PLAN OF MERGER OR SHARE EXCHANGE; AMENDING SECTION 30-29-1105, IDAHO CODE, TO REVISE PROVISIONS REGARDING A MERGER BETWEEN A PARENT AND SUBSIDIARY OR BETWEEN SUBSIDIARIES; AMENDING CHAPTER 29, TITLE 30, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 30-29-1107, IDAHO CODE, TO PROVIDE FOR THE EFFECT OF A MERGER OR SHARE EXCHANGE; AMENDING SECTION 30-29-1201, IDAHO CODE, TO REVISE PROVISIONS REGARDING DISPOSITION OF ASSETS NOT REQUIRING SHAREHOLDER APPROVAL; AMENDING SECTION 30-29-1202, IDAHO CODE, TO REVISE PROVISIONS REGARDING SHAREHOLDER

APPROVAL OF CERTAIN DISPOSITIONS; AMENDING SECTION 30-29-1301, IDAHO CODE, TO DEFINE TERMS, TO REVISE DEFINITIONS, AND TO REMOVE DEFINITIONS; AMENDING SECTION 30-29-1302, IDAHO CODE, TO REVISE PROVISIONS REGARDING A RIGHT TO APPRAISAL; AMENDING SECTION 30-29-1303, IDAHO CODE, TO REVISE PROVISIONS REGARDING ASSERTION OF RIGHTS BY NOMINEES AND BENEFICIAL SHAREHOLDERS; AMENDING SECTION 30-29-1320, IDAHO CODE, TO REVISE PROVISIONS REGARDING NOTICE OF APPRAISAL RIGHTS; AMENDING SECTION 30-29-1321, IDAHO CODE, TO REVISE PROVISIONS REGARDING NOTICE OF INTENT TO DEMAND PAYMENT AND CONSEQUENCES OF VOTING OR CONSENTING; AMENDING SECTION 30-29-1322, IDAHO CODE, TO REVISE PROVISIONS REGARDING APPRAISAL NOTICE AND FORM; AMENDING SECTION 30-29-1323, IDAHO CODE, TO REVISE PROVISIONS REGARDING PERFECTION OF RIGHTS AND THE RIGHT TO WITHDRAW; AMENDING SECTION 30-29-1324, IDAHO CODE, TO REVISE PROVISIONS REGARDING PAYMENT; AMENDING SECTION 30-29-1325, IDAHO CODE, TO REVISE PROVISIONS REGARDING AFTER ACQUIRED SHARES; AMENDING SECTION 30-29-1326, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE PROCEDURE IF A SHAREHOLDER IS DISSATISFIED WITH A PAYMENT OR OFFER; AMENDING SECTION 30-29-1330, IDAHO CODE, TO REVISE PROVISIONS REGARDING COURT ACTION; AMENDING SECTION 30-29-1331, IDAHO CODE, TO REVISE PROVISIONS REGARDING COURT COSTS AND EXPENSES; AMENDING CHAPTER 29, TITLE 30, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 30-29-1340, IDAHO CODE, TO PROVIDE THAT CERTAIN OTHER REMEDIES MAY BE LIMITED; AMENDING SECTION 30-29-1401, IDAHO CODE, TO REVISE PROVISIONS REGARDING DISSOLUTION BY INCORPORATORS OR INITIAL DIRECTORS; AMENDING SECTION 30-29-1402, IDAHO CODE, TO REVISE PROVISIONS REGARDING DISSOLUTION BY THE BOARD OF DIRECTORS OR SHAREHOLDERS; AMENDING SECTION 30-29-1403, IDAHO CODE, TO REVISE PROVISIONS REGARDING ARTICLES OF DISSOLUTION; AMENDING SECTION 30-29-1404, IDAHO CODE, TO REVISE PROVISIONS REGARDING A REVOCATION OF DISSOLUTION; AMENDING SECTION 30-29-1405, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE EFFECT OF DISSOLUTION; AMENDING SECTION 30-29-1406, IDAHO CODE, TO REVISE PROVISIONS REGARDING KNOWN CLAIMS AGAINST A DISSOLVED CORPORATION; AMENDING SECTION 30-29-1407, IDAHO CODE, TO REVISE PROVISIONS REGARDING OTHER CLAIMS AGAINST A DISSOLVED CORPORATION; AMENDING SECTION 30-29-1408, IDAHO CODE, TO REVISE PROVISIONS REGARDING COURT PROCEEDINGS; AMENDING SECTION 30-29-1409, IDAHO CODE, TO REVISE PROVISIONS REGARDING DIRECTOR DUTIES; AMENDING SECTION 30-29-1430, IDAHO CODE, TO REVISE PROVISIONS REGARDING GROUNDS FOR JUDICIAL DISSOLUTION; AMENDING SECTION 30-29-1431, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE PROCEDURE FOR JUDICIAL DISSOLUTION; AMENDING SECTION 30-29-1432, IDAHO CODE, TO REVISE PROVISIONS REGARDING A RECEIVERSHIP OR CUSTODIANSHIP; AMENDING SECTION 30-29-1433, IDAHO CODE, TO REVISE

PROVISIONS REGARDING A DECREE OF DISSOLUTION; AMENDING SECTION 30-29-1434, IDAHO CODE, TO REVISE PROVISIONS REGARDING AN ELECTION TO PURCHASE IN LIEU OF DISSOLUTION; AMENDING SECTION 30-29-1601, IDAHO CODE, TO REVISE PROVISIONS REGARDING CORPORATE RECORDS; AMENDING SECTION 30-29-1602, IDAHO CODE, TO REVISE PROVISIONS REGARDING INSPECTION RIGHTS OF SHAREHOLDERS; AMENDING SECTION 30-29-1603, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE SCOPE OF AN INSPECTION RIGHT; AMENDING SECTION 30-29-1604, IDAHO CODE, TO REVISE PROVISIONS REGARDING A COURT-ORDERED INSPECTION; AMENDING SECTION 30-29-1605, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE INSPECTION RIGHTS OF DIRECTORS; REPEALING SECTION 30-29-1606, IDAHO CODE, RELATING TO AN EXCEPTION TO A NOTICE REQUIREMENT; REPEALING SECTION 30-29-1620, IDAHO CODE, RELATING TO FINANCIAL STATEMENTS FOR SHAREHOLDERS; REPEALING SECTION 30-29-1621, IDAHO CODE, RELATING TO OTHER REPORTS TO SHAREHOLDERS; AMENDING CHAPTER 29, TITLE 30, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 30-29-1620, IDAHO CODE, TO PROVIDE FOR FINANCIAL STATEMENTS FOR SHAREHOLDERS; AMENDING SECTION 30-29-1701, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE APPLICATION TO EXISTING DOMESTIC CORPORATIONS; AMENDING SECTION 30-29-1702, IDAHO CODE, TO REVISE PROVISIONS REGARDING APPLICATION TO EXISTING FOREIGN CORPORATIONS; AMENDING SECTION 30-29-1703, IDAHO CODE, TO REVISE PROVISIONS REGARDING SAVING PROVISIONS; AMENDING SECTION 30-29-1704, IDAHO CODE, TO REVISE A PROVISION REGARDING SEVERABILITY; AND AMENDING SECTION 30-2006, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE.

**HOUSE BILL NO. 85**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO DAYLIGHT SAVING TIME; AMENDING CHAPTER 1, TITLE 73, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 73-123, IDAHO CODE, TO PROVIDE THAT THE STATE OF IDAHO SHALL BE EXEMPT FROM THE DAYLIGHT SAVING TIME PROVISIONS OF FEDERAL LAW; AND PROVIDING AN EFFECTIVE DATE.

**HOUSE BILL NO. 86**  
**BY REVENUE AND TAXATION COMMITTEE**  
AN ACT

RELATING TO SALES TAX; AMENDING CHAPTER 36, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-362200, IDAHO CODE, TO PROVIDE A SALES TAX EXEMPTION FOR THE LABOR COST OF ADDING ACCESSORIES TO A NEW VEHICLE.

**HOUSE BILL NO. 87**  
**BY REVENUE AND TAXATION COMMITTEE**  
AN ACT

RELATING TO PERSONAL PROPERTY TAX; PROVIDING LEGISLATIVE INTENT; AMENDING SECTION 63-602EE, IDAHO CODE, TO PROVIDE THAT A PROPERTY TAX EXEMPTION FOR AGRICULTURAL MACHINERY AND EQUIPMENT INCLUDES CERTAIN APPLICATIONS, TO PROVIDE A DEFINITION, TO



PROVIDE A RULE OF CONSTRUCTION, AND TO MAKE A TECHNICAL CORRECTION; REPEALING SECTION 63-602EE, IDAHO CODE, RELATING TO THE PROPERTY TAX EXEMPTION FOR AGRICULTURAL MACHINERY AND EQUIPMENT; AMENDING SECTION 63-602EE, IDAHO CODE, AS ENACTED BY SECTION 3, CHAPTER 297, LAWS OF 2018, TO PROVIDE THAT A PROPERTY TAX EXEMPTION FOR AGRICULTURAL MACHINERY AND EQUIPMENT HAS CERTAIN APPLICATIONS, TO PROVIDE A DEFINITION, TO PROVIDE A RULE OF CONSTRUCTION, AND TO MAKE A TECHNICAL CORRECTION; AND DECLARING AN EMERGENCY, PROVIDING RETROACTIVE APPLICATION, AND PROVIDING AN EFFECTIVE DATE.

[H 78](#), [H 79](#), [H 80](#), [H 81](#), [H 82](#), [H 83](#), [H 84](#), [H 85](#), [H 86](#), and [H 87](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Tenth Order of Business.

#### 10TH ORDER

##### Second Reading of Bills and Joint Resolutions

[HCR 7](#), by Resources and Conservation Committee, was read the second time by title and filed for third reading.

[H 66](#), by Appropriations Committee, was read the second time by title and filed for third reading.

[H 72](#), by Business Committee, was read the second time by title and filed for third reading.

[H 24](#), by Transportation and Defense Committee, was read the second time by title and filed for third reading.

[H 39](#), by Local Government Committee, was read the second time by title and filed for third reading.

[H 22](#), [H 37](#), [HCR 3](#), and [HJM 1](#), by Health and Welfare Committee, were read the second time by title and filed for third reading.

#### 11TH ORDER

##### Third Reading of Bills and Joint Resolutions

Mr. Moyle asked unanimous consent that [S 1025](#) retain its place on the Third Reading Calendar until Monday, February 4, 2019. There being no objection, it was so ordered.

#### [H 43](#) - PUBLIC DEFENSE

[H 43](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Gannon to open debate.

The question being, "Shall [H 43](#) pass?"

Roll call resulted as follows:

AYES—Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Kauffman, Kerby, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould,

Raymond, Ricks, Scott, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 63.

NAYS—None.

Absent—Abernathy, Erpelding, Horman, Kingsley, Rubel, Shepherd, Wood. Total - 7.

Total - 70.

Whereupon the Speaker declared that [H 43](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

#### [S 1017](#) - APPROPRIATIONS - PUBLIC UTILITIES COMMISSION

[S 1017](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Toone to open debate.

The question being, "Shall [S 1017](#) pass?"

Roll call resulted as follows:

AYES—Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Berch, Blanksma, Boyle, Chaney, Chew, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Harris, Hartgen, Holtzclaw, Kauffman, Kerby, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Smith, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 57.

NAYS—Barbieri, Christensen, Green(2), Scott, Stevenson, Wisniewski. Total - 6.

Absent—Abernathy, Erpelding, Horman, Kingsley, Rubel, Shepherd, Wood. Total - 7.

Total - 70.

Whereupon the Speaker declared that [S 1017](#) passed the House. Title was approved and the bill ordered returned to the Senate.

There being no objection, the House advanced to the Fifteenth Order of Business.

#### 15TH ORDER

##### Announcements

Announcements were made to the body.

#### 16TH ORDER

##### Adjournment

Mr. Moyle moved that the House adjourn until 11 a.m., Monday, February 4, 2019. Seconded by Ms. Smith. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:49 a.m.

SCOTT BEDKE, Speaker

ATTEST:

CARRIE MAULIN, Chief Clerk



# HOUSE JOURNAL

OF THE

## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-FIFTH LEGISLATURE

---

**TWENTY-NINTH LEGISLATIVE DAY**  
**MONDAY, FEBRUARY 4, 2019**

House of Representatives

The House convened at 11 a.m., the Speaker in the Chair.

Roll call showed all 70 members present.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Beth Lindberg, Page.

### 3RD ORDER

#### Approval of Journal

February 4, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Twenty-sixth Legislative Day and recommend that same be adopted as corrected.

DAYLEY, Chairman

Mr. Dayley moved that the report be adopted. Seconded by Mr. Gannon. Report adopted.

### 4TH ORDER

#### Consideration of Messages from the Governor and the Senate

February 1, 2019

Mr. Speaker:

I return herewith enrolled [H 28](#) which has been signed by the President.

NOVAK, Secretary

Enrolled [H 28](#) was referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

### 5TH ORDER

#### Report of Standing Committees

February 4, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have printed [H 78](#), [H 79](#), [H 80](#), [H 81](#), [H 82](#), [H 83](#), [H 84](#), [H 85](#), [H 86](#), and [H 87](#).

DAYLEY, Chairman

[H 78](#) and [H 79](#) were referred to the Judiciary, Rules and Administration Committee.

[H 80](#) and [H 81](#) were referred to the Resources and Conservation Committee.

[H 82](#), [H 83](#), and [H 84](#) were referred to the Business Committee.

[H 85](#) was referred to the State Affairs Committee.

[H 86](#) and [H 87](#) were referred to the Revenue and Taxation Committee.

February 4, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have transmitted enrolled [H 13](#) and [H 20](#) to the Governor at 11:22 a.m., as of this date, February 1, 2019.

DAYLEY, Chairman

There being no objection, the House advanced to the Tenth Order of Business.

### 10TH ORDER

#### Second Reading of Bills and Joint Resolutions

[H 44](#), by Resources and Conservation Committee, was read the second time by title and filed for third reading.

[H 64](#), by State Affairs Committee, was read the second time by title and filed for third reading.

[H 62](#), by Revenue and Taxation Committee, was read the second time by title and filed for third reading.

### 11TH ORDER

#### Third Reading of Bills and Joint Resolutions

Mr. Moyle asked unanimous consent that [H 39](#) retain its place on the Third Reading Calendar for one legislative day. There being no objection, it was so ordered.

### [S 1025](#) - APPROPRIATIONS - STEM ACTION CENTER

[S 1025](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Horman to open debate.

The question being, "Shall [S 1025](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 68.

NAYS—None.

Absent—Chaney, Rubel. Total - 2.

Total - 70.

Whereupon the Speaker declared that [S 1025](#) passed the House. Title was approved and the bill ordered returned to the Senate.

### [HCR 7](#) - FISH AND GAME - RULE REJECTION

[HCR 7](#) was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Gestrin to open debate.

The question being, "Shall [HCR 7](#) be adopted?"

Whereupon the Speaker declared [HCR 7](#) adopted by voice vote and ordered the resolution transmitted to the Senate.

#### [H 66](#) - APPROPRIATIONS - IDAHO TRANSPORTATION DEPARTMENT

[H 66](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Kauffman to open debate.

The question being, "Shall [H 66](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 69.

NAYS—None.

Absent—Chaney. Total - 1.

Total - 70.

Whereupon the Speaker declared that [H 66](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

#### [H 72](#) - FINANCIAL MANAGEMENT

[H 72](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Monks to open debate.

The question being, "Shall [H 72](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 70.

Whereupon the Speaker declared that [H 72](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

#### [H 24](#) - RECREATIONAL ACTIVITIES

[H 24](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Addis to open debate.

The question being, "Shall [H 24](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 70.

Whereupon the Speaker declared that [H 24](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

#### [H 22](#) - OCCUPATIONAL LICENSING

[H 22](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Davis to open debate.

The question being, "Shall [H 22](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 70.

Whereupon the Speaker declared that [H 22](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

#### [H 37](#) - HEALTH

[H 37](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Gibbs to open debate.

The question being, "Shall [H 37](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 70.

Whereupon the Speaker declared that [H 37](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

**HCR 3 - EATING DISORDERS AWARENESS WEEK**

**HCR 3** was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. McCrostie to open debate.

The question being, "Shall **HCR 3** be adopted?"

Whereupon the Speaker declared **HCR 3** adopted by voice vote and ordered the resolution transmitted to the Senate.

**HJM 1 - HEALTH**

**HJM 1** was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Troy to open debate.

The question being, "Shall **HJM 1** be adopted?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Monks, Moyle, Palmer, Raybould, Raymond, Ricks, Rubel, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wood, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 62.

NAYS—Barbieri, Giddings, Mendive, Moon, Nichols, Scott, Wisniewski, Young. Total - 8.

Total - 70.

Whereupon the Speaker declared **HJM 1** adopted and ordered the memorial transmitted to the Senate.

There being no objection, the House advanced to the Fifteenth Order of Business.

**15TH ORDER  
Announcements**

Announcements were made to the body.

**16TH ORDER  
Adjournment**

Mr. Moyle moved that the House adjourn until 11 a.m., Tuesday, February 5, 2019. Seconded by Mr. Erpelding. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:42 a.m.

SCOTT BEDKE, Speaker

ATTEST:

CARRIE MAULIN, Chief Clerk

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**THIRTIETH LEGISLATIVE DAY**  
**TUESDAY, FEBRUARY 5, 2019**

House of Representatives

The House convened at 11 a.m., the Speaker in the Chair.

Roll call showed all 70 members present.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Warren Johnson, Page.

### 3RD ORDER

#### Approval of Journal

February 5, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Twenty-ninth Legislative Day and recommend that same be adopted as corrected.

DAYLEY, Chairman

Mr. Dayley moved that the report be adopted. Seconded by Mr. Gannon. Report adopted.

At this time, the Speaker put the House at ease for an Idaho State Historical Society presentation.

\*\*\*\*\*

The Idaho State Historical Society presented for viewing the original Idaho constitution. Representative Chaney delivered prepared remarks regarding the original state constitutional convention of July 4, 1889 and the delegates who met for 32 days to write the state constitution.

\*\*\*\*\*

### 4TH ORDER

#### Consideration of Messages from the Governor and the Senate

February 4, 2019

Mr. Speaker:

I transmit herewith enrolled [S 1016](#) for the signature of the Speaker.

NOVAK, Secretary

The Speaker announced he was about to sign enrolled [S 1016](#) when so signed, ordered it returned to the Senate.

February 4, 2019  
Mr. Speaker:

I return herewith [HCR 2](#), [H 35](#), [H 36](#), [H 14](#), and [H 15](#) which have passed the Senate.

NOVAK, Secretary

[HCR 2](#), [H 35](#), [H 36](#), [H 14](#), and [H 15](#) were referred to the Judiciary, Rules, and Administration Committee for enrolling.

### 5TH ORDER

#### Report of Standing Committees

February 5, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have transmitted enrolled [H 28](#) to the Governor at 11:15 a.m., as of this date, February 4, 2019.

DAYLEY, Chairman

There being no objection, the House returned to the Fourth Order of Business.

### 4TH ORDER

#### Consideration of Messages from the Governor and the Senate

OFFICE OF THE GOVERNOR  
Boise

February 4, 2019

The Honorable Scott Bedke  
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House bills, to wit:

[H 13](#) and [H 28](#)

Sincerely,  
/s/ Brad Little  
Governor

There being no objection, the House advanced to the Eighth Order of Business.

### 8TH ORDER

#### Introduction, First Reading, and Reference of Bills and Joint Resolutions

**HOUSE BILL NO. 88**  
**BY TRANSPORTATION AND DEFENSE COMMITTEE**  
AN ACT  
RELATING TO THE HIGHWAY DISTRIBUTION ACCOUNT; AMENDING SECTION 40-701, IDAHO CODE, TO REVISE APPORTIONMENT PROVISIONS REGARDING THE HIGHWAY DISTRIBUTION ACCOUNT.

**HOUSE BILL NO. 89**  
**BY TRANSPORTATION AND DEFENSE COMMITTEE**  
AN ACT  
RELATING TO HIGHWAYS AND BRIDGES; AMENDING CHAPTER 5, TITLE 40, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 40-513F, IDAHO

CODE, TO DESIGNATE THE PORTION OF U.S. HIGHWAY 20 LOCATED IN IDAHO AS THE IDAHO MEDAL OF HONOR HIGHWAY.

**HOUSE BILL NO. 90**

**BY TRANSPORTATION AND DEFENSE COMMITTEE**  
AN ACT

RELATING TO RECREATIONAL ACTIVITIES; AMENDING SECTION 67-7101, IDAHO CODE, TO REVISE THE DEFINITIONS OF "ATV" AND "UTV" AND TO MAKE TECHNICAL CORRECTIONS.

**HOUSE BILL NO. 91**

**BY LOCAL GOVERNMENT COMMITTEE**  
AN ACT

RELATING TO DEVELOPMENT IMPACT FEES; AMENDING SECTION 67-8203, IDAHO CODE, TO REVISE A DEFINITION AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 92**

**BY LOCAL GOVERNMENT COMMITTEE**  
AN ACT

RELATING TO ANNEXATION; AMENDING SECTION 50-222, IDAHO CODE, TO PROVIDE REQUIREMENTS REGARDING ANNEXATION OF CERTAIN FOREST LAND AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 93**

**BY EDUCATION COMMITTEE**  
AN ACT

RELATING TO EDUCATION; AMENDING SECTION 33-1207A, IDAHO CODE, TO PROVIDE THAT APPROVED NONTRADITIONAL EDUCATOR PREPARATION PROGRAMS MAY RECEIVE FUNDING UNDER CERTAIN CIRCUMSTANCES AND TO MAKE TECHNICAL CORRECTIONS.

[H 88](#), [H 89](#), [H 90](#), [H 91](#), [H 92](#), and [H 93](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Eleventh Order of Business.

**11TH ORDER**

**Third Reading of Bills and Joint Resolutions**

Mr. Mendive asked unanimous consent that [H 39](#) be returned to the Local Government Committee. There being no objection, it was so ordered.

**[H 44](#) - FOREST PRACTICES ACT ADMINISTRATION**

[H 44](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Lickley to open debate.

Pursuant to Rule 38(3), Mrs. Moon disclosed a conflict of interest regarding [H 44](#).

The question being, "Shall [H 44](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Berch, Blanksma, Boyle, Chaney, Chew, Clow, Collins, Davis,

Dayley, Ellis, Erpelding, Furniss, Gannon, Gibbs, Goesling, Green(18), Hartgen, Horman, Kauffman, Kerby, Lickley, Marshall, Mason, McCrostie, Mendive, Palmer, Raybould, Raymond, Rubel, Smith, Stevenson, Syme, Toone, Troy, Wagoner, Wintrow, Wood, Youngblood, Mr. Speaker. Total - 44.

NAYS—Andrus, Armstrong, Barbieri, Christensen, Crane, DeMordaunt, Dixon, Ehardt, Gestrin, Giddings, Green(2), Harris, Holtzclaw, Kingsley, Monks, Moon, Moyle, Nichols, Ricks, Scott, Shepherd, Vander Woude, Wisniewski, Young, Zito, Zollinger. Total - 26.

Total - 70.

Whereupon the Speaker declared that [H 44](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

**[H 64](#) - ABORTION COMPLICATIONS**

[H 64](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Chaney to open debate.

The question being, "Shall [H 64](#) pass?"

Roll call resulted as follows:

AYES—Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Blanksma, Boyle, Chaney, Christensen, Clow, Collins, Crane, Dayley, DeMordaunt, Dixon, Ehardt, Furniss, Gestrin, Gibbs, Giddings, Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Scott, Shepherd, Stevenson, Syme, Troy, Vander Woude, Wagoner, Wisniewski, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 54.

NAYS—Abernathy, Berch, Chew, Davis, Ellis, Erpelding, Gannon, Goesling, Green(18), Mason, McCrostie, Rubel, Smith, Toone, Wintrow, Wood. Total - 16.

Total - 70.

Whereupon the Speaker declared that [H 64](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

**[H 62](#) - OCCUPANCY TAX**

[H 62](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Giddings to open debate.

The question being, "Shall [H 62](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 70.

Whereupon the Speaker declared that [H 62](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

There being no objection, the House advanced to the Fifteenth Order of Business.

**15TH ORDER**  
**Announcements**

Announcements were made to the body.

**16TH ORDER**  
**Adjournment**

Mr. Moyle moved that the House adjourn until 11 a.m., Wednesday, February 6, 2019. Seconded by Mr. Erpelding. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:49 a.m.

SCOTT BEDKE, Speaker

ATTEST:

CARRIE MAULIN, Chief Clerk



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**THIRTY-FIRST LEGISLATIVE DAY  
WEDNESDAY, FEBRUARY 6, 2019**

House of Representatives

The House convened at 11 a.m., the Speaker in the Chair.

Roll call showed 67 members present.

Absent and excused - Chaney, Holtzclaw, and Youngblood.

Total - 3.

Total - 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Arlie Bledsoe, Page.

### 3RD ORDER

#### Approval of Journal

February 6, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Thirtieth Legislative Day and recommend that same be adopted as corrected.

DAYLEY, Chairman

Mr. Dayley moved that the report be adopted. Seconded by Mr. Gannon. Report adopted.

### 4TH ORDER

#### Consideration of Messages from the Governor and the Senate

February 5, 2019

Mr. Speaker:

I transmit herewith enrolled [S 1017](#) for the signature of the Speaker.

NOVAK, Secretary

The Speaker announced he was about to sign enrolled [S 1017](#) when so signed, ordered it returned to the Senate.

February 5, 2019

Mr. Speaker:

I transmit herewith [S 1031](#) and [S 1032](#) which have passed the Senate.

NOVAK, Secretary

[S 1031](#) and [S 1032](#) were filed for first reading.

February 5, 2019

Mr. Speaker:

I return herewith [H 16](#), [H 17](#), and [H 1](#) which have passed the Senate.

NOVAK, Secretary

[H 16](#), [H 17](#), and [H 1](#) were referred to the Judiciary, Rules, and Administration Committee for enrolling.

### 5TH ORDER

#### Report of Standing Committees

February 6, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have printed [H 88](#), [H 89](#), [H 90](#), [H 91](#), [H 92](#), and [H 93](#).

DAYLEY, Chairman

[H 88](#), [H 89](#), and [H 90](#) were referred to the Transportation and Defense Committee.

[H 91](#) and [H 92](#) were referred to the Local Government Committee.

[H 93](#) was referred to the Education Committee.

February 6, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have enrolled [HCR 2](#), [H 35](#), [H 36](#), [H 14](#), and [H 15](#).

DAYLEY, Chairman

The Speaker announced he was about to sign enrolled [HCR 2](#), [H 35](#), [H 36](#), [H 14](#), and [H 15](#) and, when so signed, ordered them transmitted to the Senate for the signature of the President.

February 6, 2019

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration [H 86](#) and [H 87](#) and recommend that they do pass.

COLLINS, Chairman

[H 86](#) and [H 87](#) were filed for second reading.

February 6, 2019

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration [HCR 6](#) and recommend that it do pass.

CLOW, Chairman

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

There being no objection, the House advanced to the Seventh Order of Business.

### 7TH ORDER

#### Motions, Memorials, and Resolutions

**HOUSE CONCURRENT RESOLUTION NO. 8  
BY RESOURCES AND CONSERVATION COMMITTEE  
A CONCURRENT RESOLUTION  
STATING FINDINGS OF THE LEGISLATURE AND  
ASSERTING THAT THE TIME IS RIPE FOR A PETITION  
TO THE ENVIRONMENTAL PROTECTION AGENCY  
FROM THE STATE OF IDAHO TO REQUEST THAT THE  
POPULATED AREAS OF THE BUNKER HILL MINING  
AND METALLURGICAL COMPLEX SUPERFUND SITE,  
KNOWN AS RESIDENTIAL SOILS OPERABLE UNIT 1, BE  
DELISTED FROM THE OVERALL SUPERFUND SITE AND  
URGING THE GOVERNOR TO TAKE ACTION TOWARD  
SUCH DELISTING.**

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

WHEREAS, mining operations began in the Coeur d'Alene Mining District in 1883. It is one of the largest historical mining districts in the world. The Bunker Hill Mine, Star-Morning Mine, and Sunshine Mine represent some of the largest and deepest underground mines and richest silver mines in the United States; and

WHEREAS, in 1904 and 1928, the Bunker Hill Mine was the first in the district to construct tailings ponds to impound mill wastes. In 1917, Bunker Hill Mine and Sullivan Mine began operation of the first smelter in the Coeur d'Alene Mining District. Between 1932 and 1968, a large dredge purchased by the Mine Owners Association dredged as much as 3,000 tons of sediments daily from the Coeur d'Alene River near Cataldo Mission Flats and deposited it 25-30 feet deep on 2,000 acres it purchased. The Department of Transportation later used some of these sediments to form the foundation of I-90 in the area. In the 1960s, mines that were still operating installed settlement ponds and began the current practice of pumping, or backfilling, their mine wastes into mined-out areas, rather than into waterways, tailings dumps, or impoundment ponds; and

WHEREAS, the Bunker Hill Mine erected smokestacks at the smelter and zinc plants for better emissions dispersal. A bag plant later malfunctioned causing massive aerial pollution of the area nearby, which is now considered the 21-square-mile "Box"; and

WHEREAS, prior to tailings dumps, impoundment dams, settlement ponds, and backfilling practices, the soil, sediment, groundwater, and surface water became contaminated with heavy metals such as lead, especially after flooding events. Lead and other metals pose serious risks to people and the environment, particularly to young children and pregnant women; and

WHEREAS, the Comprehensive Environmental Response, Compensation, and Liability Act, otherwise known as CERCLA or Superfund, was enacted by Congress on December 11, 1980. The act provides a federal Superfund to clean up uncontrolled or abandoned hazardous waste sites as well as accidents, spills, and other emergency releases of pollutants and contaminants into the environment; and

WHEREAS, the Bunker Hill Mining and Metallurgical Complex Superfund Site was declared a Superfund site in 1983 and spans 1,500 square miles and 166 river miles. It is one of the nation's largest and most complex Superfund sites and is divided into three Operable Units (OUs) for manageable cleanup. The "Box" is a 21-square-mile area surrounding the historic smelter area and includes OU 1: populated areas and OU 2: non-populated areas. The remainder of the site is known as the "Basin": OU 3; and

WHEREAS, over \$665 million from two settlements is funding cleanup actions in the "Box" and the "Basin" areas of the Bunker Hill Superfund site. A fund has been set aside to cover future remediation costs of the few properties where remediation was refused. In addition, the Environmental Protection Agency (EPA) will continue to seek additional funding from EPA headquarters to supplement settlement funds; and

WHEREAS, the Residential Soils Operable Unit (OU 1) was the first unit addressed at the Superfund site because exposure to lead in residential soils has been identified as the primary health risk to children and pregnant women within the populated areas of the site. The populated areas, referred to as "Reasonably Segregable Areas," (RSA) included Kellogg, Wardner, Smeltonville, Page, Pinehurst, Elizabeth Park, Ross Ranch, and Montgomery Gulch. The 1991 Record of Decision stated that residential soils were not a principal threat at this site, although they represented a significant lead exposure pathway to

the local population, as well as exposure to interior house dust and consumption of locally grown garden produce; and

WHEREAS, the selected process for soil remedy began in 1994 and included the removal of contaminated topsoil, placement of a visual marker when areas were above 1,000 parts per million (ppm) lead below the excavation depth, and replacement with clean topsoil and revegetation. The contaminated soil would be disposed of and institutional controls would manage the barrier, and the area would have long-term monitoring for effectiveness; and

WHEREAS, remediation activities included the remediation of residential yards, commercial properties, rights-of-way, and water well closures. The RSA average soil lead concentrations are to be below 350 ppm. The RSAs have all been certified as completed with no more action appropriate and the EPA's approval sought. In 1997, Smeltonville was certified with an average of 70.9 ppm, which included a 451.7 ppm average for areas not requiring remediation, and in 1999, North Kellogg was certified with an average of 114 ppm, which included a 979 ppm average for areas not requiring remediation; and

WHEREAS, in a 2002 letter to the EPA, the Shoshone County Board of Commissioners wrote "We believe that your work in this Superfund site is near completion. We are asking you to complete your work in the box, and leave Shoshone County. Return the land that have been cleaned to the State of Idaho and delist the box..."; and

WHEREAS, in 2001, the Basin Environmental Improvement Project Commission (BEIPC) was established by Section 39-8106, Idaho Code. In 2006, the BEIPC asked the EPA to develop criteria for deleting the geographic portions of the Superfund site where no further response is appropriate or areas where all work is completed. The EPA responded that it will evaluate whether to partially delete specific geographical areas of the site and develop appropriate criteria as construction activities are completed; and

WHEREAS, the remaining RSAs were all certified as complete in 2008 with the overall soil lead concentration averages in South Kellogg being 132 ppm, including a 610 ppm average for areas not requiring remediation; Elizabeth Park/Ross Ranch/Montgomery Gulch, 258 ppm, including a 509 ppm nonremediated average; Page, 168 ppm, including a 339 ppm nonremediated average; Wardner, 126 ppm, including a 574 ppm nonremediated average; and Pinehurst, 262 ppm, including a 463 ppm nonremediated average; and

WHEREAS, in 1995, the EPA issued a policy (60 FR 55466-7) regarding the partial delisting of Superfund sites. "With State concurrence, EPA may delete sites from the NPL (National Priorities List) when it determines that no further response is appropriate under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA)...To date, EPA policy has been to delete releases only after evaluation of the entire site. However, deletion of entire sites does not communicate the successful cleanup of portions of those sites. Total site cleanup may take many years, while portions of the site may have been cleaned up and may be available for productive use. Some potential investors or developers may be reluctant to undertake economic activity at even a cleaned-up portion of real property that is part of a site listed on the NPL. Therefore, EPA will delete portions of sites, as appropriate, and will consider petitions to do so. Such petitions may be submitted by any person, including individuals, business entities, States, local governments, and other Federal agencies. Partial deletion will also be governed by 40 CFR 300.425(e). State concurrence will continue to, thus, be a requirement for any partial deletion. EPA will consider partial deletion for portions of sites when no further response is appropriate for that portion of the site. Such



portion may be a defined geographic unit of the site, perhaps as small as a residential unit, or may be a specific medium at the site, e.g., groundwater, depending on the nature or extent of the release(s)."; and

WHEREAS, the average blood lead levels (BLLs) of the children within OU 1 met and have remained below the CDC health standard beginning in 1980 with Pinehurst, 1981 Kellogg, Wardner, and Page, and 1982 Smeltonville; i.e., before the 1983 Superfund designation. In 2017, the Panhandle Health Department reported that these children had an average of 3 micrograms per deciliter, while the health standard is 5 micrograms per deciliter; and

WHEREAS, the 2017 "Final Draft Superfund Cleanup Implementation Plan, 2016-2025" provides that "(I)n 2008, EPA and the Idaho Department of Environmental Quality certified completion of the OU 1 residential property remediation program conducted under the 1991 ROD (record of decision) for the communities located within the Bunker Hill Box (EPA 2010)."

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-fifth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the Idaho Legislature, on behalf of the citizens of the state, asserts that the time is ripe for a petition from the State of Idaho to request that the populated areas of the Bunker Hill Mining and Metallurgical Complex Superfund Site, known as Residential Soils Operable Unit 1, be delisted from the overall Superfund site, and we urge the Governor to take action toward such delisting.

**HCR 8** was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

### **8TH ORDER**

#### **Introduction, First Reading, and Reference of Bills and Joint Resolutions**

#### **HOUSE BILL NO. 94**

#### **BY BUSINESS COMMITTEE**

#### **AN ACT**

RELATING TO LIQUEFIED PETROLEUM GAS CONTAINERS; AMENDING CHAPTER 53, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-5318, IDAHO CODE, TO PROHIBIT THE FILLING OF LIQUEFIED PETROLEUM GAS CONTAINERS UNDER CERTAIN CONDITIONS, TO PROVIDE PENALTIES, TO PROVIDE FOR ASCERTAINMENT OF THE TERMS OF A WRITTEN LEASE, TO PROVIDE AN EXCEPTION FOR MISREPRESENTATION, TO PROVIDE THAT LEASE RESTRICTIONS SHALL BE PLAINLY STATED, AND TO PROVIDE FOR DISQUALIFICATION FROM PROTECTION.

#### **HOUSE BILL NO. 95**

#### **BY BUSINESS COMMITTEE**

#### **AN ACT**

RELATING TO MOTOR VEHICLES; AMENDING SECTION 49-401B, IDAHO CODE, TO REQUIRE AN APPLICANT FOR REGISTRATION OF A VEHICLE TO PROVIDE PROOF OF INSURANCE AND TO MAKE TECHNICAL CORRECTIONS.

#### **HOUSE BILL NO. 96**

#### **BY RESOURCES AND CONSERVATION COMMITTEE**

#### **AN ACT**

RELATING TO OUTFITTERS AND GUIDES; AMENDING SECTION 36-408, IDAHO CODE, TO REVISE

PROVISIONS REGARDING OUTFITTED HUNTER TAGS SET-ASIDE AND DEER AND ELK TAGS AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 36-2107, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE POWERS AND DUTIES OF THE IDAHO OUTFITTERS AND GUIDES LICENSING BOARD AND TO MAKE TECHNICAL CORRECTIONS.

#### **HOUSE BILL NO. 97**

#### **BY RESOURCES AND CONSERVATION COMMITTEE**

#### **AN ACT**

RELATING TO FISH AND GAME; AMENDING SECTION 36-1604, IDAHO CODE, TO DEFINE A TERM, TO REVISE PROVISIONS REGARDING APPLICABILITY OF SPECIFIED LAW TO THE DUTIES AND LIABILITY OF CERTAIN OWNERS OF LAND, AND TO MAKE TECHNICAL CORRECTIONS.

#### **HOUSE BILL NO. 98**

#### **BY JUDICIARY, RULES AND ADMINISTRATION**

#### **COMMITTEE**

#### **AN ACT**

RELATING TO MARRIAGE; AMENDING SECTION 32-202, IDAHO CODE, TO PROVIDE THAT A MARRIAGE LICENSE SHALL NOT BE ISSUED WITHOUT ORDER OF THE COURT IN CERTAIN INSTANCES, TO REMOVE A PROVISION REGARDING CHILDREN UNDER THE AGE OF SIXTEEN, TO REVISE A PROVISION REGARDING AN ORDER FOR MARRIAGE FOR PERSONS UNDER THE AGE OF EIGHTEEN, TO PROVIDE FOR THE BEST INTEREST OF THE CHILD, AND TO PROVIDE THAT A MARRIAGE LICENSE MAY NOT BE ISSUED IN CERTAIN INSTANCES.

#### **HOUSE BILL NO. 99**

#### **BY JUDICIARY, RULES AND ADMINISTRATION**

#### **COMMITTEE**

#### **AN ACT**

RELATING TO CONTROLLED SUBSTANCES; AMENDING SECTION 37-2732B, IDAHO CODE, TO REVISE PROVISIONS REGARDING SENTENCES FOR TRAFFICKING OF CONTROLLED SUBSTANCES.

#### **HOUSE BILL NO. 100**

#### **BY STATE AFFAIRS COMMITTEE**

#### **AN ACT**

RELATING TO ADMINISTRATIVE RULES; PROVIDING LEGISLATIVE INTENT; AMENDING SECTION 67-5224, IDAHO CODE, TO REVISE PROVISIONS REGARDING PENDING RULES; AMENDING SECTION 67-5226, IDAHO CODE, TO REVISE A PROVISION REGARDING TEMPORARY RULES AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 67-5291, IDAHO CODE, TO REVISE PROVISIONS REGARDING LEGISLATIVE REVIEW OF RULES.

#### **HOUSE BILL NO. 101**

#### **BY STATE AFFAIRS COMMITTEE**

#### **AN ACT**

RELATING TO CHILD PROTECTION; AMENDING CHAPTER 16, TITLE 16, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 16-1648, IDAHO CODE, TO

ESTABLISH PROVISIONS REGARDING A CERTAIN NOTIFICATION AND WAIVER.

**HOUSE JOINT RESOLUTION NO. 2  
BY STATE AFFAIRS COMMITTEE**

A JOINT RESOLUTION

PROPOSING AN AMENDMENT TO SECTION 2, ARTICLE III, OF THE CONSTITUTION OF THE STATE OF IDAHO, RELATING TO THE COMMISSION FOR REAPPORTIONMENT; 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.

**HOUSE BILL NO. 102  
BY REVENUE AND TAXATION COMMITTEE**

AN ACT

RELATING TO THE STATE TAX COMMISSION; AMENDING SECTION 63-107, IDAHO CODE, TO PROVIDE THAT CERTAIN ACTIONS OF THE STATE TAX COMMISSION AND THE STATE BOARD OF EQUALIZATION SHALL BE GOVERNED BY THE IDAHO ADMINISTRATIVE PROCEDURE ACT AND TO MAKE A TECHNICAL CORRECTION.

**HOUSE BILL NO. 103  
BY REVENUE AND TAXATION COMMITTEE**

AN ACT

RELATING TO PROPERTY TAX LEVY ELECTIONS; AMENDING SECTION 34-439A, IDAHO CODE, TO REVISE PROVISIONS REGARDING DISCLOSURES IN ELECTIONS TO AUTHORIZE A PROPERTY TAX LEVY.

[H 94](#), [H 95](#), [H 96](#), [H 97](#), [H 98](#), [H 99](#), [H 100](#), [H 101](#), [HJR 2](#), [H 102](#), and [H 103](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

[S 1031](#) and [S 1032](#), by Finance Committee, were introduced, read the first time by title, and filed for second reading.

There being no objection, the House advanced to the Fifteenth Order of Business.

**15TH ORDER  
Announcements**

Announcements were made to the body.

**16TH ORDER  
Adjournment**

Mr. Moyle moved that the House adjourn until 11 a.m., Thursday, February 7, 2019. Seconded by Mr. Erpelding. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:16 a.m.

SCOTT BEDKE, Speaker

ATTEST:

CARRIE MAULIN, Chief Clerk

# HOUSE JOURNAL OF THE IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-FIFTH LEGISLATURE

**THIRTY-SECOND LEGISLATIVE DAY  
THURSDAY, FEBRUARY 7, 2019**

House of Representatives

The House convened at 11 a.m., the Speaker in the Chair.

Roll call showed 67 members present.

Absent and excused - Chew, Monks, and Moyle. Total - 3.  
Total - 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Arianna Carlson, Page.

### 3RD ORDER Approval of Journal

February 7, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Thirty-first Legislative Day and recommend that same be adopted as corrected.

DAYLEY, Chairman

Mr. Dayley moved that the report be adopted. Seconded by Mr. Gannon. Report adopted.

### 4TH ORDER Consideration of Messages from the Governor and the Senate

OFFICE OF THE GOVERNOR  
Boise

February 6, 2019

The Honorable Scott Bedke  
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House bill, to wit:

H 20

Sincerely,  
/s/ Brad Little  
Governor

February 6, 2019

Mr. Speaker:

I transmit herewith enrolled S 1025 for the signature of the Speaker.

NOVAK, Secretary

The Speaker announced he was about to sign enrolled S 1025 when so signed, ordered it returned to the Senate.

February 6, 2019

Mr. Speaker:

I transmit herewith S 1019, S 1021, S 1022, S 1023, S 1024, and S 1030 which have passed the Senate.

NOVAK, Secretary

S 1019, S 1021, S 1022, S 1023, S 1024, and S 1030 were filed for first reading.

February 6, 2019

Mr. Speaker:

I return herewith H 56 and H 57 which have passed the Senate.

NOVAK, Secretary

H 56 and H 57 were referred to the Judiciary, Rules, and Administration Committee for enrolling.

### 5TH ORDER Report of Standing Committees

February 7, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have printed HCR 8, H 94, H 95, H 96, H 97, H 98, H 99, H 100, H 101, HJR 2, H 102, and H 103.

DAYLEY, Chairman

HCR 8, H 96, and H 97 were referred to the Resources and Conservation Committee.

H 94 was referred to the Business Committee.

H 95 was referred to the Transportation and Defense Committee.

H 98, H 99, and H 101 were referred to the Judiciary, Rules and Administration Committee.

H 100 and HJR 2 were referred to the State Affairs Committee.

H 102 and H 103 were referred to the Revenue and Taxation Committee.

February 7, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have enrolled H 16, H 17, and H 1.

DAYLEY, Chairman

The Speaker announced he was about to sign enrolled H 16, H 17, and H 1 and, when so signed, ordered them transmitted to the Senate for the signature of the President.

H 77, held at the Desk February 1, 2019, was referred to the Transportation and Defense Committee.

February 6, 2019

Mr. Speaker:

We, your COMMITTEE ON AGRICULTURAL AFFAIRS, report that we have had under consideration [H 60](#) and recommend that it do pass.

BOYLE, Chairman

[H 60](#) was filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

**7TH ORDER**  
**Motions, Memorials, and Resolutions**

**HOUSE CONCURRENT RESOLUTION NO. 9**  
**BY ENVIRONMENT, ENERGY AND TECHNOLOGY**  
**COMMITTEE**

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND RECOGNIZING HYDROPOWER AS THE STATE'S GREATEST RENEWABLE RESOURCE AND FURTHER RECOGNIZING THE IMMENSE BENEFIT HYDROPOWER PROVIDES TO OUR STATE AS A CARBON-FREE, INEXPENSIVE ELECTRICAL POWER SOURCE AND AS AN ECONOMIC DRIVER FOR TOURISM, RECREATION, AND AGRICULTURE IN IDAHO.

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

WHEREAS, Idaho's many rivers provide an abundant resource that is renewed annually by rain and snow; and

WHEREAS, Idaho's many rivers can be used to generate electricity; and

WHEREAS, Idaho's many rivers, and the reservoirs created to generate hydroelectric power, support Idaho's economy as a source of recreation, fishing, and irrigation; and

WHEREAS, Idaho is conscious of its obligation for responsible stewardship of the environment and wildlife associated with the reservoirs used to generate hydroelectric power; and

WHEREAS, river water's potential energy from a dammed river or reservoir and its kinetic energy from the flow of the river can be converted to electricity without emission of carbon dioxide or other greenhouse gases and can therefore be considered a carbon-free energy source; and

WHEREAS, legislation at both the national and state level promotes reduction of greenhouse gas emissions in the generation of electricity and the development of carbon-free sources such as wind and solar power; and

WHEREAS, river water's potential energy from a dammed reservoir can be adjusted in real time to provide flexibility to a grid that includes variable sources of carbon-free wind and solar power; and

WHEREAS, the Governor's Office of Energy and Mineral Resources reports that Idaho's many rivers presently power over 140 electricity-generating or hydroelectric plants that have a combined capacity of approximately 2,500 MW; and

WHEREAS, Idaho's largest hydroelectric dams are the 1,167 MW Hells Canyon Complex, consisting of the Hells Canyon, Oxbow, and Brownlee dams, owned by Idaho Power; the 400 MW Dworshak dam operated by the U.S. Army Corps of Engineers; the 260 MW Cabinet Gorge Project owned by Avista Corporation; Rocky Mountain Power's Bear River hydroelectric

projects, totaling 78.7 MW, and its Ashton project totaling 7.35 MW; and

WHEREAS, in 2010, Idaho's hydroelectric power plants generated 9,154,00 MWh, or about 76% of in-state electrical generation, and in 2016, hydropower supplied 59% of net electricity generation, the second largest share in the nation, despite the fact that drought reduced hydropower's share from an average of 72% over the previous ten years; and

WHEREAS, the Office of Energy and Mineral Resources reports that these hydroelectric plants contribute significantly to Idaho's low residential, commercial, and industrial electric rates and that in 2016, Idaho had the fifth lowest average electricity prices in the United States; and

WHEREAS, Idaho has one of the region's oldest publicly owned electric utilities; the city of Idaho Falls has owned and operated a hydroelectric generation system since 1900, which now consists of five hydropower plants along the Snake River that provide nearly one-third of the electricity used in the city; and

WHEREAS, Idaho's twenty-two rural electric cooperatives and municipal power companies provide electric power to over 137,000 consumers across the state, purchasing 96% of the power they distribute from the Bonneville Power Administration, which produces 8,935 aMW of federal hydro generation annually under average streamflow conditions; and

WHEREAS, predecessor companies of Rocky Mountain Power began providing electric service to Idaho customers in the 1890s, were consolidated in 1912, and today the company provides electric service to some 82,000 Idaho customers; and

WHEREAS, Idaho's hydroelectric power is abundant, renewable, low-cost, carbon-free, and responsibly maintained.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-fifth Idaho Legislature, the House of Representatives and the Senate concurring therein, that we recognize hydropower as our state's greatest renewable resource and further recognize the immense benefit hydropower provides to our state as a carbon-free, inexpensive electrical power source and as an economic driver for tourism, recreation, and agriculture in Idaho.

[HCR 9](#) was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

**8TH ORDER**  
**Introduction, First Reading, and Reference**  
**of Bills and Joint Resolutions**

**HOUSE BILL NO. 104**  
**BY TRANSPORTATION AND DEFENSE COMMITTEE**  
AN ACT

RELATING TO HIGHWAYS AND BRIDGES; AMENDING SECTION 40-204A, IDAHO CODE, TO REVISE PROVISIONS REGARDING FEDERAL LAND RIGHTS-OF-WAY.

**HOUSE BILL NO. 105**  
**BY TRANSPORTATION AND DEFENSE COMMITTEE**  
AN ACT

RELATING TO LICENSE PLATES; AMENDING SECTION 49-402, IDAHO CODE, TO PROVIDE A CODE REFERENCE; AND AMENDING CHAPTER 4, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-420Q, IDAHO CODE, TO PROVIDE FOR PET FRIENDLY LICENSE PLATES.

**HOUSE BILL NO. 106**

**BY TRANSPORTATION AND DEFENSE COMMITTEE  
AN ACT**

RELATING TO RULES OF THE ROAD; AMENDING SECTION 49-624, IDAHO CODE, TO REVISE PROVISIONS REGARDING DRIVER DUTY UPON APPROACHING CERTAIN STATIONARY VEHICLES.

**HOUSE BILL NO. 107**

**BY TRANSPORTATION AND DEFENSE COMMITTEE  
AN ACT**

RELATING TO SALES TAX; AMENDING SECTION 63-3638, IDAHO CODE, TO REVISE THE PERCENTAGE OF FUNDS DISTRIBUTED TO THE TRANSPORTATION EXPANSION AND CONGESTION MITIGATION PROGRAM AND TO MAKE TECHNICAL CORRECTIONS.

**HOUSE BILL NO. 108**

**BY LOCAL GOVERNMENT COMMITTEE  
AN ACT**

RELATING TO THE IDAHO BUILDING CODE ACT; AMENDING SECTION 39-4108, IDAHO CODE, TO PROVIDE FOR BUILDING PLANS EXAMINERS, TO REMOVE REFERENCE TO THE INTERNATIONAL CONFERENCE OF BUILDING OFFICIALS, AND TO REVISE A PROVISION REGARDING INSPECTOR CERTIFICATION.

**HOUSE BILL NO. 109**

**BY HEALTH AND WELFARE COMMITTEE  
AN ACT**

RELATING TO MATERNAL DEATHS; AMENDING TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 96, TITLE 39, IDAHO CODE, TO PROVIDE LEGISLATIVE FINDINGS, TO DEFINE TERMS, TO ESTABLISH PROVISIONS REGARDING A MATERNAL MORTALITY REVIEW COMMITTEE, TO ESTABLISH PROVISIONS REGARDING COMMITTEE PROCEEDINGS, RECORDS, CONFIDENTIALITY, AND IMMUNITY, TO PROVIDE FOR ACCESS TO CERTAIN RECORDS, AND TO PROVIDE RULEMAKING AUTHORITY; AND PROVIDING A SUNSET DATE.

[H 104](#), [H 105](#), [H 106](#), [H 107](#), [H 108](#), and [H 109](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

[S 1019](#), [S 1021](#), [S 1022](#), and [S 1023](#), by Judiciary and Rules Committee, were introduced, read the first time by title, and referred to the Judiciary, Rules and Administration Committee.

[S 1024](#), by Agricultural Affairs Committee, was introduced, read the first time by title, and referred to the Agricultural Affairs Committee.

[S 1030](#), by Education Committee, was introduced, read the first time by title, and referred to the Education Committee.

There being no objection, the House advanced to the Tenth Order of Business.

**10TH ORDER**

**Second Reading of Bills and Joint Resolutions**

[H 86](#) and [H 87](#), by Revenue and Taxation Committee, were read the second time by title and filed for third reading.

[HCR 6](#), by Education Committee, was read the second time by title and filed for third reading.

[S 1031](#) and [S 1032](#), by Finance Committee, were read the second time by title and filed for third reading.

There being no objection, the House advanced to the Fifteenth Order of Business.

**15TH ORDER  
Announcements**

Announcements were made to the body.

**16TH ORDER  
Adjournment**

Mrs. Blanksma moved that the House adjourn until 11 a.m., Friday, February 8, 2019. Seconded by Mr. Erpelding. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:19 a.m.

SCOTT BEDKE, Speaker

ATTEST:

CARRIE MAULIN, Chief Clerk



# HOUSE JOURNAL

OF THE

## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-FIFTH LEGISLATURE

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**THIRTY-THIRD LEGISLATIVE DAY**  
**FRIDAY, FEBRUARY 8, 2019**

House of Representatives

The House convened at 11 a.m., the Speaker in the Chair.

Roll call showed 66 members present.

Absent and excused - Amador, Barbieri, Monks, and Moyle.

Total - 4.

Total - 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Jex Mecham, Page.

### 3RD ORDER

#### Approval of Journal

February 8, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Thirty-second Legislative Day and recommend that same be adopted as corrected.

DAYLEY, Chairman

Mr. Dayley moved that the report be adopted. Seconded by Mr. Gannon. Report adopted.

### 4TH ORDER

#### Consideration of Messages from the Governor and the Senate

February 7, 2019

Mr. Speaker:

I transmit herewith [S 1039](#) and [S 1041](#) which have passed the Senate.

NOVAK, Secretary

[S 1039](#) and [S 1041](#) were filed for first reading.

February 7, 2019

Mr. Speaker:

I return herewith [HJM 3](#) and [H 19](#) which have passed the Senate.

NOVAK, Secretary

[HJM 3](#) and [H 19](#) were referred to the Judiciary, Rules, and Administration Committee for enrolling.

February 7, 2019

Mr. Speaker:

I return herewith enrolled [HCR 2](#), [H 35](#), [H 36](#), [H 14](#), and [H 15](#) which have been signed by the President.

NOVAK, Secretary

Enrolled [HCR 2](#) was referred to the Judiciary, Rules, and Administration Committee for delivery to the Secretary of State.

Enrolled [H 35](#), [H 36](#), [H 14](#), and [H 15](#) were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

### 5TH ORDER

#### Report of Standing Committees

February 8, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have printed [HCR 9](#), [H 104](#), [H 105](#), [H 106](#), [H 107](#), [H 108](#), and [H 109](#).

DAYLEY, Chairman

[HCR 9](#) was referred to the Environment, Energy and Technology Committee.

[H 104](#), [H 105](#), [H 106](#), and [H 107](#) were referred to the Transportation and Defense Committee.

[H 109](#) was referred to the Health and Welfare Committee.

[H 108](#) was filed for second reading.

February 8, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have enrolled [H 56](#) and [H 57](#).

DAYLEY, Chairman

The Speaker announced he was about to sign enrolled [H 56](#) and [H 57](#) and, when so signed, ordered them transmitted to the Senate for the signature of the President.

February 7, 2019

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration [H 61](#) and recommend that it do pass.

COLLINS, Chairman

[H 61](#) was filed for second reading.

February 7, 2019

Mr. Speaker:

We, your COMMITTEE ON RESOURCES AND CONSERVATION, report that we have had under consideration [H 67](#) and [H 80](#) and recommend that they do pass.

GIBBS, Chairman

[H 67](#) and [H 80](#) were filed for second reading.

February 7, 2019

Mr. Speaker:

We, your COMMITTEE ON COMMERCE AND HUMAN RESOURCES, report that we have had under consideration [H 68](#) and recommend that it do pass.

HOLTZCLAW, Chairman

[H 68](#) was filed for second reading.

February 7, 2019

Mr. Speaker:

We, your COMMITTEE ON BUSINESS, report that we have had under consideration [H 45](#) and [H 46](#) and recommend that they do pass.

DIXON, Chairman

[H 45](#) and [H 46](#) were filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

**7TH ORDER  
Motions, Memorials, and Resolutions**

**HOUSE RESOLUTION NO. 2  
BY JUDICIARY, RULES AND ADMINISTRATION  
COMMITTEE**

**A HOUSE RESOLUTION**

STATING FINDINGS OF THE HOUSE OF REPRESENTATIVES AND REPEALING RULE 76 OF THE RULES OF THE HOUSE OF REPRESENTATIVES; AND STATING FINDINGS OF THE HOUSE OF REPRESENTATIVES AND PROVIDING FOR THE ADDITION OF A NEW RULE 76 TO THE RULES OF THE HOUSE OF REPRESENTATIVES.

Be It Resolved by the House of Representatives of the State of Idaho:

WHEREAS, the House of Representatives deems it necessary and desirable to repeal Rule 76 of the Rules of the House of Representatives.

NOW, THEREFORE, BE IT RESOLVED by the members of the House of Representatives, assembled in the First Regular Session of the Sixty-fifth Idaho Legislature, that Rule 76 of the Rules of the House of Representatives, be, and the same is hereby repealed.

WHEREAS, the House of Representatives deems it necessary and desirable to add a new Rule 76 to the Rules of the House of Representatives.

NOW, THEREFORE, BE IT RESOLVED by the members of the House of Representatives, assembled in the First Regular Session of the Sixty-fifth Idaho Legislature, that the Rules of the House of Representatives shall be amended by the addition thereto of a new Rule 76 to read as follows:

**RULE 76**

Committee on Ethics. – (1) Committee Established.

(a) Before the end of the twelfth day of the first regular session of each Legislature, an Ethics Committee shall be organized, and its membership shall be determined. The Ethics Committee shall consist of five members of the House, three of whom shall be members of the majority party and two of whom shall be members of the minority

party. House members holding leadership positions shall not serve on the Ethics Committee. Committee Chairmen may serve on the Ethics Committee. Ethics Committee members shall not have been previously sanctioned by the House for an ethics violation pursuant to any House ethics rule.

(b) The Caucus Chairman of each party shall conduct the election of Ethics Committee members as follows:

(i) Phase I: At a designated caucus meeting, each Caucus Chairman shall receive from members of their respective caucus a silent ballot nominating for membership on the Ethics Committee up to three members who have previously served at least one full term. Each Caucus Chairman and the two elected at-large Legislative Council members for the caucus shall prepare a ballot of nominees consisting respectively of the five nominees by the majority party and the four nominees by the minority party receiving the most nominating votes.

(ii) Phase II: By silent ballot, each member of the majority party shall vote for three nominees, and of the minority party for two nominees, on their respective ballots. The Caucus Chairman and the two elected at-large Legislative Council members for the caucus shall count the votes and prioritize the members from greatest to least number of votes received. The three members of the majority party and the two members of the minority party receiving the highest number of votes shall be the members of the Ethics Committee for the term of the Legislature. Others receiving votes shall serve in order of priority as Committee alternates for their respective party.

(c) Committee members may be reelected to a subsequent Committee. A vacancy on the Committee shall be filled with the highest priority alternate available to the party entitled to fill the vacancy. When no elected alternates are available to fill a vacancy, such vacancy shall be filled by majority vote of the House members of the party entitled to fill the vacancy. Except as otherwise provided in subsection (6) of this rule, a member filling a vacancy shall serve for the remainder of the unexpired term.

(d) The Speaker of the House shall appoint one of the members of the Committee as Chairman of the Committee.

(2) Powers and Duties of Committee. The Committee shall have the power and duty to:

(a) Determine its own rules of procedure that provide for the orderly conduct of Committee meetings, investigations, and hearings. Such rules shall be consistent with this rule and other applicable rules and statutes.

(b) Function without regard to recess periods or adjournments.

(c) Retain such counsel and investigators as it deems necessary for the performance of its duties under this rule.

(d) Take testimony under oath.

(e) Incur expenditures. All expenditures incurred by the Committee shall be approved by the Speaker and shall be paid by vouchers and warrants drawn as provided by law from appropriations made to the Legislative Account.

(f) Issue subpoenas and subpoenas duces tecum.

(g) Discover evidence relevant to an allegation. Formal rules of evidence are not applicable; however, evidence shall be weighed according to its reliability.

(h) Consult with the Office of the Idaho Attorney General for guidance as needed.

(i) Enlist a staff person to perform needed administrative tasks.



(j) Maintain a record of all complaints and corresponding Committee investigations, hearings, letters, and other actions until the case has been closed, terminated, or settled, or the member has left legislative service, unless the Committee determines otherwise. The records shall remain in the sole possession of the Committee and shall be kept in a confidential file within the Chief Clerk's office, until destroyed. Records shall include:

- (i) Date complaint was received by the Ethics Committee;
- (ii) Name and contact information of complainant;
- (iii) Name of accused member;
- (iv) Summary of the allegation(s);
- (v) Any evidence gathered and reviewed by the Committee;
- (vi) All records of Committee action; and
- (vii) Final disposition of all complaint(s).

(k) Initiate its own complaint on an affirmative vote of four-fifths of the Ethics Committee. Committee complaints may be initiated only by the Committee as a result of a Committee investigation or as a result of receipt of any complaint or other information that does not meet the requirements of this rule regarding the form of a complaint, but which contains allegations that would form the basis of a valid complaint.

(3) Confidentiality of Proceedings. Except as provided in this rule, all proceedings before the Committee shall constitute extraordinary circumstances, shall be held in Executive Session, and shall be exempt from public disclosure pursuant to House Rule 57, and Sections 74-207 and 74-106(1), Idaho Code. The complainant, the subject, and all Committee members and staff involved in a complaint shall maintain strict confidentiality unless otherwise provided in this rule. Any breach may be grounds for its own ethics investigation.

- (4) Complaints, Form and Filing of. All complaints shall:
- (a) Be in writing;
  - (b) State the name and contact information of the member submitting the complaint;
  - (c) State the name of the member or members alleged to be in violation of law, rule, or written legislative policy that has been provided to the member;
  - (d) Set forth the date or time frame of the violation;
  - (e) Describe the allegation(s) outlining the behavior that, if true, would be a violation of state law, House rule, or written legislative policy that has been provided to the member;
  - (f) Identify the factual data in the complainant's possession at the time of submission supporting the allegation. Opinions are not facts. Evidence is not to include hearsay that would be inadmissible in a court proceeding; any evidence of this type will be dismissed; and
  - (g) Be signed under oath by the complainant stating the allegations in the complaint are true and correct to the best of the complainant's knowledge and belief.

(5) Complaints, Who May File. The Chairman of the Committee shall receive complaints from any member of the House. Also:

- (a) Referrals and/or investigations from the Respectful Workplace Committee.
- (b) Ethics Committee-initiated complaints.
- (6) Complaints Against Committee Members. If a

Committee member is the subject of a written and signed complaint, that Committee member is disqualified and shall not serve on the Committee for any purpose relating to the complaint. Under such circumstances, the vacancy shall be filled by an alternate, in accordance with the provisions of subsection

(1)(b)(ii) of this rule, which vacancy shall be filled only for purposes relating to such complaint.

(7) Complaints, Initial Intake. The Committee Chairman and the ranking minority member shall review each complaint and supporting information to ensure that it meets the requirements as to form. Deficient complaints may be returned to the complainant with a description of the deficiency to be corrected. After intake of the completed complaint, it shall be forwarded to the full Committee for review. At this time, the Speaker of the House shall be notified of the receipt of a complaint; provided, however, if the Speaker is the subject of the complaint, the Majority and Minority Leaders shall be notified instead. Upon notification by the Committee, any person in leadership notified is held to the standard of confidentiality stated in subsection (3) of this rule.

(8) Complaints, Committee Review. Complaints found to meet the standard of form will be forwarded to the full Committee for review. The Committee shall review each claim to determine if there is a valid allegation and will determine if probable cause exists that an ethics violation may have taken place. By way of example, an allegation of an ethics violation may take the form of, but is not limited to, one or more of the following:

- (a) Use of public office for private pecuniary gain;
- (b) Violation of a rule of the House or written legislative policy that has been provided to the member;
- (c) Disclosure of information that is confidential;
- (d) Acts that the Committee finds may constitute a felony under state or federal law;
- (e) Violation of the Respectful Workplace policy; and
- (f) Conduct constituting a betrayal of the public trust.

(9) Complaints, Notifications. Upon receipt, review, and acceptance of a valid complaint, the Committee shall notify the member who is the subject of the complaint. The member shall be provided with a copy of the complaint and any evidence provided in support of the complaint.

(10) Complaints, Dismissal. At any time, a complaint found by a majority vote of the Committee to be baseless, frivolous, retaliatory in nature, or without merit shall be dismissed without further consideration. A complaint of conduct that occurred prior to the time the subject took office may be dismissed by the Committee, in its discretion. Upon dismissal by the Committee, the Chairman shall provide a letter of dismissal to the following:

- (a) The complainant;
- (b) The subject of the complaint; and
- (c) The Speaker of the House; except, however, if the Speaker is the subject of the complaint, then to the Majority and Minority Leaders instead.

(11) Complaints, Response to the Complaint by the Subject. Upon review and determination by the Ethics Committee that there is probable cause to believe a violation of the ethics rule may have taken place, the Committee shall allow the subject of the complaint to provide a written response and corresponding evidence to support their position to the Committee. The member may provide a written answer with supporting documentation to the Chairman of the Committee no later than 14 days from receipt of the copy of the complaint.

(12) Investigatory Phase. Any complaint not dismissed by the Committee, and notwithstanding the receipt of a response from the accused within the provided 14 days, shall undergo a full and thorough investigation using the prescribed powers and duties of the Committee.

- (a) The investigation period shall be timely in fashion, with an initial 30-day deadline. The Committee may, upon a majority vote of the entire Committee, extend the period for

an additional 30 days should it be deemed necessary. If the Committee is unable to complete the investigation within the 60-day period allowed, it may at its discretion extend the deadline additionally, again by a majority vote of the full Committee. Documentation outlining the cause for the extension shall be provided in the permanent record.

(b) Investigations done by or on behalf of the Respectful Workplace Committee and transmitted to the Ethics Committee may be used in whole or in part by the Ethics Committee to complete its investigation of the complaint.

(c) The Committee may issue confidential updates to House majority and minority leadership as to the progress of an investigation.

(d) If the pendency of a proceeding before the Committee is generally known to the public, through independent sources, and the subject matter thereof is of public interest or speculation, and public confidence in the administration of the ethics guidelines may be threatened because of lack of information concerning the status of the proceeding and the requirements of due process, the Committee may, on an affirmative vote of four-fifths of the Committee, issue brief statements as it deems appropriate in order to confirm the existence of an investigation, to clarify the procedural aspects of a proceeding, and to explain that all members are entitled to fair and equal treatment under this rule.

(13) Investigatory Phase, Conclusion. At the conclusion of its investigation, the Committee shall make a determination whether a violation has occurred, based on a preponderance of evidence.

(a) If an allegation is determined to be baseless, without merit, frivolous, or retaliatory in nature, the allegation shall be dismissed. Upon dismissal, a written statement of the dismissal shall be forwarded to the complainant, the subject of the complaint, and the Speaker; provided, however, if the Speaker is the subject of the complaint, then to the Majority and Minority Leaders instead.

(b) If the Committee determines by an affirmative vote of four-fifths of the Committee that a preponderance of the evidence shows that misconduct has occurred, the Committee shall notify in writing both parties and the full House membership of its intention to hold a public hearing.

(14) Public Hearings by the Ethics Committee. Any public hearing conducted under this rule shall be done so in a timely manner after written notice is provided to the full House. The Committee may hold public hearings at any time, including legislative interim periods.

(a) The complainant, or an authorized agent of the complainant, shall first present the complaint, supporting evidence, and testimony to the Committee. The Committee may designate another member or a third party to present the complaint, supporting evidence, and testimony to the Committee, or to assist the complainant in doing so.

(b) The member complained against shall be entitled to appear, present evidence, cross-examine witnesses, be represented by counsel, and raise objection to any evidence presented. The accused may defer presentation of any defense until all the evidence has been presented in support of the complaint. The accused shall have a full and fair opportunity to obtain and review all of the evidence in support of the complaint.

(15) Public Hearing, Conclusion of and Committee Report. If, after investigation and hearings held pursuant to this rule, the Committee finds by clear and convincing evidence that a violation of the standards contained in this rule occurred, the Committee shall make an appropriate recommendation to the House of Representatives. The Committee shall issue its

recommendation within 30 days of conclusion of the public hearing. If the Committee does not issue a recommendation within 30 days of conclusion of the public hearing, the charges shall be deemed dismissed. By four-fifths vote of the Committee, the Committee shall recommend one of the following:

(a) Dismissal of the charges;

(b) Written reprimand;

(c) Censure, with or without conditions or restrictions placed upon the member; or

(d) Expulsion from the House of Representatives for good cause (Section 11 of Article III, Idaho Constitution).

(16) Committee Report to House. The House of Representatives shall vote on the recommendation of the Ethics Committee during the regular or extraordinary session in which the Committee reports.

(a) If the Committee meets and reports during the interim when the Legislature is not in session, then the House of Representatives shall vote on the Committee recommendation during the next regular or extraordinary session.

(b) Committee recommendations shall be presented to the full House in the form of a House Resolution which, once introduced, shall be referred directly to the second reading calendar. The Resolution shall not be referred further to any Committee and shall not be amendable in any manner after its introduction.

(c) A Resolution of dismissal, reprimand, or censure of a member requires a majority vote of members present for passage.

(d) Expulsion of a member shall require the affirmative vote of two-thirds of all members for passage (Section 11 of Article III, Idaho Constitution).

(17) Final Action. Action taken by the Ethics Committee and the House pursuant to this rule is final and not subject to judicial review.

BE IT FURTHER RESOLVED that, notwithstanding the repeal and reenactment of House Rule 76 pursuant to the passage of this Resolution, the members of the Ethics Committee as determined prior to passage of this Resolution are hereby confirmed and shall continue to serve as members of the Ethics Committee for the Sixty-fifth Legislature.

**HOUSE CONCURRENT RESOLUTION NO. 10  
BY RESOURCES AND CONSERVATION COMMITTEE  
A CONCURRENT RESOLUTION**

STATING FINDINGS OF THE LEGISLATURE AND SUPPORTING THE 2018 SETTLEMENT AGREEMENT BETWEEN THE CITIES, THE SURFACE WATER COALITION, AND MEMBERS OF IDAHO GROUND WATER APPROPRIATORS TO RESOLVE LITIGATION, AVOID CURTAILMENT, MAINTAIN SUSTAINABLE GROUND AND SURFACE WATER SUPPLIES ON THE EASTERN SNAKE PLAIN AQUIFER, AND MINIMIZE HARM TO IDAHO'S ECONOMY, SUPPORTING STATE MANAGEMENT THROUGH THE EASTERN SNAKE PLAIN AQUIFER GROUND WATER MANAGEMENT AREA TO ENSURE THAT EASTERN SNAKE PLAIN AQUIFER WATER SUPPLY ISSUES ARE TIMELY ADDRESSED, AND SUPPORTING THE CONTINUED FUNDING AND IMPLEMENTATION OF EFFORTS TO SATISFY THE GOAL OF STABILIZING AND REVERSING THE TREND OF DECLINING WATER LEVELS IN THE EASTERN SNAKE PLAIN AQUIFER.

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

WHEREAS, Senate Concurrent Resolution No. 138 was adopted during the 2016 legislative session, supporting the settlement agreement entered into on June 30, 2015, between participating members of the Surface Water Coalition (SWC) and participating members of the Idaho Ground Water Appropriators (IGWA) to avoid potential curtailment, to take actions to maintain sustainable ground and surface water supplies on the Eastern Snake Plain Aquifer (ESPA), and minimize harm to Idaho's economy; and

WHEREAS, in November 2016, the director of the Department of Water Resources designated the ESPA Ground Water Management Area (GWMA); and

WHEREAS, the ESPA cities opposed designation of the GWMA; and

WHEREAS, in 2018, the cities entered into a settlement agreement with IGWA and SWC, with the agreement covering ESPA municipal pumping; and

WHEREAS, key provisions of the agreement are that the cities will provide aquifer enhancement activities and the participating cities, in turn, will have safe harbor from SWC and IGWA delivery calls for up to 35 years; and

WHEREAS, as part of the agreement, participating cities will withdraw opposition to GWMA designation and will support continued funding of state-sponsored efforts to further the goal of stabilizing and reversing the water level declines in the ESPA.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-fifth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the State of Idaho supports the 2018 settlement agreement between the cities, the SWC, and members of the IGWA to resolve litigation, avoid curtailment, maintain sustainable ground and surface water supplies on the ESPA, and minimize harm to Idaho's economy.

BE IT FURTHER RESOLVED that the State of Idaho supports state management through the ESPA GWMA to ensure ESPA water supply issues are timely addressed and supports continued funding and implementation of efforts to satisfy the goal of stabilizing and reversing the trend of declining water levels in the Eastern Snake Plain Aquifer.

#### **HOUSE JOINT MEMORIAL NO. 4**

##### **BY RESOURCES AND CONSERVATION COMMITTEE**

###### **A JOINT MEMORIAL**

TO THE CONGRESSIONAL DELEGATION REPRESENTING THE STATE OF IDAHO IN THE CONGRESS OF THE UNITED STATES AND TO THE OFFICE OF THE PACIFIC NORTHWEST REGION OF THE U.S. BUREAU OF RECLAMATION.

We, your Memorialists, the House of Representatives and the Senate of the State of Idaho assembled in the First Regular Session of the Sixty-fifth Idaho Legislature, do hereby respectfully represent that:

WHEREAS, three dams have been constructed on the Boise River that provide storage for commercial and municipal uses, flood protection, recreational opportunities, river maintenance flows, irrigation storage, and other uses, and provide nearly \$1.5 billion in value contributions to Idaho's economy; and

WHEREAS, the three on-river dams are Anderson Ranch Dam, Arrowrock Dam, and Lucky Peak Dam, and they provide a total water storage capacity of 1,044,011 acre feet; and

WHEREAS, studies show that additional water supplies will be needed to meet future demands as the state population continues to grow; and

WHEREAS, additional water infrastructure would provide opportunities to meet current and future water demands; and

WHEREAS, at the request of the Idaho Water Resource Board (IWRB), the Army Corps of Engineers (Corps) and Bureau of Reclamation (Reclamation) identified potential raises to the existing dams on the Boise River that may be cost-effective and provide additional water storage capacity; and

WHEREAS, in 2018, Reclamation began feasibility and environmental studies to consider raising Anderson Ranch Dam to provide an additional 29,000 acre feet of storage space; and

WHEREAS, the State of Idaho, through the IWRB, has authorized the payment of \$3 million to pay for 50% of the feasibility and environmental studies for Reclamation's Boise River study; and

WHEREAS, the remaining 50% is funded with federal moneys through the Water Infrastructure Improvements for our Nation Act (WIIN Act), which authorizes up to 50% of the cost of Reclamation infrastructure projects to be paid by the federal government based on the proportion of federal benefits received from the infrastructure project; and

WHEREAS, Reclamation has established a time line to complete the feasibility and environmental studies for the Anderson Ranch Dam raise by June 2020; and

WHEREAS, upon completion of the feasibility and environmental studies, any future construction authority and additional WIIN Act funds would require congressional action; and

WHEREAS, based on preliminary planning estimates anticipating that the cost of raising Anderson Ranch Dam could be \$40 million, the nonfederal share of the project costs would be at least \$20 million.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-fifth Idaho Legislature, the House of Representatives and the Senate concurring therein, that we support the construction of new water infrastructure in Idaho and, in particular, the raising of the Anderson Ranch Dam.

BE IT FURTHER RESOLVED that the Idaho Legislature urges the congressional delegation for the State of Idaho to take any further actions necessary to: (1) ensure that the feasibility study and NEPA analysis for the Anderson Ranch Dam raise are completed within the proposed timeframe; and (2) as determined in the feasibility study, advance the project through additional congressional action to authorize construction and provide further WIIN Act funds.

BE IT FURTHER RESOLVED that the Idaho Legislature urges the IWRB, Corps, Reclamation, water users, and other stakeholders to consider other infrastructure projects to address future water needs, including but not limited to raising of Arrowrock, Lucky Peak, Minidoka, and Island Park dams.

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives be, and she is hereby authorized and directed to forward a copy of this Memorial to the congressional delegation representing the State of Idaho in the Congress of the United States and to the office of the Pacific Northwest Region of the U.S. Bureau of Reclamation.

#### **HOUSE JOINT MEMORIAL NO. 5**

##### **BY RESOURCES AND CONSERVATION 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 STATE OF IDAHO IN THE CONGRESS OF THE UNITED STATES.

We, your Memorialists, the House of Representatives and the Senate of the State of Idaho assembled in the First Regular Session of the Sixty-fifth Idaho Legislature, do hereby respectfully represent that:

WHEREAS, sixty-three percent of all land in Idaho is publicly managed by the federal government and exempt from property taxation; and

WHEREAS, there are eight Idaho counties having seventy-five percent or more of all lands within their political boundaries managed by the federal government; and

WHEREAS, private land continues to be sold or transferred to the federal government; and

WHEREAS, the act of selling or transferring private lands to the federal government has the effect of reducing the overall taxable market value of a county, thereby shifting the tax burden within the county to other private property owners, including homeowners; and

WHEREAS, the federal government has established programs to provide payments in lieu of taxes to counties for federally managed lands; and

WHEREAS, total payments to counties through these payment programs, including the loss of payments from the Secure Rural Schools Act, continue to decline, further straining the ability of counties in rural Idaho to provide critical public services; and

WHEREAS, these payment programs have failed to fully cover the actual loss of property taxes that would otherwise be collected on lands sold or transferred to the federal government; and

WHEREAS, in many counties these payment programs are insufficient to offset the loss of market value and resulting tax shift for lands that are sold or transferred from private ownership to the federal government.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-fifth Idaho Legislature, the House of Representatives and the Senate concurring therein, that in order to provide fair and equitable funding to Idaho's forty-four counties for the loss of revenue due to private land being sold or transferred to the federal government, we urge Congress to enact federal legislation to require that when private lands are exchanged, purchased, or transferred to the federal government that other federal lands within the county must be sold.

BE IT FURTHER RESOLVED that the lands sold by the federal government be substantially equivalent in market value to the lands acquired and comply with local land use planning goals.

BE IT FURTHER RESOLVED that the Idaho Legislature encourages federal land management agencies to take into account the effect of transferring private land to federal ownership on counties and their taxpayers, including the ability of local governments to provide necessary public services and the extent of any tax shift that will occur as a result of the land transfer.

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives 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 delegation representing the State of Idaho in the Congress of the United States.

[HR 2](#), [HCR 10](#), [HJM 4](#), and [HJM 5](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

**8TH ORDER**  
**Introduction, First Reading, and Reference**  
**of Bills and Joint Resolutions**

**HOUSE BILL NO. 110**  
**BY RESOURCES AND CONSERVATION COMMITTEE**  
**AN ACT**

RELATING TO FISH AND GAME; AMENDING SECTION 36-1303, IDAHO CODE, TO PROVIDE LEGISLATIVE INTENT, TO REVISE A PROVISION REGARDING A SEARCH BY AN OFFICER, AND TO PROVIDE THAT A SEARCH OR INSPECTION BY AN OFFICER SHALL BE SUBJECT TO CERTAIN REQUIREMENTS.

**HOUSE BILL NO. 111**  
**BY RESOURCES AND CONSERVATION COMMITTEE**  
**AN ACT**

RELATING TO AQUATIC RESOURCES; AMENDING TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 93, TITLE 67, IDAHO CODE, TO DEFINE TERMS, TO PROVIDE FOR THE PURCHASE OF MITIGATION BANK CREDITS, AND TO PROVIDE FOR PRACTICABLE AND ECOLOGICALLY PREFERABLE COMPENSATION ALTERNATIVES.

**HOUSE BILL NO. 112**  
**BY BUSINESS COMMITTEE**  
**AN ACT**

RELATING TO INVESTMENTS BY AN INSURER; AMENDING SECTION 41-705, IDAHO CODE, TO PROVIDE THAT A RECORD OF INVESTMENTS MADE BY INSURERS SHALL INCLUDE CERTAIN INFORMATION, TO PROVIDE AN EXCEPTION, AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 41-728, IDAHO CODE, TO REVISE PROVISIONS REGARDING REAL ESTATE; AND AMENDING SECTION 41-735, IDAHO CODE, TO REVISE PROVISIONS REGARDING MISCELLANEOUS INVESTMENTS.

**HOUSE BILL NO. 113**  
**BY JUDICIARY, RULES AND ADMINISTRATION**  
**COMMITTEE**  
**AN ACT**

RELATING TO WAGE CLAIMS; AMENDING SECTION 45-614, IDAHO CODE, TO INCREASE THE TIME PERIOD WHEN A CLAIM TO COLLECT WAGES, PENALTIES, OR INTEREST MUST BE COMMENCED.

**HOUSE BILL NO. 114**  
**BY JUDICIARY, RULES AND ADMINISTRATION**  
**COMMITTEE**  
**AN ACT**

RELATING TO CHILDREN; AMENDING CHAPTER 15, TITLE 18, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 18-1506B, IDAHO CODE, TO PROVIDE THAT FEMALE GENITAL MUTILATION OF A CHILD SHALL BE A FELONY, TO PROVIDE CERTAIN EXCEPTIONS, TO PROVIDE THAT CERTAIN FACTORS SHALL NOT BE A DEFENSE, TO PROVIDE A PENALTY, AND TO DEFINE A TERM; AND AMENDING SECTION 19-402, IDAHO CODE, TO REVISE A PROVISION REGARDING COMMENCEMENT OF PROSECUTIONS FOR CERTAIN FELONIES.

**HOUSE BILL NO. 115**  
**BY JUDICIARY, RULES AND ADMINISTRATION**  
**COMMITTEE**  
 AN ACT

RELATING TO PEACE OFFICERS; AMENDING SECTION 19-603, IDAHO CODE, TO AUTHORIZE A PEACE OFFICER TO ARREST A PERSON WITHOUT A WARRANT IN CERTAIN INSTANCES AND TO MAKE TECHNICAL CORRECTIONS.

**HOUSE BILL NO. 116**  
**BY JUDICIARY, RULES AND ADMINISTRATION**  
**COMMITTEE**  
 AN ACT

RELATING TO SEXUAL ASSAULT EVIDENCE KITS; PROVIDING LEGISLATIVE INTENT; AND AMENDING SECTION 67-2919, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE TESTING OF SEXUAL ASSAULT EVIDENCE KITS, TO DEFINE A TERM, AND TO MAKE TECHNICAL CORRECTIONS.

**HOUSE BILL NO. 117**  
**BY JUDICIARY, RULES AND ADMINISTRATION**  
**COMMITTEE**  
 AN ACT

RELATING TO CRIME VICTIMS; AMENDING SECTION 19-5307, IDAHO CODE, TO PROVIDE THAT A FINE MAY BE IMPOSED FOR CERTAIN FELONIES, TO PROVIDE THAT A FINE MAY BE IMPOSED FOR THE ATTEMPT OF CERTAIN FELONIES, AND TO MAKE TECHNICAL CORRECTIONS.

**HOUSE BILL NO. 118**  
**BY JUDICIARY, RULES AND ADMINISTRATION**  
**COMMITTEE**  
 AN ACT

RELATING TO CRIMINAL PROCEDURE; AMENDING CHAPTER 19, TITLE 19, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 19-1910, IDAHO CODE, TO DEFINE TERMS AND TO PROVIDE CERTAIN REQUIREMENTS AND RESTRICTIONS FOR PRETRIAL RISK ASSESSMENT ALGORITHMS; AND PROVIDING SEVERABILITY.

**HOUSE BILL NO. 119**  
**BY BUSINESS COMMITTEE**  
 AN ACT

RELATING TO INSURANCE; AMENDING CHAPTER 24, TITLE 41, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 41-2402, IDAHO CODE, TO PROHIBIT AN INSURER FROM CONSIDERING CERTAIN INQUIRIES OR CLAIMS WHEN CONSIDERING AN APPLICATION FOR, RENEWAL OF, CANCELLATION OF, OR CHANGE IN A PROPERTY INSURANCE POLICY; AND AMENDING CHAPTER 25, TITLE 41, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 41-2510A, IDAHO CODE, TO PROHIBIT AN INSURER FROM CONSIDERING CERTAIN INQUIRIES OR CLAIMS WHEN CONSIDERING AN APPLICATION FOR, RENEWAL OF, CANCELLATION OF, OR CHANGE IN A CASUALTY INSURANCE POLICY.

[H 110](#), [H 111](#), [H 112](#), [H 113](#), [H 114](#), [H 115](#), [H 116](#), [H 117](#), [H 118](#), and [H 119](#) were introduced, read the first time by title, and

referred to the Judiciary, Rules, and Administration Committee for printing.

[S 1039](#) and [S 1041](#), by Resources and Environment Committee, were introduced, read the first time by title, and referred to the Resources and Conservation Committee.

There being no objection, the House advanced to the Tenth Order of Business.

**10TH ORDER**  
**Second Reading of Bills and Joint Resolutions**

[H 60](#), by Agricultural Affairs Committee, was read the second time by title and filed for third reading.

**11TH ORDER**  
**Third Reading of Bills and Joint Resolutions**

Mrs. Blanksma asked unanimous consent that [H 86](#) and [H 87](#) retain their places on the Third Reading Calendar until Monday, February 11, 2019. There being no objection, it was so ordered.

**[HCR 6](#) - EDUCATION**

[HCR 6](#) was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. McCrostie to open debate.

The question being, "Shall [HCR 6](#) be adopted?"

Whereupon the Speaker declared [HCR 6](#) adopted by voice vote and ordered the resolution transmitted to the Senate.

**[S 1031](#) - APPROPRIATIONS**

[S 1031](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Syme to open debate.

The question being, "Shall [S 1031](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Anderson, Anderst, Andrus, Armstrong, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Moon, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 65.

NAYS—None.

Absent—Amador, Barbieri, DeMordaunt, Monks, Moyle. Total - 5.

Total - 70.

Whereupon the Speaker declared that [S 1031](#) passed the House. Title was approved and the bill ordered returned to the Senate.

**S 1032 - APPROPRIATIONS - DEPARTMENT OF  
ADMINISTRATION**

S 1032 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Anderson to open debate.

The question being, "Shall S 1032 pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Anderson, Anderst, Andrus, Armstrong, Berch, Blanksma, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 62.

NAYS—Boyle, Moon, Nichols. Total - 3.

Absent—Amador, Barbieri, DeMordaunt, Monks, Moyle. Total - 5.

Total - 70.

Whereupon the Speaker declared that S 1032 passed the House. Title was approved and the bill ordered returned to the Senate.

There being no objection, the House advanced to the Fifteenth Order of Business.

**15TH ORDER  
Announcements**

Announcements were made to the body.

**16TH ORDER  
Adjournment**

Mrs. Blanksma moved that the House adjourn until 10:30 a.m., Monday, February 11, 2019. Seconded by Mr. Erpelding. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:38 a.m.

SCOTT BEDKE, Speaker

ATTEST:

CARRIE MAULIN, Chief Clerk

# HOUSE JOURNAL

OF THE

## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-FIFTH LEGISLATURE

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**THIRTY-SIXTH LEGISLATIVE DAY**  
**MONDAY, FEBRUARY 11, 2019**

House of Representatives

The House convened at 10:30 a.m., the Speaker in the Chair.

Roll call showed 68 members present.  
Absent and excused - Chew and Green(2). Total - 2.  
Total - 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Avery Woods, Page.

### 3RD ORDER

#### Approval of Journal

February 11, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Thirty-third Legislative Day and recommend that same be adopted as corrected.

DAYLEY, Chairman

Mr. Dayley moved that the report be adopted. Seconded by Mr. Gannon. Report adopted.

At this time, the Speaker put the House at ease for the Lincoln Day Program.

\*\*\*\*\*

### 2019 LINCOLN DAY PROGRAM

#### Welcome and Introduction

Representative Brooke Green

#### Musical Performance

*"Ashokan Farewell"*

Amy Cowling, Caldwell High School

#### Speaker

David Leroy

36th Lieutenant Governor  
and Former Attorney General of Idaho

#### Introduction of Musical Performance

Representative Scott Syme

#### Musical Performance

*"Turkey in the Straw"*

*"Arkansas Traveler"*

Melinda DeBry, Fiddle

Dan Seibel, Banjo

Representative Rick Youngblood, Guitar

#### Concluding Remarks

Representative Brooke Green

\*\*\*\*\*

Prior to going at ease, the House was at the Third Order of Business.

### 4TH ORDER

#### Consideration of Messages from the Governor and the Senate

February 8, 2019

Mr. Speaker:

I return herewith enrolled [H 16](#), [H 17](#), and [H 1](#) which have been signed by the President.

NOVAK, Secretary

Enrolled [H 16](#), [H 17](#), and [H 1](#) were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

February 8, 2019

Mr. Speaker:

I transmit herewith [SCR 101](#) which has passed the Senate.

NOVAK, Secretary

[SCR 101](#) was filed for first reading.

### 5TH ORDER

#### Report of Standing Committees

February 11, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have printed [HR 2](#), [HCR 10](#), [HJM 4](#), [HJM 5](#), [H 110](#), [H 111](#), [H 112](#), [H 113](#), [H 114](#), [H 115](#), [H 116](#), [H 117](#), [H 118](#), and [H 119](#).

DAYLEY, Chairman

[HR 2](#), [H 114](#), [H 115](#), [H 116](#), [H 117](#), and [H 118](#) were referred to the Judiciary, Rules and Administration Committee.

[HCR 10](#), [HJM 4](#), [HJM 5](#), [H 110](#), and [H 111](#) were referred to the Resources and Conservation Committee.

[H 112](#) and [H 119](#) were referred to the Business Committee.

[H 113](#) was referred to the Commerce and Human Resources Committee.

February 11, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have enrolled [HJM 3](#) and [H 19](#).

DAYLEY, Chairman



The Speaker announced he was about to sign enrolled [HJM 3](#) and [H 19](#) and, when so signed, ordered them transmitted to the Senate for the signature of the President.

OFFICE OF THE GOVERNOR  
Boise

February 8, 2019

February 11, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have transmitted enrolled [H 35](#), [H 36](#), [H 14](#), and [H 15](#) to the Governor at 11:12 a.m., as of this date, February 8, 2019.

DAYLEY, Chairman

The Honorable Scott Bedke  
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House bills, to wit:

[H 14](#) and [H 15](#)

Sincerely,  
/s/ Brad Little  
Governor

There being no objection, the House advanced to the Seventh Order of Business.

**7TH ORDER**  
**Motions, Memorials, and Resolutions**

**HOUSE CONCURRENT RESOLUTION NO. 11**  
**BY AGRICULTURAL AFFAIRS COMMITTEE**  
A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND COMMEMORATING THE FOUNDING OF THE IDAHO STATE DEPARTMENT OF AGRICULTURE, AND THE RESULTING 100 YEARS OF OUTSTANDING SERVICE BY EMPLOYEES PAST AND PRESENT TO THE AGRICULTURAL, RANCHING, FOOD PROCESSING, AGRIBUSINESS, AND IDAHO COMMUNITIES IT SERVES, AND COMMENDING ITS CONTINUED SERVICE TO THE PEOPLE OF THIS GREAT STATE.

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

WHEREAS, Idaho agriculture is diverse, abundant, and deeply rooted in our history; and

WHEREAS, farming, ranching, food processing, and agribusiness remain a fundamentally important part of Idaho's economy, communities, and way of life; and

WHEREAS, Idaho has nearly 25,000 farms and ranches that produce more than 185 different commodities; and

WHEREAS, Idaho ranks in the top ten in the nation in production or receipts in 30 of those commodities; and

WHEREAS, Idaho is the third largest agricultural state in the West and second in net farm income; and

WHEREAS, agriculture and food processing generate 20% of Idaho's total economic output in sales and 16% of GDP; and

WHEREAS, agriculture and agricultural activities remain an important way of life for communities across Idaho; and

WHEREAS, the Idaho State Department of Agriculture was established in 1919 to serve and regulate this cornerstone industry; and

WHEREAS, the Idaho State Department of Agriculture, and its dedicated team of industry topic experts, oversees more than 60 sections of Idaho Code and is structured to efficiently implement its statutory duties; and

WHEREAS, in 2019 the Idaho State Department of Agriculture marks its 100th year of service to the industries, communities, and citizens of our great state.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-fifth Idaho Legislature,

February 11, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have transmitted enrolled [HCR 2](#) to the Secretary of State at 11:20 a.m., as of this date, February 8, 2019.

DAYLEY, Chairman

February 8, 2019

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration [HJR 2](#) and recommend that it do pass.

HARRIS, Chairman

[HJR 2](#) was filed for second reading.

February 11, 2019

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration [H 58](#) and [H 59](#) and recommend that they do pass.

WOOD, Chairman

[H 58](#) and [H 59](#) were filed for second reading.

There being no objection, the House returned to the Fourth Order of Business.

**4TH ORDER**  
**Consideration of Messages from the**  
**Governor and the Senate**

OFFICE OF THE GOVERNOR  
Boise

February 8, 2019

The Honorable Scott Bedke  
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House bills, to wit:

[H 35](#) and [H 36](#)

Sincerely,  
/s/ Brad Little  
Governor

the House of Representatives and the Senate concurring therein, that we commemorate the founding of the Idaho State Department of Agriculture, and the resulting 100 years of outstanding service by employees past and present to the agricultural, ranching, food processing, agribusiness, and Idaho communities it serves, and commend its continued service to the people of this great state.

**HOUSE JOINT MEMORIAL NO. 6**  
**BY TRANSPORTATION AND DEFENSE 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 THE DIRECTOR AND BOARD OF THE IDAHO TRANSPORTATION DEPARTMENT.

We, your Memorialists, the House of Representatives and the Senate of the State of Idaho assembled in the First Regular Session of the Sixty-fifth Idaho Legislature, do hereby respectfully represent that:

WHEREAS, public highway agencies, including the Idaho Transportation Department (ITD) and Federal Highway Administration (FHWA) are required to conduct environmental assessments to consider the environmental effects of transportation projects receiving federal funds pursuant to the National Environmental Policy Act (NEPA) review process; and

WHEREAS, environmental assessments conducted pursuant to NEPA increasingly recommend that wildlife crossings, including overpasses, underpasses, and related fencing, are necessary or recommended additions to transportation projects to allow for the safe crossing of wildlife; and

WHEREAS, the link between receipt of federal funds for highway projects and the acceptance of environmental assessment recommendations can cause concern for state highway agencies such as ITD when objections to aspects of highway projects, such as wildlife crossings, are raised; and

WHEREAS, as to a proposed highway improvement project for the reconstruction of Targhee Pass on U.S. 20 between the junction with state highway 87 and the Montana state line, the NEPA environmental assessment process resulted in five alternative options, one of which would have included several wildlife crossings and dozens of miles of related fencing; and

WHEREAS, local citizens and elected officials, multiple homeowner associations, and members of the Idaho Legislature became concerned about the potential repercussions of wildlife crossing bridges and fences in Fremont County; and

WHEREAS, on an advisory ballot question presented during the November 2018 general election, 78% of Fremont County residents participating voted against the option to install wildlife crossings and fences along U.S. 20; and

WHEREAS, in a testament to our democracy in action and the power of citizens and governmental entities to coordinate to create a positive solution, ITD, ITD District 6, and the FHWA recently recommended a preferred alternative that addresses highway needs, safety, and wildlife, but does not include crossing structures with wildlife fencing; and

WHEREAS, the House of Representatives of the Idaho Legislature is grateful for the hard work and dedication shown by ITD and its staff, including the staff of ITD District 6, as well as the FHWA, to recommend a solution that is responsive to the needs and concerns of local Idaho citizens and highway users while also achieving project objectives; and

WHEREAS, the House of Representatives of the Idaho Legislature extends congratulations to ITD, ITD District 6, and

the FHWA with respect to their recommendation of the preferred alternative for the reconstruction of the Targhee Pass; and

WHEREAS, the House of Representatives of the Idaho Legislature believes that the situation presented by the Targhee Pass project and an initial option including wildlife bridges and fencing may again arise as to future transportation projects in Idaho; and

WHEREAS, a wide range of stakeholders are affected by wildlife crossings and related infrastructure in ways that are distinct from other transportation-related proposals and actions; and

WHEREAS, areas adjacent to highways in the State of Idaho are critical not only for the safe passage of motor vehicles, cyclists, and pedestrians but also for access to private and public lands, livestock, recreation, hunting, snow removal, and the preservation of scenic views; and

WHEREAS, stakeholders may not initially realize that transportation-related projects could ultimately involve the consideration of wildlife crossing infrastructure, including fencing, presenting a potential challenge to the goal of stakeholder involvement; and

WHEREAS, as demonstrated by the outcome of the Targhee Pass project recommendation, government functions most effectively when the voices of the people are heard and agencies are able to cooperate effectively together; and

WHEREAS, affected stakeholders benefit from the opportunity to be informed as soon as possible about the extent and potential impact of projects to allow for involvement in decisions about animal crossings and related infrastructure.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-fifth Idaho Legislature, the House of Representatives and the Senate concurring therein, that we urge the members of the Senate and the House of Representatives in the Congress of the United States to review the NEPA environmental assessment process for transportation projects to ensure that stakeholders are quickly and fully informed whenever wildlife crossing infrastructure is proposed as an option for a transportation project and that state transportation agencies be given clear guidance to that effect.

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives be, and she is hereby authorized and directed to forward a copy of this Memorial to the director and the board of the Idaho Transportation Department.

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives 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 the Congress, and to the congressional delegation representing the State of Idaho in the Congress of the United States.

**HOUSE JOINT MEMORIAL NO. 7**  
**BY HEALTH AND WELFARE 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 STATE OF IDAHO IN THE CONGRESS OF THE UNITED STATES.

We, your Memorialists, the House of Representatives and the Senate of the State of Idaho assembled in the First Regular Session of the Sixty-fifth Idaho Legislature, do hereby respectfully represent that:

WHEREAS, federal law requires that veterans injured or disabled in the line of duty be entitled to compensation; and

WHEREAS, many veterans have been injured or disabled in ways that affect their ability to have children; and

WHEREAS, in vitro fertilization (IVF) was previously a covered benefit for veterans with a service-connected disability resulting in the inability to procreate without the use of fertility treatment, pursuant to 38 CFR 17.380; and

WHEREAS, IVF was also a covered benefit for the spouse of a veteran with a service-connected disability resulting in the inability to procreate, pursuant to 38 CFR 17.412; and

WHEREAS, the IVF benefit for veterans and their spouses expired on September 30, 2018; and

WHEREAS, IVF is the most successful fertility treatment in use today; and

WHEREAS, intrauterine insemination (IUI), another successful form of fertility treatment, is not currently a covered benefit for veterans or their spouses; and

WHEREAS, both IVF and IUI may help disabled veterans and their spouses procreate when the veteran's service-related disability would otherwise prevent them; and

WHEREAS, it is the strong belief of your Memorialists that family life is of the utmost importance; and

WHEREAS, it is likewise the strong belief of your Memorialists that those who serve our nation in the armed forces should not lose their ability to have children when it is within our nation's capacity to assist them.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-fifth Idaho Legislature, the House of Representatives and the Senate concurring therein, that we request that Congress enact legislation establishing IVF and IUI as covered benefits for veterans with a service-connected disability resulting in an inability to procreate without the use of fertility treatment.

BE IT FURTHER RESOLVED that we request that Congress provide that IVF and IUI shall be made available to the spouses of such veterans.

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives 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 delegation representing the State of Idaho in the Congress of the United States.

[HCR 11](#), [HJM 6](#), and [HJM 7](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

[SCR 101](#), by State Affairs Committee, was introduced, read the first time by title, and referred to the State Affairs Committee.

### 8TH ORDER

#### Introduction, First Reading, and Reference of Bills and Joint Resolutions

#### HOUSE BILL NO. 120 BY EDUCATION COMMITTEE AN ACT

RELATING TO SEX EDUCATION; AMENDING SECTION 33-1611, IDAHO CODE, TO REVISE PROVISIONS REGARDING SEX EDUCATION.

#### HOUSE BILL NO. 121 BY AGRICULTURAL AFFAIRS COMMITTEE AN ACT

RELATING TO POTATOES; AMENDING CHAPTER 26, TITLE 22, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 22-2619, IDAHO CODE, TO DEFINE

TERMS AND TO PROVIDE FOR A PROCESSED POTATOES NEGOTIATION PERIOD.

#### HOUSE BILL NO. 122 BY AGRICULTURAL AFFAIRS COMMITTEE AN ACT

RELATING TO HEMP; AMENDING TITLE 22, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 17, TITLE 22, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO PROVIDE LEGISLATIVE INTENT, TO DEFINE A TERM, TO PROVIDE FOR RESEARCH AND PRODUCTION OF HEMP, AND TO PROVIDE FOR THE REGULATION OF HEMP; AMENDING SECTION 37-2701, IDAHO CODE, TO REVISE A DEFINITION AND TO DEFINE A TERM; AMENDING SECTION 37-2705, IDAHO CODE, TO PROVIDE AN EXCEPTION FOR CERTAIN HEMP REGARDING TETRAHYDROCANNABINOLS; AND AMENDING SECTION 37-2732, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE.

#### HOUSE BILL NO. 123 BY STATE AFFAIRS COMMITTEE AN ACT

RELATING TO DAYLIGHT SAVING TIME; AMENDING CHAPTER 1, TITLE 73, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 73-123, IDAHO CODE, TO PROVIDE THAT AN AREA OF THE STATE OF IDAHO SHALL BE EXEMPT FROM THE DAYLIGHT SAVING TIME PROVISIONS OF FEDERAL LAW; AND PROVIDING AN EFFECTIVE DATE.

#### HOUSE BILL NO. 124 BY TRANSPORTATION AND DEFENSE COMMITTEE AN ACT

RELATING TO THE MILITARY; AMENDING SECTION 46-1102, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE MODEL STATE CODE OF MILITARY JUSTICE.

#### HOUSE BILL NO. 125 BY TRANSPORTATION AND DEFENSE COMMITTEE AN ACT

RELATING TO SINGLE COUNTYWIDE HIGHWAY DISTRICTS; AMENDING SECTION 40-1416, IDAHO CODE, TO PROVIDE THAT VEHICLES GREATER THAN 8,000 POUNDS MAY BE SUBJECT TO VEHICLE REGISTRATION FEES COLLECTED BY A COUNTYWIDE HIGHWAY DISTRICT, TO PROVIDE FOR CERTAIN COST REIMBURSEMENT, AND TO MAKE TECHNICAL CORRECTIONS.

#### HOUSE BILL NO. 126 BY TRANSPORTATION AND DEFENSE COMMITTEE AN ACT

RELATING TO OVERHANGING LOADS AND FLAG SIZE; AMENDING SECTION 49-913, IDAHO CODE, TO REVISE PROVISIONS REGARDING FLAG SIZE; AND AMENDING SECTION 49-1010, IDAHO CODE, TO REVISE PROVISIONS REGARDING FLAG SIZE AND TO MAKE TECHNICAL CORRECTIONS.

#### HOUSE BILL NO. 127 BY LOCAL GOVERNMENT COMMITTEE AN ACT

RELATING TO LOCAL LAND USE PLANNING; AMENDING SECTION 67-6503, IDAHO CODE, TO REVISE

PROVISIONS REGARDING PARTICIPATION OF LOCAL GOVERNMENTS.

**HOUSE BILL NO. 128**  
**BY LOCAL GOVERNMENT COMMITTEE**  
AN ACT

RELATING TO CITIES; REPEALING SECTION 50-222, IDAHO CODE, RELATING TO ANNEXATION BY CITIES; AND AMENDING CHAPTER 2, TITLE 50, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 50-222, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING ANNEXATION OF LAND BY CITIES.

**HOUSE BILL NO. 129**  
**BY LOCAL GOVERNMENT COMMITTEE**  
AN ACT

RELATING TO TAXING DISTRICT BOUNDARIES; AMENDING SECTION 63-215, IDAHO CODE, TO PROVIDE RIGHTS OF NOTICE AND APPEAL OF THE STATE TAX COMMISSION'S DECISION NOT TO RECOGNIZE A TAXING DISTRICT'S CHANGE IN BOUNDARIES AND TO MAKE TECHNICAL CORRECTIONS.

**HOUSE BILL NO. 130**  
**BY LOCAL GOVERNMENT COMMITTEE**  
AN ACT

RELATING TO ANNEXATION; AMENDING SECTION 50-222, IDAHO CODE, TO REVISE A PROVISION REGARDING GENERAL AUTHORITY, TO REVISE PROVISIONS REGARDING ANNEXATION CLASSIFICATIONS, TO REVISE PROVISIONS REGARDING EVIDENCE OF CONSENT TO ANNEXATION, TO REVISE PROVISIONS REGARDING ANNEXATION PROCEDURES, TO REMOVE PROVISIONS REGARDING ANNEXATION PROCEDURES, TO REVISE A PROVISION REGARDING JUDICIAL REVIEW, TO PROVIDE FOR EXPRESS WRITTEN PERMISSION OF A LANDOWNER IN CERTAIN INSTANCES, AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 131**  
**BY LOCAL GOVERNMENT COMMITTEE**  
AN ACT

RELATING TO MUNICIPAL RECORDS; AMENDING SECTION 50-907, IDAHO CODE, TO PROVIDE FOR THE CLASSIFICATION AND RETENTION OF MUNICIPAL MEDIA RECORDINGS AND LAW ENFORCEMENT MEDIA RECORDINGS AND TO MAKE TECHNICAL CORRECTIONS.

**HOUSE BILL NO. 132**  
**BY APPROPRIATIONS COMMITTEE**  
AN ACT

RELATING TO THE APPROPRIATION TO THE STATE TAX COMMISSION FOR FISCAL YEAR 2019; APPROPRIATING ADDITIONAL MONEYS TO THE STATE TAX COMMISSION FOR FISCAL YEAR 2019; AUTHORIZING ADDITIONAL FULL-TIME EQUIVALENT POSITIONS; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 133**  
**BY HEALTH AND WELFARE COMMITTEE**  
AN ACT

RELATING TO IMMUNIZATIONS; AMENDING SECTION 39-1118, IDAHO CODE, TO PROVIDE THAT A LICENSED DAYCARE FACILITY SHALL INCLUDE

CERTAIN INFORMATION IN A NOTIFICATION REGARDING IMMUNIZATION REQUIREMENTS; AND AMENDING SECTION 39-4801, IDAHO CODE, TO PROVIDE THAT A SCHOOL SHALL INCLUDE CERTAIN INFORMATION IN A NOTIFICATION REGARDING IMMUNIZATION REQUIREMENTS AND TO MAKE TECHNICAL CORRECTIONS.

[H 120](#), [H 121](#), [H 122](#), [H 123](#), [H 124](#), [H 125](#), [H 126](#), [H 127](#), [H 128](#), [H 129](#), [H 130](#), [H 131](#), [H 132](#), and [H 133](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Tenth Order of Business.

**10TH ORDER**  
**Second Reading of Bills and Joint Resolutions**

[H 108](#), by Local Government Committee, was read the second time by title and filed for third reading.

[H 61](#), by Revenue and Taxation Committee, was read the second time by title and filed for third reading.

[H 67](#) and [H 80](#), by Resources and Conservation Committee, were read the second time by title and filed for third reading.

[H 68](#), by Commerce and Human Resources Committee, was read the second time by title and filed for third reading.

[H 45](#) and [H 46](#), by Business Committee, were read the second time by title and filed for third reading.

**11TH ORDER**  
**Third Reading of Bills and Joint Resolutions**

**[H 86](#) - SALES TAX**

[H 86](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Moyle and Mr. Addis to open debate.

Pursuant to Rule 38(3), Mr. Addis disclosed a conflict of interest regarding [H 86](#).

The question being, "Shall [H 86](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Blanksma, Boyle, Chaney, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 67.

NAYS—Berch. Total - 1.

Absent—Chew, Green(2). Total - 2.

Total - 70.

Whereupon the Speaker declared that [H 86](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

**H 87 - PROPERTY TAXES**

**H 87** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Moyle and Mr. Anderst to open debate.

The question being, "Shall **H 87** pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Blanksma, Boyle, Chaney, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 67.

NAYS—Berch. Total - 1.

Absent—Chew, Green(2). Total - 2.

Total - 70.

Whereupon the Speaker declared that **H 87** passed the House. Title was approved and the bill ordered transmitted to the Senate.

**H 60 - COOPERATIVE MARKETING ASSOCIATIONS**

**H 60** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Raybould to open debate.

The question being, "Shall **H 60** pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 68.

NAYS—None.

Absent—Chew, Green(2). Total - 2.

Total - 70.

Whereupon the Speaker declared that **H 60** passed the House. Title was approved and the bill ordered transmitted to the Senate.

There being no objection, the House advanced to the Fifteenth Order of Business.

**15TH ORDER  
Announcements**

Announcements were made to the body.

**16TH ORDER  
Adjournment**

Mr. Moyle moved that the House adjourn until 11 a.m., Tuesday, February 12, 2019. Seconded by Mr. Erpelding. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:25 a.m.

SCOTT BEDKE, Speaker

ATTEST:

CARRIE MAULIN, Chief Clerk



# HOUSE JOURNAL

OF THE

## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-FIFTH LEGISLATURE

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**THIRTY-SEVENTH LEGISLATIVE DAY**  
**TUESDAY, FEBRUARY 12, 2019**

House of Representatives

The House convened at 11 a.m., the Speaker in the Chair.

Roll call showed all 70 members present.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Alexis Walker, Page.

### 3RD ORDER

#### Approval of Journal

February 12, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Thirty-sixth Legislative Day and recommend that same be adopted as corrected.

DAYLEY, Chairman

Mr. Dayley moved that the report be adopted. Seconded by Mr. Gannon. Report adopted.

### 4TH ORDER

#### Consideration of Messages from the Governor and the Senate

THE OFFICE OF THE GOVERNOR

#### CERTIFICATE OF APPOINTMENT

**KNOW ALL MEN**, that pursuant to the provisions of Section 59-917, Idaho Code, GAYANN DEMORDAUNT, State Representative, District 14, Seat B, Ada County, State of Idaho, has nominated, GREGORY ROBERTS CALL, of 602 W. Clearpoint Way, Eagle, Idaho 83616, to perform the duties of this office temporarily as Acting State Representative, District 14, Seat B.

**NOW, THEREFORE, I, BRAD LITTLE**, Governor of the State of Idaho, by virtue of the authority vested in me do hereby appoint Gregory Roberts Call of Eagle, Idaho, to the office of Acting State Representative, District 14, Seat B, for a term commencing Tuesday, February 12, 2019, through Thursday, February 14, 2019.

**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 11th day of February, in the year of our Lord two thousand and nineteen, and of the Independence of the

United States of America, the two hundred and forty-third year and of the Statehood of Idaho the one hundred twenty-ninth.

/s/ BRAD LITTLE  
Governor  
/s/ LAWRENCE DENNEY  
Secretary of State

The Certificate of Appointment was ordered filed in the office of the Chief Clerk.

The Speaker announced the oath of office had previously been administered to Gregory Roberts Call.

February 11, 2019

Mr. Speaker:

I transmit herewith enrolled [S 1031](#) and [S 1032](#) for the signature of the Speaker.

NOVAK, Secretary

The Speaker announced he was about to sign enrolled [S 1031](#) and [S 1032](#) when so signed, ordered them returned to the Senate.

February 11, 2019

Mr. Speaker:

I return herewith [S 1033](#), [S 1046](#), and [S 1042](#) which have passed the Senate.

NOVAK, Secretary

[S 1033](#), [S 1046](#), and [S 1042](#) were filed for first reading.

February 11, 2019

Mr. Speaker:

I return herewith enrolled [H 56](#), [H 57](#), [HJM 3](#), and [H 19](#) which have been signed by the President.

NOVAK, Secretary

Enrolled [H 56](#), [H 57](#), and [H 19](#) were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

Enrolled [HJM 3](#) was referred to the Judiciary, Rules, and Administration Committee for delivery to the Secretary of State.

February 11, 2019

Mr. Speaker:

I return herewith [H 66](#), [H 25](#), [H 10](#), [H 11](#), [H 12](#), and [H 72](#) which have passed the Senate.

NOVAK, Secretary

[H 66](#), [H 25](#), [H 10](#), [H 11](#), [H 12](#), and [H 72](#) were referred to the Judiciary, Rules, and Administration Committee for enrolling.

### 5TH ORDER

#### Report of Standing Committees

February 12, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have printed [HCR 11](#),

[HJM 6](#), [HJM 7](#), [H 120](#), [H 121](#), [H 122](#), [H 123](#), [H 124](#), [H 125](#), [H 126](#), [H 127](#), [H 128](#), [H 129](#), [H 130](#), [H 131](#), [H 132](#), and [H 133](#).  
DAYLEY, Chairman

[HCR 11](#) and [H 132](#) were filed for second reading.

[HJM 6](#), [H 124](#), [H 125](#), and [H 126](#) were referred to the Transportation and Defense Committee.

[HJM 7](#) and [H 133](#) were referred to the Health and Welfare Committee.

[H 120](#) was referred to the Education Committee.

[H 121](#) and [H 122](#) were referred to the Agricultural Affairs Committee.

[H 123](#) was referred to the State Affairs Committee.

[H 127](#), [H 128](#), [H 130](#), and [H 131](#) were referred to the Local Government Committee.

[H 129](#) was referred to the Revenue and Taxation Committee.

February 12, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have enrolled [H 66](#), [H 25](#), [H 10](#), [H 11](#), [H 12](#), and [H 72](#).

DAYLEY, Chairman

The Speaker announced he was about to sign enrolled [H 66](#), [H 25](#), [H 10](#), [H 11](#), [H 12](#), and [H 72](#) and, when so signed, ordered them transmitted to the Senate for the signature of the President.

February 12, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have transmitted enrolled [H 16](#), [H 17](#), and [H 1](#) to the Governor at 11:05 a.m., as of this date, February 11, 2019.

DAYLEY, Chairman

February 11, 2019

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration [H 102](#) and [H 103](#) and recommend that they do pass.

COLLINS, Chairman

[H 102](#) and [H 103](#) were filed for second reading.

February 12, 2019

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration [H 63](#) and [H 100](#) and recommend that they do pass.

HARRIS, Chairman

[H 63](#) and [H 100](#) were filed for second reading.

There being no objection, the House returned to the Fourth Order of Business.

**4TH ORDER**  
**Consideration of Messages from the Governor and the Senate**

OFFICE OF THE GOVERNOR  
Boise

February 11, 2019

The Honorable Scott Bedke  
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House bills, to wit:

[H 16](#) and [H 17](#)

Sincerely,  
/s/ Brad Little  
Governor

There being no objection, the House advanced to the Seventh Order of Business.

**7TH ORDER**  
**Motions, Memorials, and Resolutions**

**HOUSE CONCURRENT RESOLUTION NO. 12**  
**BY RESOURCES AND CONSERVATION COMMITTEE**  
A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND AUTHORIZING THE LEGISLATIVE COUNCIL TO APPOINT A COMMITTEE TO UNDERTAKE AND COMPLETE A STUDY OF NATURAL RESOURCE ISSUES.

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

WHEREAS, the First Regular Session of the Sixty-fourth Idaho Legislature adopted Senate Concurrent Resolution No. 114, which authorized the appointment of a committee to undertake and complete a two-year study of natural resource issues, including issues relating to water, throughout the State of Idaho; and

WHEREAS, the committee's official term expired on November 30, 2018, and numerous natural resource-related issues continue to be of importance for the future of Idaho and the quality of life our citizens enjoy; and

WHEREAS, natural resource issues of continued interest include, but are not limited to, stabilization of the water distribution system, the status of aquifers throughout the state, and wildlife.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-fifth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the Legislative Council is authorized to appoint a two-year committee to undertake and complete a study of natural resource issues of importance to the State of Idaho. The committee shall consist of ten legislators, with five from the Senate and five from the House of Representatives. The Legislative Council 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 the Legislative Council is authorized to also appoint ad hoc legislative members to serve on the committee.



BE IT FURTHER RESOLVED that the cochairs of the committee are authorized to appoint advisors with technical expertise in regard to water issues and are expected to receive input from stakeholders.

BE IT FURTHER RESOLVED that any advisors to the committee who are not legislative members 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 and proposed legislation.

BE IT FURTHER RESOLVED that the committee shall make a progress report to the Second Regular Session of the Sixty-fifth Idaho Legislature and shall make a report detailing its findings, recommendations, and proposed legislation, if any, to the First Regular Session of the Sixty-sixth Idaho Legislature.

**HOUSE JOINT MEMORIAL NO. 8  
BY RESOURCES AND CONSERVATION COMMITTEE  
A JOINT MEMORIAL**

TO THE GOVERNOR OF THE STATE OF IDAHO, THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES OF CONGRESS, THE CONGRESSIONAL DELEGATION REPRESENTING THE STATE OF IDAHO IN THE CONGRESS OF THE UNITED STATES, THE UNITED STATES SECRETARY OF THE INTERIOR, THE ADMINISTRATOR OF THE BUREAU OF LAND MANAGEMENT, THE UNITED STATES SECRETARY OF AGRICULTURE, AND THE CHIEF OF THE UNITED STATES FOREST SERVICE.

We, your Memorialists, the House of Representatives and the Senate of the State of Idaho assembled in the First Regular Session of the Sixty-fifth Idaho Legislature, do hereby respectfully represent that:

WHEREAS, Idaho's legal description includes approximately 53.5 million acres, of which approximately 5,008,317 acres are designated as Wilderness Areas and approximately 1,797,456 acres have at some point been designated as Wilderness Study Areas (WSAs), which are maintained similarly to Wilderness Areas; and

WHEREAS, in 1976, Congress passed the Federal Land Policy and Management Act (FLPMA) with Section 603 directing the Bureau of Land Management (BLM) to identify and review all the public lands under its administration that possess the wilderness characteristics described in the Wilderness Act; and

WHEREAS, the BLM state director, after analysis, stated in his 1991 Record of Decision and Idaho Wilderness Study Report, "The recommendation is for Congress to designate 972,239 acres as wilderness and release 825,217 acres for other multiple uses"; and

WHEREAS, the President in 1992 wrote a letter to the Speaker of the House and the President of the Senate saying, "...I further concur with the Secretary of the Interior that all or part of 57 of the WSAs encompassing 825,217 acres are not suitable for preservation as wilderness...I urge the Congress to act expeditiously and favorably on the proposed legislation so that the natural resources of these WSAs in Idaho may be protected and preserved"; and

WHEREAS, Congress, through Public Law 111-11 separately removed thousands of acres of nonsuitable WSAs in 2009, and through Public Law 114-46, separately removed tens of thousands of acres of nonsuitable WSAs in 2015, there are still over 500,000 acres of nonsuitable WSAs in Idaho; and

WHEREAS, these Idaho lands are in legal limbo, a situation that causes extensive federal litigation regarding what uses of the lands are appropriate and, in turn, places a burden on federal court resources; and

WHEREAS, uncertainty and wide swings in executive branch philosophy regarding the administration of these lands are costing the public millions of dollars as forest assets burn and deteriorate and as investments in forest road construction and improvements are being minimized; and

WHEREAS, administrative decisions and preservationist lawsuits have progressively reduced access to public lands for forest managers and the public; and

WHEREAS, the long-term sustainability of public lands depends on good stewardship and professional scientific site-specific management of forest resources; and

WHEREAS, Idaho's historic heritage, customs, and culture are linked to the proper stewardship and use of the state's natural resources located on federally managed lands; and

WHEREAS, these lands are de facto wilderness in lieu of congressional action, a situation that has resulted in a waste of forest assets, improper management of public forests, and a harmful reduction in forest road construction and multiple-use access improvements; and

WHEREAS, the failure by Congress to release the lands locked up by the Wilderness Act severely harms agriculture, timber harvesting, and multiple-use interests, as well as Idaho communities and Idaho families economically supported by those activities; and

WHEREAS, national forest lands released from wilderness study would still be subject to the National Forest Management Act, which requires extensive early state political subdivision and public involvement as a federal land management agency develops, monitors, assesses, and updates plans for the management and use of resources in each forest; and

WHEREAS, the Idaho Legislature, on behalf of the citizens of the state, asserts that the time is ripe for final disposition of these lands.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-fifth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the Legislature supports scientific adaptive management to implement the multiple-use concept of public land use as mandated by the Multiple-Use Sustained-Yield Act of 1960, to ensure the protection and improvement of forest health, and to maintain and improve the sustainability of federal forests located in Idaho.

BE IT FURTHER RESOLVED that the United States Congress is strongly urged to enact legislation to release all remaining nonsuitable wilderness study areas and implement the concept of multiple use in order to fulfill the federal mandates as required by the Multiple Use-Sustained Yield Act of 1960 and the Forest Management Act of 1976 to manage the national forests to "improve and protect the forest within the reservation, or for the purpose of securing favorable conditions of water flows, and to furnish a continuous supply of timber for the use and necessities of citizens of the United States."

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives be, and she is hereby authorized and directed to forward a copy of this Memorial to the Governor of the State of Idaho, the President of the Senate and the Speaker of the House of Representatives of Congress, the congressional delegation representing the State of Idaho in the Congress of the United States, the United States Secretary of the Interior, the Administrator of the Bureau of Land Management, the United States Secretary of Agriculture, and the Chief of the United States Forest Service.

**HCR 12** and **HJM 8** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

**8TH ORDER****Introduction, First Reading, and Reference  
of Bills and Joint Resolutions****HOUSE BILL NO. 134****BY COMMERCE AND HUMAN RESOURCES  
COMMITTEE**

## AN ACT

RELATING TO ALCOHOLIC BEVERAGES; AMENDING SECTION 23-902, IDAHO CODE, TO DEFINE A TERM; AND AMENDING SECTION 23-944, IDAHO CODE, TO PROVIDE THAT IT SHALL NOT BE UNLAWFUL FOR ANY PERSON UNDER THE AGE OF TWENTY-ONE YEARS TO ENTER OR BE IN A PLAZA UNDER CERTAIN CONDITIONS.

**HOUSE BILL NO. 135****BY COMMERCE AND HUMAN RESOURCES  
COMMITTEE**

## AN ACT

RELATING TO THE STATE PROCUREMENT ACT; AMENDING SECTION 67-9219, IDAHO CODE, TO PROVIDE THAT CERTAIN CONTRACT SERVICES PERFORMED ON A COMPUTER BE VERIFIED BY SPECIFIED SOFTWARE.

**HOUSE BILL NO. 136****BY COMMERCE AND HUMAN RESOURCES  
COMMITTEE**

## AN ACT

RELATING TO THE PUBLIC EMPLOYEE RETIREMENT SYSTEM OF IDAHO; AMENDING SECTION 59-1356, IDAHO CODE, TO PROVIDE FOR THE REEMPLOYMENT OF CERTAIN RETIRED MEMBERS.

**HOUSE BILL NO. 137****BY JUDICIARY, RULES AND ADMINISTRATION  
COMMITTEE**

## AN ACT

RELATING TO DANGEROUS AND AT-RISK DOGS; AMENDING SECTION 25-2810, IDAHO CODE, TO REVISE PROVISIONS REGARDING DANGEROUS AND AT-RISK DOGS; AMENDING SECTION 25-2811, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES; AND AMENDING SECTION 25-2812, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE A TECHNICAL CORRECTION.

**HOUSE BILL NO. 138****BY JUDICIARY, RULES AND ADMINISTRATION  
COMMITTEE**

## AN ACT

RELATING TO FORCIBLE ENTRY AND UNLAWFUL DETAINER; AMENDING SECTION 6-303, IDAHO CODE, TO REVISE A PROVISION REGARDING DEFAULT OF PAYMENT AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 6-304, IDAHO CODE, TO REVISE PROVISIONS REGARDING SERVICE OF NOTICE; AMENDING SECTION 6-310, IDAHO CODE, TO REVISE PROVISIONS REGARDING AN UNLAWFUL DETAINER ACTION; AMENDING SECTION 6-311, IDAHO CODE, TO REVISE A PROVISION REGARDING A CONTINUANCE IN AN UNLAWFUL DETAINER ACTION; AMENDING SECTION 6-311A, IDAHO CODE, TO REVISE PROVISIONS REGARDING JUDGMENT ON TRIAL BY A COURT; AMENDING SECTION 6-311C, IDAHO CODE, TO PROVIDE

FOR AN ORDER OF RESTITUTION; REPEALING SECTION 6-311E, IDAHO CODE, RELATING TO AN ACTION FOR DAMAGES, COMPLAINT, AND SUMMONS; AMENDING SECTION 6-320, IDAHO CODE, TO PROVIDE FOR TENANT REMEDIES FOR DEFICIENT CONDITION OF RESIDENTIAL RENTAL UNITS AND TO PROVIDE A CODE REFERENCE; AMENDING SECTION 6-321, IDAHO CODE, TO REMOVE LANGUAGE REGARDING A SIGNED STATEMENT, TO PROVIDE FOR CERTAIN REQUIREMENTS REGARDING SECURITY DEPOSITS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 6-323, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES; AMENDING SECTION 6-324, IDAHO CODE, TO REMOVE A PROVISION REGARDING TREBLE DAMAGES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING CHAPTER 3, TITLE 6, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 6-325, IDAHO CODE, TO PROVIDE FOR ABANDONMENT OF PREMISES IN CERTAIN INSTANCES; AMENDING CHAPTER 3, TITLE 6, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 6-326, IDAHO CODE, TO PROVIDE FOR THE ABANDONMENT OF PERSONAL PROPERTY; AND AMENDING CHAPTER 3, TITLE 6, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 6-327, IDAHO CODE, TO PROVIDE FOR A CRIME VICTIM'S RIGHTS TO NEW LOCKS AND TO TERMINATE A RENTAL AGREEMENT IN CERTAIN INSTANCES.

**HOUSE BILL NO. 139****BY JUDICIARY, RULES AND ADMINISTRATION  
COMMITTEE**

## AN ACT

RELATING TO FOREIGN DEFAMATION JUDGMENTS; AMENDING TITLE 6, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 32, TITLE 6, IDAHO CODE, TO DEFINE TERMS, TO PROVIDE FOR FOREIGN DEFAMATION JUDGMENTS, AND TO PROVIDE PROCEDURES.

**HOUSE BILL NO. 140****BY JUDICIARY, RULES AND ADMINISTRATION  
COMMITTEE**

## AN ACT

RELATING TO MARIJUANA; AMENDING SECTION 37-2732, IDAHO CODE, TO PROVIDE CERTAIN PENALTIES FOR MARIJUANA; AMENDING SECTION 18-7803, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 18-7804, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 18-8201, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 31-3201I, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AND AMENDING SECTION 37-2801, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES.

**HOUSE BILL NO. 141****BY RESOURCES AND CONSERVATION COMMITTEE**

## AN ACT

RELATING TO MINES; AMENDING THE HEADING FOR CHAPTER 15, TITLE 47, IDAHO CODE; AMENDING SECTION 47-1501, IDAHO CODE, TO PROVIDE THAT THE PURPOSE OF SPECIFIED LAW SHALL ALSO APPLY TO UNDERGROUND MINES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 47-1502, IDAHO CODE, TO REVISE A SHORT TITLE,

TO REVISE PROVISIONS REGARDING APPLICABILITY, AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 47-1503, IDAHO CODE, TO REVISE DEFINITIONS, TO DEFINE TERMS, AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 47-1505, IDAHO CODE, TO REVISE THE DUTIES AND POWERS OF THE BOARD OF LAND COMMISSIONERS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 47-1506, IDAHO CODE, TO REVISE OPERATOR DUTIES; AMENDING SECTION 47-1507, IDAHO CODE, TO REVISE REFERENCE TO MINING OPERATIONS REGARDING RECLAMATION PLANS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 47-1508, IDAHO CODE, TO REVISE REFERENCE TO MINING OPERATIONS REGARDING AMENDED AND SUPPLEMENTAL PLANS, TO PROVIDE FOR REVIEW OF RECLAMATION PLANS AND PERMANENT CLOSURE PLANS, TO PROVIDE FOR FEES, TO PROVIDE THAT CERTAIN DETERMINATIONS SHALL BE CONSIDERED FINAL ORDERS, AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 47-1509, IDAHO CODE, TO REVISE REFERENCE TO MINING OPERATIONS REGARDING PROCEDURES IN RECLAMATION, TO REVISE SPECIFIED RECLAMATION ACTIVITIES, AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 47-1510, IDAHO CODE, TO REVISE REFERENCE TO MINING OPERATIONS REGARDING VEGETATION PLANTING AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 47-1511, IDAHO CODE, TO REVISE REFERENCE TO MINING OPERATIONS REGARDING RECLAMATION ACTIVITIES AND TIME LIMITATIONS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 47-1512, IDAHO CODE, TO PROVIDE FOR FINANCIAL ASSURANCE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 47-1513, IDAHO CODE, TO REVISE PROVISIONS REGARDING AN OPERATOR'S FAILURE TO COMPLY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 47-1516, IDAHO CODE, TO REVISE REFERENCE TO MINED LAND REGARDING THE DEPOSIT OF FORFEITURES AND DAMAGES; AMENDING SECTION 47-1517, IDAHO CODE, TO REVISE REFERENCE TO MINING OPERATIONS REGARDING COMPLIANCE WITH CERTAIN STATUTES AND REGULATIONS; AND AMENDING SECTION 47-1518, IDAHO CODE, TO PROVIDE AN EXEMPTION FROM RECLAMATION FOR CERTAIN SURFACE MINE OPERATORS, TO PROVIDE FOR APPLICABILITY, AND TO MAKE A TECHNICAL CORRECTION.

**HOUSE BILL NO. 142**

**BY RESOURCES AND CONSERVATION COMMITTEE**  
AN ACT

RELATING TO BEAR LAKE; AMENDING CHAPTER 43, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-4313, IDAHO CODE, TO PROVIDE THAT CERTAIN LANDS ARE DECLARED TO BE DEVOTED TO PUBLIC USE IN CONNECTION WITH PRESERVATION OF THE LAKE AS A HEALTH RESORT AND RECREATION PLACE, TO PROVIDE FOR MAXIMUM STORAGE, TO RECOGNIZE PROVISIONS OF THE BEAR RIVER COMPACT, AND TO AUTHORIZE THE IDAHO WATER RESOURCE BOARD TO APPLY FOR AND OBTAIN CERTAIN WATER RIGHTS AND TO ACQUIRE EASEMENTS.

**HOUSE BILL NO. 143**  
**BY BUSINESS COMMITTEE**  
AN ACT

RELATING TO OCCUPATIONAL LICENSING REFORM; AMENDING TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 93, TITLE 67, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO PROVIDE A DECLARATION OF POLICY, TO PROVIDE DEFINITIONS, TO PROVIDE FOR MILITARY QUALIFICATIONS FOR LICENSURE, TO PROVIDE FOR CERTAIN EXPEDITED APPLICATIONS, AND TO PROVIDE FOR CERTAIN LICENSURE BY ENDORSEMENT; AND REPEALING SECTION 67-2620, IDAHO CODE, REGARDING MILITARY EDUCATION TRAINING AND SERVICE.

**HOUSE BILL NO. 144**  
**BY BUSINESS COMMITTEE**  
AN ACT

RELATING TO BARBER AND COSMETOLOGY SERVICES; AMENDING SECTION 54-5805, IDAHO CODE, TO PROVIDE FOR PERSONAL CARE AND HYGIENE SERVICES AT SPECIFIED FACILITIES.

**HOUSE BILL NO. 145**  
**BY BUSINESS COMMITTEE**  
AN ACT

RELATING TO SELF-SERVICE STORAGE FACILITIES; AMENDING SECTION 55-2301, IDAHO CODE, TO REVISE DEFINITIONS AND TO DEFINE TERMS; AMENDING SECTION 55-2304, IDAHO CODE, TO REVISE PROVISIONS REGARDING RENTAL AGREEMENTS; AMENDING SECTION 55-2305, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE CREATION OF LIENS; AMENDING SECTION 55-2306, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE ENFORCEMENT OF LIENS; AMENDING CHAPTER 23, TITLE 55, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 55-2308, IDAHO CODE, TO PROVIDE A PROCEDURE IN THE EVENT OF DEFAULT WHEN THE PROPERTY STORED IN THE LEASED SPACE IS A VEHICLE OR TRAILER; AND AMENDING CHAPTER 23, TITLE 55, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 55-2309, IDAHO CODE, TO PROVIDE THAT AN OPERATOR MAY DENY ACCESS TO THE LEASED SPACE UNDER CERTAIN CONDITIONS.

**HOUSE BILL NO. 146**  
**BY BUSINESS COMMITTEE**  
AN ACT

RELATING TO RECORDER'S FEES; AMENDING SECTION 31-3205, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE FEES A COUNTY RECORDER MAY RECEIVE.

**HOUSE BILL NO. 147**  
**BY BUSINESS COMMITTEE**  
AN ACT

RELATING TO INSURANCE; AMENDING SECTION 41-2503, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING UNDERINSURED MOTOR VEHICLE COVERAGE.

**HOUSE BILL NO. 148**  
**BY BUSINESS COMMITTEE**  
AN ACT

RELATING TO MOTOR VEHICLES; AMENDING SECTION 49-117, IDAHO CODE, TO REVISE A DEFINITION

AND TO MAKE A TECHNICAL CORRECTION; AND PROVIDING AN EFFECTIVE DATE AND APPLICABILITY.

**HOUSE BILL NO. 149**  
**BY BUSINESS COMMITTEE**  
AN ACT

RELATING TO SELF-FUNDED HEALTH CARE PLANS; AMENDING SECTION 41-4003, IDAHO CODE, TO REVISE PROVISIONS REGARDING REGISTRATION OF SELF-FUNDED PLANS; AMENDING SECTION 41-4004, IDAHO CODE, TO REVISE PROVISIONS REGARDING PLAN REQUIREMENTS; AND AMENDING SECTION 41-4010, IDAHO CODE, TO PROVIDE FOR A CERTAIN WAIVER AND TO MAKE A TECHNICAL CORRECTION.

**HOUSE BILL NO. 150**  
**BY EDUCATION COMMITTEE**  
AN ACT

RELATING TO OPEN MEETINGS; AMENDING SECTION 74-206, IDAHO CODE, TO PROVIDE THAT THE GOVERNING BOARD OF A PUBLIC SCHOOL DISTRICT, CHARTER DISTRICT, OR PUBLIC CHARTER SCHOOL MAY ENTER INTO EXECUTIVE SESSION ON A SIMPLE ROLL CALL MAJORITY VOTE UNDER CERTAIN CIRCUMSTANCES AND TO MAKE TECHNICAL CORRECTIONS.

[H 134](#), [H 135](#), [H 136](#), [H 137](#), [H 138](#), [H 139](#), [H 140](#), [H 141](#), [H 142](#), [H 143](#), [H 144](#), [H 145](#), [H 146](#), [H 147](#), [H 148](#), [H 149](#), and [H 150](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

[S 1033](#), by Health and Welfare Committee, was introduced, read the first time by title, and referred to the Health and Welfare Committee.

[S 1046](#), by Transportation Committee, was introduced, read the first time by title, and referred to the Transportation and Defense Committee.

[S 1042](#), by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the Judiciary, Rules and Administration Committee.

There being no objection, the House advanced to the Tenth Order of Business.

**10TH ORDER**  
**Second Reading of Bills and Joint Resolutions**

[HJR 2](#), by State Affairs Committee, was read the second time by title and filed for third reading.

[H 58](#) and [H 59](#), by Health and Welfare Committee, were read the second time by title and filed for third reading.

**11TH ORDER**  
**Third Reading of Bills and Joint Resolutions**

Mr. Moyle asked unanimous consent that [HJR 2](#) be returned to the State Affairs Committee. There being no objection, it was so ordered.

**H 108 - IDAHO BUILDING CODE ACT**

[H 108](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Wagoner to open debate.

The question being, "Shall [H 108](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt(Call), Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 70.

Whereupon the Speaker declared that [H 108](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

**H 61 - INCOME TAXES**

[H 61](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Kauffman to open debate.

The question being, "Shall [H 61](#) pass?"

Roll call resulted as follows:

AYES—Addis, Anderst, Berch, Chaney, Clow, Collins, Crane, Dayley, Ellis, Erpelding, Furniss, Gibbs, Goesling, Hartgen, Kauffman, Kerby, Kingsley, Lickley, Mason, McCrostie, Raymond, Ricks, Rubel, Stevenson, Toone, Troy, Wood, Mr. Speaker. Total - 28.

NAYS—Abernathy, Amador, Anderson, Andrus, Armstrong, Barbieri, Blanksma, Boyle, Chew, Christensen, Davis, DeMordaunt(Call), Dixon, Ehardt, Gannon, Gestrin, Giddings, Green(18), Green(2), Harris, Holtzclaw, Horman, Marshall, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Scott, Shepherd, Smith, Syme, Vander Woude, Wagoner, Wintrow, Wisniewski, Young, Youngblood, Zito, Zollinger. Total - 42.

Total - 70.

Whereupon the Speaker declared that [H 61](#) failed to pass the House and ordered the bill filed in the office of the Chief Clerk.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Fifteenth Order of Business.

**15TH ORDER**  
**Announcements**

Announcements were made to the body.

**16TH ORDER**  
**Adjournment**

Mr. Moyle moved that the House adjourn until 11 a.m., Wednesday, February 13, 2019. Seconded by Mr. Erpelding. Motion carried.

Whereupon the Speaker declared the House adjourned at 12:19 p.m.

SCOTT BEDKE, Speaker

ATTEST:

CARRIE MAULIN, Chief Clerk

# HOUSE JOURNAL

OF THE

## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-FIFTH LEGISLATURE

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**THIRTY-EIGHTH LEGISLATIVE DAY  
WEDNESDAY, FEBRUARY 13, 2019**

House of Representatives

The House convened at 11 a.m., the Speaker in the Chair.

Roll call showed 69 members present.  
Absent and excused - Shepherd. Total - 1.  
Total - 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Bradley Chrysler, Page.

### 3RD ORDER Approval of Journal

February 13, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Thirty-seventh Legislative Day and recommend that same be adopted as corrected.

DAYLEY, Chairman

Mr. Dayley moved that the report be adopted. Seconded by Mr. Gannon. Report adopted.

### 4TH ORDER Consideration of Messages from the Governor and the Senate

February 12, 2019

Mr. Speaker:

I return herewith enrolled [H 66](#), [H 25](#), [H 10](#), [H 11](#), [H 12](#), and [H 72](#) which have been signed by the President.

NOVAK, Secretary

Enrolled [H 66](#), [H 25](#), [H 10](#), [H 11](#), [H 12](#), and [H 72](#) were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

February 12, 2019

Mr. Speaker:

I transmit herewith [S 1008](#), [S 1026](#), and [S 1028](#) which have passed the Senate.

NOVAK, Secretary

[S 1008](#), [S 1026](#), and [S 1028](#) were filed for first reading.

February 12, 2019

Mr. Speaker:

I return herewith [H 9](#) and [H 38](#) which have passed the Senate.

NOVAK, Secretary

[H 9](#) and [H 38](#) were referred to the Judiciary, Rules, and Administration Committee for enrolling.

### 5TH ORDER Report of Standing Committees

February 13, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have printed [HJM 8](#), [HCR 12](#), [H 134](#), [H 135](#), [H 136](#), [H 137](#), [H 138](#), [H 139](#), [H 140](#), [H 141](#), [H 142](#), [H 143](#), [H 144](#), [H 145](#), [H 146](#), [H 147](#), [H 148](#), [H 149](#), and [H 150](#).

DAYLEY, Chairman

[HJM 8](#), [HCR 12](#), [H 141](#), and [H 142](#) were referred to the Resources and Conservation Committee.

[H 134](#) was referred to the State Affairs Committee.

[H 135](#) and [H 136](#) were referred to the Commerce and Human Resources Committee.

[H 137](#), [H 138](#), [H 139](#), and [H 140](#) were referred to the Judiciary, Rules and Administration Committee.

[H 143](#), [H 144](#), [H 145](#), [H 146](#), [H 147](#), and [H 149](#) were referred to the Business Committee.

[H 148](#) was referred to the Transportation and Defense Committee.

[H 150](#) was referred to the Education Committee.

February 13, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have transmitted enrolled [H 19](#), [H 56](#), and [H 57](#) to the Governor at 11:15 a.m., as of this date, February 12, 2019.

DAYLEY, Chairman

February 13, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have transmitted enrolled [HJM 3](#) to the Secretary of State at 11:12 a.m., as of this date, February 12, 2019.

DAYLEY, Chairman

February 12, 2019

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration [H 88](#) and [H 105](#) and recommend that they do pass.

PALMER, Chairman

[H 88](#) and [H 105](#) were filed for second reading.

February 13, 2019

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration [SCR 101](#) and recommend that it do pass.

HARRIS, Chairman

[SCR 101](#) was filed for second reading.



There being no objection, the House returned to the Fourth Order of Business.

**4TH ORDER**  
**Consideration of Messages from the Governor and the Senate**

OFFICE OF THE GOVERNOR  
Boise

February 12, 2019

The Honorable Scott Bedke  
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House bills, to wit:

[H 19](#) and [H 57](#)

Sincerely,  
/s/ Brad Little  
Governor

OFFICE OF THE GOVERNOR  
Boise

February 13, 2019

The Honorable Scott Bedke  
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House bill, to wit:

[H 1](#)

Sincerely,  
/s/ Brad Little  
Governor

There being no objection, the House advanced to the Seventh Order of Business.

**7TH ORDER**  
**Motions, Memorials, and Resolutions**

**HOUSE CONCURRENT RESOLUTION NO. 13**  
**BY HEALTH AND WELFARE COMMITTEE**  
A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND REJECTING A CERTAIN RULE OF THE DEPARTMENT OF HEALTH AND WELFARE RELATING TO MEDICAID BASIC PLAN BENEFITS.

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 Department of Health and Welfare relating to

Medicaid Basic Plan Benefits 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-fifth Idaho Legislature, the House of Representatives and the Senate concurring therein, that IDAPA 16.03.09, relating to Medicaid Basic Plan Benefits, Section 803., Subsection 04., adopted as a pending rule under Docket Number 16-0309-1802, only, be, and the same is hereby rejected and declared null, void, and of no force and effect.

**HOUSE CONCURRENT RESOLUTION NO. 14**  
**BY HEALTH AND WELFARE COMMITTEE**  
A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND REJECTING A CERTAIN RULE OF THE BUREAU OF OCCUPATIONAL LICENSES RELATING TO THE STATE BOARD OF CHIROPRACTIC PHYSICIANS.

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 Bureau of Occupational Licenses relating to the State Board of Chiropractic Physicians 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-fifth Idaho Legislature, the House of Representatives and the Senate concurring therein, that IDAPA 24.03.01, relating to the State Board of Chiropractic Physicians, adopted as a pending rule under Docket Number 24-0301-1801, the entire rulemaking docket, be, and the same is hereby rejected and declared null, void, and of no force and effect.

[HCR 13](#) and [HCR 14](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

**8TH ORDER**  
**Introduction, First Reading, and Reference of Bills and Joint Resolutions**

**HOUSE BILL NO. 151**  
**BY HEALTH AND WELFARE COMMITTEE**  
AN ACT

RELATING TO FOOD ESTABLISHMENTS; AMENDING SECTION 39-1607, IDAHO CODE, TO REVISE PROVISIONS REGARDING CERTAIN FEES; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 152**  
**BY HEALTH AND WELFARE COMMITTEE**  
AN ACT

RELATING TO NATUROPATHIC MEDICINE LICENSING; AMENDING TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 51, TITLE 54, IDAHO CODE, TO DEFINE TERMS, TO PROVIDE FOR SCOPE OF PRACTICE, TO PROVIDE EXEMPTIONS FROM LICENSURE, TO ESTABLISH A NATUROPATHIC LICENSURE BOARD, TO PROVIDE FOR THE POWERS AND DUTIES OF THE NATUROPATHIC LICENSURE

BOARD, TO ESTABLISH PROVISIONS REGARDING QUALIFICATIONS FOR LICENSURE, TO PROVIDE FOR LICENSURE BY ENDORSEMENT, TO PROVIDE FOR LICENSE EXPIRATION AND RENEWAL, TO PROVIDE GROUNDS FOR DISCIPLINE OR DENIAL OF A LICENSE, TO SPECIFY CERTAIN PROHIBITED ACTS, AND TO PROVIDE FOR PREEMPTION OF LOCAL REGULATIONS.

**HOUSE BILL NO. 153**  
**BY EDUCATION COMMITTEE**  
AN ACT

RELATING TO EDUCATION; AMENDING SECTION 33-1004B, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE CAREER LADDER; AND AMENDING SECTION 33-1004B, IDAHO CODE, AS AMENDED BY SECTION 5, CHAPTER 169, LAWS OF 2018, TO REVISE THE RESIDENCY COMPENSATION RUNG ON THE CAREER LADDER.

**HOUSE BILL NO. 154**  
**BY REVENUE AND TAXATION COMMITTEE**  
AN ACT

RELATING TO SALES TAX; AMENDING CHAPTER 36, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3637, IDAHO CODE, TO DEFINE TERMS; AMENDING SECTION 63-3638, IDAHO CODE, TO REVISE THE SALES TAX REVENUE DISTRIBUTION FORMULA FOR COUNTIES AND CITIES AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 63-316, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES AND TO MAKE A TECHNICAL CORRECTION.

**HOUSE BILL NO. 155**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO LIQUOR LICENSES; AMENDING SECTION 23-957, IDAHO CODE, TO PROVIDE FOR CERTAIN BOUNDARIES, TO REVISE THE DEFINITION OF "YEAR-ROUND RESORT," AND TO MAKE TECHNICAL CORRECTIONS.

**HOUSE BILL NO. 156**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO FIREARMS; AMENDING SECTION 18-3302H, IDAHO CODE, TO REVISE A DEFINITION AND TO PROVIDE A CORRECT CODE REFERENCE.

**HOUSE BILL NO. 157**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO ALCOHOL; AMENDING SECTION 23-944, IDAHO CODE, TO PROVIDE AN EXCEPTION FOR CERTAIN THEATERS AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 23-1010, IDAHO CODE, TO PROVIDE FOR CERTAIN MOVIE THEATERS AND TO MAKE TECHNICAL CORRECTIONS.

[H 151](#), [H 152](#), [H 153](#), [H 154](#), [H 155](#), [H 156](#), and [H 157](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

[S 1008](#), by Commerce and Human Resources Committee, was introduced, read the first time by title, and referred to the Business Committee.

[S 1026](#) and [S 1028](#), by Commerce and Human Resources Committee, were introduced, read the first time by title, and referred to the Commerce and Human Resources Committee.

There being no objection, the House advanced to the Tenth Order of Business.

**10TH ORDER**  
**Second Reading of Bills and Joint Resolutions**

[HCR 11](#), by Agricultural Affairs Committee, was read the second time by title and filed for third reading.

[H 132](#), by Appropriations Committee, was read the second time by title and filed for third reading.

[H 102](#) and [H 103](#), by Revenue and Taxation Committee, were read the second time by title and filed for third reading.

[H 63](#) and [H 100](#), by State Affairs Committee, were read the second time by title and filed for third reading.

**11TH ORDER**  
**Third Reading of Bills and Joint Resolutions**

**[H 67](#) - LOW TEMPERATURE GEOTHERMAL RESOURCES**

[H 67](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Gestrin to open debate.

The question being, "Shall [H 67](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt(Call), Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 68.

NAYS—None.

Absent—Anderson, Shepherd. Total - 2.

Total - 70.

Whereupon the Speaker declared that [H 67](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

**[H 80](#) - FISH AND GAME**

[H 80](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Wood to open debate.

Pursuant to Rule 38(3), Mr. Bedke disclosed a conflict of interest regarding [H 80](#).

Pursuant to Rule 38(3), Mr. Moyle disclosed a conflict of interest regarding [H 80](#).

Pursuant to Rule 38(3), Mrs. Blanksma disclosed a conflict of interest regarding [H 80](#).



Pursuant to Rule 38(3), Ms. Boyle disclosed a conflict of interest regarding [H 80](#).

Pursuant to Rule 38(3), Ms. Raybould disclosed a conflict of interest regarding [H 80](#).

Pursuant to Rule 38(3), Ms. Troy disclosed a conflict of interest regarding [H 80](#).

Pursuant to Rule 38(3), Ms. Zito disclosed a conflict of interest regarding [H 80](#).

Pursuant to Rule 38(3), Mrs. Toone disclosed a conflict of interest regarding [H 80](#).

The question being, "Shall [H 80](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt(Call), Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 68.

NAYS—None.

Absent—Anderson, Shepherd. Total - 2.

Total - 70.

Whereupon the Speaker declared that [H 80](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

### [H 68](#) - RETIREMENT

[H 68](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Harris to open debate.

The question being, "Shall [H 68](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt(Call), Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 68.

NAYS—None.

Absent—Anderson, Shepherd. Total - 2.

Total - 70.

Whereupon the Speaker declared that [H 68](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Fifteenth Order of Business.

### 15TH ORDER Announcements

Announcements were made to the body.

### 16TH ORDER Adjournment

Mr. Moyle moved that the House adjourn until 10:30 a.m., Thursday, February 14, 2019. Seconded by Mr. Erpelding. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:33 a.m.

SCOTT BEDKE, Speaker

ATTEST:

CARRIE MAULIN, Chief Clerk

# HOUSE JOURNAL

OF THE

## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-FIFTH LEGISLATURE

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**THIRTY-NINTH LEGISLATIVE DAY  
THURSDAY, FEBRUARY 14, 2019**

House of Representatives

The House convened at 10:30 a.m., the Speaker in the Chair.

Roll call showed all 70 members present.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Kassidy Ross, Page.

### **3RD ORDER**

#### **Approval of Journal**

February 14, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Thirty-eighth Legislative Day and recommend that same be adopted as corrected.

DAYLEY, Chairman

Mr. Dayley moved that the report be adopted. Seconded by Mr. Gannon. Report adopted.

\*\*\*\*\*

At this time, the Speaker put the House at ease for the House Page program.

\*\*\*\*\*

Prior to going at ease, the House was at the Third Order of Business.

### **4TH ORDER**

#### **Consideration of Messages from the Governor and the Senate**

February 13, 2019

Mr. Speaker:

I transmit herewith [SCR 102](#) which has passed the Senate.

NOVAK, Secretary

[SCR 102](#) was filed for first reading.

### **5TH ORDER**

#### **Report of Standing Committees**

February 14, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have printed [HCR 13](#), [HCR 14](#), [H 151](#), [H 152](#), [H 153](#), [H 154](#), [H 155](#), [H 156](#), and [H 157](#).

DAYLEY, Chairman

[HCR 13](#), [HCR 14](#), [H 151](#), and [H 152](#) were referred to the Health and Welfare Committee.

[H 153](#) was referred to the Education Committee.

[H 154](#) was referred to the Revenue and Taxation Committee.

[H 155](#), [H 156](#), and [H 157](#) were referred to the State Affairs Committee.

February 14, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have enrolled [H 9](#) and [H 38](#).

DAYLEY, Chairman

The Speaker announced he was about to sign enrolled [H 9](#) and [H 38](#) and, when so signed, ordered them transmitted to the Senate for the signature of the President.

February 14, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have transmitted enrolled [H 66](#), [H 25](#), [H 10](#), [H 11](#), [H 12](#), and [H 72](#) to the Governor at 11:15 a.m., as of this date, February 13, 2019.

DAYLEY, Chairman

February 13, 2019

Mr. Speaker:

We, your COMMITTEE ON AGRICULTURAL AFFAIRS, report that we have had under consideration [S 1024](#) and recommend that it do pass.

BOYLE, Chairman

[S 1024](#) was filed for second reading.

February 13, 2019

Mr. Speaker:

We, your COMMITTEE ON RESOURCES AND CONSERVATION, report that we have had under consideration [HCR 10](#), [HJM 4](#), [S 1039](#), and [S 1041](#) and recommend that they do pass.

GIBBS, Chairman

[HCR 10](#), [HJM 4](#), [S 1039](#), and [S 1041](#) were filed for second reading.

February 13, 2019

Mr. Speaker:

We, your COMMITTEE ON BUSINESS, report that we have had under consideration [H 71](#), [H 73](#), and [H 94](#) and recommend that they do pass.

DIXON, Chairman

[H 71](#), [H 73](#), and [H 94](#) were filed for second reading.

February 13, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have had under consideration [H 114](#), [H 116](#), and [H 117](#) and recommend that they do pass.

DAYLEY, Chairman

[H 114](#), [H 116](#), and [H 117](#) were filed for second reading.

February 14, 2019

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration [H 134](#) and recommend that it do pass.

HARRIS, Chairman

[H 134](#) was filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

### 7TH ORDER

#### Motions, Memorials, and Resolutions

#### HOUSE CONCURRENT RESOLUTION NO. 15 BY WAYS AND MEANS COMMITTEE

##### A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND RECOGNIZING DR. TOM CADE AS ONE OF THE WORLD'S MOST VISIONARY CONSERVATIONISTS AND WIDELY RESPECTED SCIENTISTS, AND HONORING THE SIGNIFICANT CONTRIBUTIONS THAT HE MADE TO THE STATE OF IDAHO, THE COUNTRY, AND THE WORLD AT LARGE IN HIS IMPORTANT, NOTABLE, AND LASTING RAPTOR CONSERVATION EFFORTS.

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

WHEREAS, in 1970, Dr. Tom Cade cofounded The Peregrine Fund, a nonprofit, nonpolitical, and solution-oriented organization, to restore the Peregrine Falcon, which was removed from the U.S. Endangered Species List in 1999, and to effectively manage the financial support being offered by the public. The organization grew to become much more than Dr. Cade originally envisioned, and over the past five decades it has worked with more than 100 species in 65 countries worldwide. Many species such as the Mauritius Kestrel, Northern Aplomado Falcon, California Condor, several species of Asian vultures, and more are thriving today because of the work The Peregrine Fund and its many partners have undertaken; and

WHEREAS, prior to cofounding the fund, Peregrine Falcon populations had declined drastically in the 1950s and 1960s due to the widespread use of DDT, a pesticide that interfered with calcium metabolism and caused birds to lay very thin-shelled eggs that cracked during incubation. By 1970, Peregrine Falcons were extinct in the eastern United States, and fewer than 40 pairs were estimated to remain in the West. Dr. Cade, an ornithologist and lifelong falconer, was acutely aware of this decline and worked with others across the nation to ban the use of DDT and develop a recovery plan for the nation's fastest animal; and

WHEREAS, in the late 1970s, Dr. Cade and his team of biologists and falconers bred, raised, and released a Peregrine Falcon pair into a Peregrine Falcon nest box on top of a release tower in Brigantine National Wildlife Refuge in New Jersey. These two birds were part of a nationwide recovery program for the species. In the spring of 1980, the scientists discovered atop the release tower three young nestlings being raised by the Peregrine Falcon pair. The nestlings were some of the first Peregrine chicks produced in the wild in eastern North America since the 1950s; and

WHEREAS, in August of 1999, Dr. Cade stood on stage with then-Secretary of the Interior Bruce Babbitt to officially declare that the Peregrine Falcon was recovered in North America and had been removed from the Endangered Species List. To this day,

it is considered among the greatest conservation success stories of all time; and

WHEREAS, drawing on past lessons and successes, The Peregrine Fund's vision for the coming decades applies its expertise to emerging and accelerating conservation problems faced by raptors and communities around the globe. It is ambitious, specific, unifying, inspirational, measurable, and, most importantly, empowering to the people and communities who bring it to life; and

WHEREAS, three key aims of The Peregrine Fund are: to conserve raptors by preventing raptor extinctions, protecting areas of high raptor conservation value, and addressing landscape-level threats that impact multiple species; to engage people by inspiring them to value raptors and take action, serving as catalysts for change, and investing in tomorrow's conservation leaders; and to cultivate excellence by assembling infrastructure, facilities, and people and by raising sufficient funds to execute actions and achieve measurable, timebound goals on an iterative five-year cycle; and

WHEREAS, Dr. Tom Cade passed away on February 6, 2019, at the age of 91. Since his first ornithological survey of St. Lawrence Island in the Bering Sea in 1950, Dr. Cade's passion for natural history and his professional career spanned nearly 70 years. His career involved teaching at Syracuse University and the Cornell Lab of Ornithology in New York, post-doctoral research on desert birds and raptors in southern Africa, starting the Peregrine breeding program at Cornell University, cofounding and leading The Peregrine Fund, and researching the critically endangered Mauritius Kestrel.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-fifth Idaho Legislature, the House of Representatives and the Senate concurring therein, that we recognize Dr. Tom Cade as one of the world's most visionary conservationists and widely respected scientists and honor the significant contributions that he has made to the State of Idaho, the country, and the world at large in his important, notable, and lasting raptor conservation efforts.

#### HOUSE JOINT MEMORIAL NO. 9 BY WAYS AND MEANS 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, TO THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION AND TO ITS NATIONAL MARINE FISHERY SERVICE DIVISION.

We, your Memorialists, the House of Representatives and the Senate of the State of Idaho assembled in the First Regular Session of the Sixty-fifth Idaho Legislature, do hereby respectfully represent that:

WHEREAS, all runs of Idaho's wild Steelhead were listed in 1997 as threatened under the Endangered Species Act; and

WHEREAS, many conditions originating outside of Idaho have contributed to the decline of Idaho's wild Steelhead; and

WHEREAS, in spite of collaborative habitat restoration projects and thoughtful fisheries management within Idaho, these external impacts continue to affect wild Steelhead returns; and

WHEREAS, longitudinal scientific research clearly and consistently negates the notion that the operation of the Steelhead fishing season has any appreciable effect on the abundance or recovery of Idaho's wild Steelhead; and

WHEREAS, the hatchery Steelhead fishery constitutes a significant part of Idaho's recreational and tribal fishery; and

WHEREAS, the Steelhead fishery is a significant contributor to the culture, jobs, tourism, recreation, and economy of Idaho; and

WHEREAS, Steelhead fishing by the outfitted and nonoutfitted public on Idaho's rivers is a significant contributor to Idaho's rural economy; and

WHEREAS, Idaho submitted its Fisheries Management and Evaluation Plan for review and renewal to the National Oceanic and Atmospheric Administration (NOAA) in 2010, prior to the expiration of the associated permit required for lawful operation of its fisheries; and

WHEREAS, NOAA still has not, in the nine years since submission, processed that plan and renewed Idaho's Incidental Take Permit; and

WHEREAS, this has placed the State of Idaho fisheries out of legal compliance; and

WHEREAS, on December 7, 2018, under threat of a federal lawsuit by six organizations due to Idaho operating its fisheries without a current federal permit, the Idaho Department of Fish and Game (IDFG) Commission decided to suspend the Steelhead fishing season; and

WHEREAS, the IDFG Commission's decision of December 7, 2018, to strike a conditional agreement with the litigant coalition forestalled a full closure of the Steelhead season; and

WHEREAS, the terms of said agreement are set to expire on March 15, 2019, or upon verified completion of the requisite permit, whichever should occur first; and

WHEREAS, we commend the Idaho congressional delegation for its letter to NOAA urging rapid permit renewal and for its influence and support; and

WHEREAS, if the permit is not completed by March 15, 2019, it is possible that those areas that have remained open thus far might be closed and that those areas that the December agreement excluded remain closed for the remainder of the Steelhead season; and

WHEREAS, initial statements made in early December 2018 by NOAA officials projected that the permit would be completed by early-to-mid February; and

WHEREAS, the record 35-day shutdown of the federal government, agencies, and nonessential employees significantly delayed progress toward completing the permit; and

WHEREAS, NOAA officials have now indicated they will attempt to complete the permit before March 15, 2019, but they remain unwilling to commit that they will do so in time.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-fifth Idaho Legislature, the House of Representatives and the Senate concurring therein, that we urge NOAA, and specifically the National Marine Fishery Service division, to practice all expediency toward the completion of the Incidental Take Permit required for the lawful operation of Idaho's Steelhead fishing season.

BE IT FURTHER RESOLVED that NOAA is urged to review future Fisheries Management and Evaluation Plans and process permit renewal applications submitted by the State of Idaho in a time frame that does not place the state out of legal compliance and that inherently puts the operation of Idaho's Steelhead fisheries at risk and all that rely upon the fisheries and are otherwise ancillary to them.

BE IT FURTHER RESOLVED that nothing in this Joint Memorial is intended to conflict with the responsible evaluation, nor to the exclusion and consideration of the best available science, of the permit.

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives 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, to the congressional delegation representing the State of Idaho in the Congress of the United States, to NOAA, and to the National Marine Fishery Service division of NOAA.

[HCR 15](#) and [HJM 9](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

[SCR 102](#), by State Affairs Committee, was introduced, read the first time by title, and referred to the State Affairs Committee.

### **8TH ORDER**

#### **Introduction, First Reading, and Reference of Bills and Joint Resolutions**

#### **HOUSE BILL NO. 158**

#### **BY WAYS AND MEANS COMMITTEE**

#### **AN ACT**

RELATING TO HOMEOWNER'S ASSOCIATIONS; AMENDING SECTION 55-115, IDAHO CODE, TO PROVIDE FOR CERTAIN PROHIBITED CONDUCT BY HOMEOWNER'S ASSOCIATIONS, TO PROVIDE THAT A HOMEOWNER'S ASSOCIATION MAY ADOPT CERTAIN RULES, AND TO PROVIDE AN EXCEPTION.

#### **HOUSE BILL NO. 159**

#### **BY APPROPRIATIONS COMMITTEE**

#### **AN ACT**

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF CORRECTION FOR FISCAL YEAR 2019; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF CORRECTION FOR THE COUNTY AND OUT-OF-STATE PLACEMENT PROGRAM FOR FISCAL YEAR 2019; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF CORRECTION FOR THE CORRECTIONAL ALTERNATIVE PLACEMENT PROGRAM FOR FISCAL YEAR 2019; REDUCING THE APPROPRIATION TO THE DEPARTMENT OF CORRECTION FOR THE MEDICAL SERVICES PROGRAM FOR FISCAL YEAR 2019; AND DECLARING AN EMERGENCY.

#### **HOUSE BILL NO. 160**

#### **BY STATE AFFAIRS COMMITTEE**

#### **AN ACT**

RELATING TO PURCHASING BY POLITICAL SUBDIVISIONS; AMENDING SECTION 67-2808, IDAHO CODE, TO PROVIDE THAT A SOLE SOURCE DECLARATION MAY BE WITHOUT AN EMERGENCY DECLARATION AND TO MAKE TECHNICAL CORRECTIONS.

#### **HOUSE BILL NO. 161**

#### **BY STATE AFFAIRS COMMITTEE**

#### **AN ACT**

RELATING TO PURCHASING BY POLITICAL SUBDIVISIONS; AMENDING SECTION 67-2806, IDAHO CODE, TO PROVIDE FOR THE POSTING OF NOTICE FOR SOLICITATIONS OF INFORMATION TECHNOLOGY.

#### **HOUSE BILL NO. 162**

#### **BY STATE AFFAIRS COMMITTEE**

#### **AN ACT**

RELATING TO FEDERAL LANDS; AMENDING TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW



CHAPTER 93, TITLE 67, IDAHO CODE, TO PROVIDE FOR THE IDAHO COUNCIL ON FEDERAL LANDS.

[H 158](#), [H 159](#), [H 160](#), [H 161](#), and [H 162](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Tenth Order of Business.

#### 10TH ORDER

##### Second Reading of Bills and Joint Resolutions

[H 88](#) and [H 105](#), by Transportation and Defense Committee, were read the second time by title and filed for third reading.

[SCR 101](#), by State Affairs Committee, was read the second time by title and filed for third reading.

#### 11TH ORDER

##### Third Reading of Bills and Joint Resolutions

##### [H 45](#) - DRIVING BUSINESSES

[H 45](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Furniss to open debate.

The question being, "Shall [H 45](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt(Call), Dixon, Ehardt, Ellis, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 68.

NAYS—None.

Absent—Chaney, Erpelding. Total - 2.

Total - 70.

Whereupon the Speaker declared that [H 45](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

##### [H 46](#) - OCCUPATIONAL LICENSING

[H 46](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Hartgen to open debate.

The question being, "Shall [H 46](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chew, Clow, Collins, Crane, Davis, Dayley, Dixon, Ehardt, Ellis, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks,

Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 64.

NAYS—Christensen, DeMordaunt(Call), Mendive, Wisniewski. Total - 4.

Absent—Chaney, Erpelding. Total - 2.

Total - 70.

Whereupon the Speaker declared that [H 46](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

##### [H 58](#) - PHARMACY

[H 58](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Chew to open debate.

The question being, "Shall [H 58](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt(Call), Dixon, Ehardt, Ellis, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 68.

NAYS—None.

Absent—Chaney, Erpelding. Total - 2.

Total - 70.

Whereupon the Speaker declared that [H 58](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

##### [H 59](#) - ORGAN DONATION

[H 59](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Monks to open debate.

The question being, "Shall [H 59](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt(Call), Dixon, Ehardt, Ellis, Furniss, Gannon, Gestrin, Gibbs, Goesling, Green(18), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 64.

NAYS—Barbieri, Giddings, Green(2), Scott, Wisniewski. Total - 5.

Absent—Erpelding. Total - 1.

Total - 70.

Whereupon the Speaker declared that [H 59](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

**HCR 11 - IDAHO STATE DEPARTMENT OF  
AGRICULTURE**

**HCR 11** was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Troy to open debate.

The question being, "Shall **HCR 11** be adopted?"

Whereupon the Speaker declared **HCR 11** adopted by voice vote and ordered the resolution transmitted to the Senate.

**H 132 - APPROPRIATIONS - STATE TAX COMMISSION**

**H 132** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Anderson to open debate.

Pursuant to Rule 38(3), Mr. Moyle disclosed a conflict of interest regarding **H 132**.

The question being, "Shall **H 132** pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt(Call), Dixon, Ehardt, Ellis, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 69.

NAYS—None.

Absent—Erpelding. Total - 1.

Total - 70.

Whereupon the Speaker declared that **H 132** passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Fifteenth Order of Business.

**15TH ORDER  
Announcements**

Announcements were made to the body.

**16TH ORDER  
Adjournment**

Mr. Moyle moved that the House adjourn until 11 a.m., Friday, February 15, 2019. Seconded by Mr. Monks. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:42 a.m.

SCOTT BEDKE, Speaker

ATTEST:

CARRIE MAULIN, Chief Clerk

# HOUSE JOURNAL

OF THE

## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-FIFTH LEGISLATURE

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**FORTIETH LEGISLATIVE DAY  
FRIDAY, FEBRUARY 15, 2019**

House of Representatives

The House convened at 11 a.m., Mr. Moyle in the Chair.

Roll call showed 67 members present.

Absent and excused - DeMordaunt, Gestrin, and Wood.

Total - 3.

Total - 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Beth Lindberg, Page.

### 3RD ORDER

#### Approval of Journal

February 15, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Thirty-ninth Legislative Day and recommend that same be adopted as corrected.

DAYLEY, Chairman

Mr. Dayley moved that the report be adopted. Seconded by Mr. Gannon. Report adopted.

### 4TH ORDER

#### Consideration of Messages from the Governor and the Senate

OFFICE OF THE GOVERNOR  
Boise

February 14, 2019

The Honorable Scott Bedke  
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House bills, to wit:

[H 10](#), [H 11](#), [H 12](#), [H 25](#), [H 56](#), [H 66](#), and [H 72](#)

Sincerely,  
/s/ Brad Little  
Governor

February 14, 2019

Mr. Speaker:

I transmit herewith [SJM 101](#), [S 1047](#), [S 1049](#), and [S 1043](#) which have passed the Senate.

NOVAK, Secretary

[SJM 101](#), [S 1047](#), [S 1049](#), and [S 1043](#) were filed for first reading.

February 14, 2019

Mr. Speaker:

I return herewith [H 62](#), [H 31](#), [H 32](#), and [H 34](#) which have passed the Senate.

NOVAK, Secretary

[H 62](#), [H 31](#), [H 32](#), and [H 34](#) were referred to the Judiciary, Rules, and Administration Committee for enrolling.

### 5TH ORDER

#### Report of Standing Committees

February 15, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have printed [HCR 15](#), [HJM 9](#), [H 158](#), [H 159](#), [H 160](#), [H 161](#), and [H 162](#).

DAYLEY, Chairman

[HCR 15](#), [HJM 9](#), and [H 159](#) were filed for second reading.

[H 158](#), [H 160](#), [H 161](#), and [H 162](#) were referred to the State Affairs Committee.

February 14, 2019

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration [H 76](#), [H 90](#), and [H 107](#) and recommend that they do pass.

PALMER, Chairman

[H 76](#), [H 90](#), and [H 107](#) were filed for second reading.

February 14, 2019

Mr. Speaker:

We, your COMMITTEE ON LOCAL GOVERNMENT, report that we have had under consideration [H 91](#) and recommend that it do pass.

MENDIVE, Chairman

[H 91](#) was filed for second reading.

February 15, 2019

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration [H 156](#) and recommend that it do pass.

HARRIS, Chairman

[H 156](#) was filed for second reading.

February 15, 2019

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration [S 1030](#) and recommend that it do pass.

CLOW, Chairman

[S 1030](#) was filed for second reading.



There being no objection, the House advanced to the Seventh Order of Business.

**7TH ORDER**  
**Motions, Memorials, and Resolutions**

**SJM 101**, by Resources and Environment Committee, was introduced, read the first time by title, and referred to the Resources and Conservation Committee.

**8TH ORDER**  
**Introduction, First Reading, and Reference  
of Bills and Joint Resolutions**

At this time, the Speaker took the Chair.

**HOUSE BILL NO. 163**  
**BY REVENUE AND TAXATION COMMITTEE**  
AN ACT

RELATING TO STATE BOARD OF EQUALIZATION APPEALS; AMENDING CHAPTER 1, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-109A, IDAHO CODE, TO PROVIDE FOR AN APPEAL BY A COUNTY OF CERTAIN STATE BOARD OF EQUALIZATION ORDERS; AND AMENDING CHAPTER 1, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-109B, IDAHO CODE, TO PROVIDE FOR AN APPEAL BY A TAXPAYER OF AN INDIVIDUAL PROPERTY ASSESSMENT RESULTING FROM CERTAIN STATE BOARD OF EQUALIZATION ORDERS.

**HOUSE BILL NO. 164**  
**BY REVENUE AND TAXATION COMMITTEE**  
AN ACT

RELATING TO PROPERTY ASSESSMENT EQUALIZATION; AMENDING SECTION 63-109, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE EQUALIZATION OF AN ASSESSMENT OF A CATEGORY OF PROPERTY AND TO PROVIDE CERTAIN REQUIREMENTS FOR NOTICE.

**HOUSE BILL NO. 165**  
**BY REVENUE AND TAXATION COMMITTEE**  
AN ACT

RELATING TO INCOME TAX REFUNDS; REPEALING SECTION 63-3067A, IDAHO CODE, RELATING TO INCOME TAX REFUND OR PAYMENT DESIGNATIONS; REPEALING SECTION 63-3067B, IDAHO CODE, RELATING TO INCOME TAX REFUND OR PAYMENT DESIGNATIONS; AMENDING CHAPTER 30, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3067A, IDAHO CODE, TO PROVIDE FOR THE DESIGNATION OF AN INCOME TAX REFUND OR PAYMENT TO CERTAIN TRUST ACCOUNTS; AMENDING SECTION 63-3067C, IDAHO CODE, TO REVISE PROVISIONS REGARDING MINIMUM COLLECTION THRESHOLDS, TO PROVIDE THAT THE STATE TAX COMMISSION SHALL REPORT ANNUALLY ON THE TRUST ACCOUNTS FAILING TO MEET THE THRESHOLD, TO REMOVE CERTAIN CODE REFERENCES, AND TO REDESIGNATE THE SECTION; AMENDING SECTION 38-136, IDAHO CODE, TO REMOVE OBSOLETE LANGUAGE; AMENDING SECTION 65-209, IDAHO CODE, TO REMOVE A CODE REFERENCE; AND DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

**HOUSE BILL NO. 166**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO NEWSPAPER PUBLICATION OF OFFICIAL NOTICES; AMENDING SECTION 60-105, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE RATES TO BE CHARGED FOR THE PUBLICATION OF OFFICIAL NOTICES; REPEALING SECTION 60-106, IDAHO CODE, RELATING TO THE QUALIFICATIONS OF NEWSPAPERS PRINTING LEGAL NOTICES; AMENDING SECTION 60-106A, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE ELECTRONIC PUBLICATION OF LEGAL NOTICES BY NEWSPAPERS AND TO REDESIGNATE THE SECTION; AND AMENDING CHAPTER 1, TITLE 60, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 60-106A, IDAHO CODE, TO PROVIDE FOR THE QUALIFICATIONS OF NEWSPAPERS PRINTING LEGAL NOTICES AND TO PROVIDE FOR THE NUMBER OF TIMES A NOTICE MUST BE PUBLISHED NOTWITHSTANDING ANY OTHER PROVISIONS OF LAW.

**HOUSE BILL NO. 167**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO WEIGHT, SPEED AND TIRE REGULATIONS; AMENDING SECTION 49-1004, IDAHO CODE, TO REVISE TERMINOLOGY REGARDING THE DEPARTMENT AND LOCAL AUTHORITIES AND TO ESTABLISH THAT DESIGNATED ROUTES SHALL BE PUBLISHED ON A MAP RATHER THAN LISTED IN IDAHO CODE.

**HOUSE BILL NO. 168**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO WEIGHT, SPEED, AND TIRE REGULATIONS; AMENDING SECTION 49-1004, IDAHO CODE, TO REVISE A PROVISION REGARDING FEES AND TO REVISE A PROVISION REGARDING A CERTAIN MAP; AMENDING SECTION 49-1004A, IDAHO CODE, TO PROVIDE FOR DEPARTMENT SPECIAL ROUTE DESIGNATIONS AND TO REMOVE PROVISIONS REGARDING LOCAL AUTHORITIES; REPEALING SECTION 49-1004A, IDAHO CODE, RELATING TO DEPARTMENT SPECIAL ROUTE DESIGNATIONS; AMENDING CHAPTER 10, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-1004A, IDAHO CODE, TO PROVIDE FOR NEW SPECIAL ROUTES; AMENDING CHAPTER 10, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-1004B, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING LOCAL AUTHORITY ROUTE DESIGNATIONS AND PERMITS, TO PROVIDE AN APPEAL PROCESS, AND TO ESTABLISH THE LOCAL AUTHORITY TECHNICAL ANALYSIS FUND; AMENDING SECTION 49-1004B, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO REVISE TERMINOLOGY; PROVIDING A SUNSET DATE; AND PROVIDING AN EFFECTIVE DATE.

**HOUSE BILL NO. 169**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO FEDERALISM; AMENDING TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 93, TITLE 67, IDAHO CODE, TO PROVIDE FOR THE

COMMITTEE ON FEDERALISM; AND PROVIDING A SUNSET DATE.

**HOUSE BILL NO. 170**  
**BY STATE AFFAIRS COMMITTEE**  
**AN ACT**

RELATING TO CHILD PROTECTION; AMENDING CHAPTER 16, TITLE 16, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 16-1648, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING A CERTAIN NOTIFICATION AND WAIVER.

[H 163](#), [H 164](#), [H 165](#), [H 166](#), [H 167](#), [H 168](#), [H 169](#), and [H 170](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

[S 1047](#), by Commerce and Human Resources Committee, was introduced, read the first time by title, and referred to the Commerce and Human Resources Committee.

[S 1049](#), by State Affairs Committee, was introduced, read the first time by title, and referred to the State Affairs Committee.

[S 1043](#), by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the Judiciary, Rules and Administration Committee.

There being no objection, the House advanced to the Tenth Order of Business.

**10TH ORDER**

**Second Reading of Bills and Joint Resolutions**

[S 1024](#), by Agricultural Affairs Committee, was read the second time by title and filed for third reading.

[HCR 10](#) and [HJM 4](#), by Resources and Conservation Committee, were read the second time by title and filed for third reading.

[S 1039](#) and [S 1041](#), by Resources and Environment Committee, were read the second time by title and filed for third reading.

[H 71](#), [H 73](#), and [H 94](#), by Business Committee, were read the second time by title and filed for third reading.

[H 114](#), [H 116](#), and [H 117](#), by Judiciary, Rules and Administration Committee, were read the second time by title and filed for third reading.

[H 134](#), by Commerce and Human Resources Committee, was read the second time by title and filed for third reading.

**11TH ORDER**

**Third Reading of Bills and Joint Resolutions**

Mr. Moyle asked unanimous consent that [H 102](#) retain its place on the Third Reading Calendar until Monday, February 18, 2019. There being no objection, it was so ordered.

Mr. Moyle asked unanimous consent that [SCR 101](#) be placed at the top of the Third Reading Calendar. There being no objection, it was so ordered.

**[SCR 101](#) - AMERICAN LEGION**

[SCR 101](#) was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Giddings to open debate.

The question being, "Shall [SCR 101](#) be adopted?"

Whereupon the Speaker declared [SCR 101](#) adopted by voice vote and ordered the resolution returned to the Senate.

**[H 103](#) - ELECTIONS**

[H 103](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Ricks to open debate.

The question being, "Shall [H 103](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 67.

NAYS—None.

Absent—DeMordaunt, Gestrin, Wood. Total - 3.

Total - 70.

Whereupon the Speaker declared that [H 103](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

**[H 63](#) - WINE**

[H 63](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Troy to open debate.

The question being, "Shall [H 63](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 67.

NAYS—None.

Absent—DeMordaunt, Gestrin, Wood. Total - 3.

Total - 70.

Whereupon the Speaker declared that [H 63](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

**[H 100](#) - ADMINISTRATIVE RULES**

[H 100](#) was read the third time at length, section by section, and placed before the House for final consideration.



# HOUSE JOURNAL

OF THE

## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-FIFTH LEGISLATURE

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**FORTY-THIRD LEGISLATIVE DAY**  
**MONDAY, FEBRUARY 18, 2019**

House of Representatives

The House convened at 10:30 a.m., the Speaker in the Chair.

Roll call showed all 70 members present.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Ruth Schenkenberger,  
Page.

### 3RD ORDER

#### Approval of Journal

February 18, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Fortieth Legislative Day and recommend that same be adopted as corrected.

DAYLEY, Chairman

Mr. Dayley moved that the report be adopted. Seconded by Mr. Gannon. Report adopted.

At this time, the Speaker put the House at ease.

### MEMORIAL PROGRAM

Opening Remarks .....Representative Gayann DeMordaunt

"You Raise Me Up"

Representative Tammy Nichols, soloist  
Representative Julianne Young, piano accompanist  
Ashlyn Young, violin accompanist

Presentation of Memorials

Dolores Crow.....Representative Brent Crane

H. Dean Summers .....Fmr. Representative Darrell Manning

"For Good"

Representative John McCrostie  
and Director Kelley Packer, duet  
Representative Wendy Horman, piano accompanist

Closing Remarks .....Representative Gayann DeMordaunt

### A House Memorial

WHEREAS, Representative Dolores Crow has passed on since the close of Second Regular Session of the Sixty-fourth Idaho Legislature; and

WHEREAS, the late Representative Dolores Crow served in this House, in the interest of District 13, covering the years 1983 through 2006.

NOW, THEREFORE, BE IT RESOLVED that the House of Representatives of the Sixty-fifth Legislature draw public attention by this Memorial to the life and works of Dolores Crow.

BE IT FURTHER RESOLVED that the House of Representatives of the Sixty-fifth Idaho Legislature extend to the bereaved family the heartfelt sympathy of this entire body; and

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives be, and she is hereby instructed to spread this Memorial upon the Journal of the House, and to forward copies to the members of the Crow family.

Representative Brent J. Crane paid tribute to the former Representative Dolores Crow.

\*\*\*\*\*

### A House Memorial

WHEREAS, Representative H. Dean Summers has passed on since the close of Second Regular Session of the Sixty-fourth Idaho Legislature; and

WHEREAS, the late Representative H. Dean Summers served in this House, in the interest of Ada County, covering the years 1963 thru 1966.

NOW, THEREFORE, BE IT RESOLVED that the House of Representatives of the Sixty-fifth Legislature draw public attention by this Memorial to the life and works of H. Dean Summers.

BE IT FURTHER RESOLVED that the House of Representatives of the Sixty-fifth Idaho Legislature extend to the bereaved family the heartfelt sympathy of this entire body; and

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives be, and she is hereby instructed to spread this Memorial upon the Journal of the House, and to forward copies to the members of the Summers family.

Former Representative Darrell Manning paid tribute to the former Representative H. Dean Summers.

\*\*\*\*\*

Prior to going at ease, the House was at the Third Order of Business.

### 4TH ORDER

#### Consideration of Messages from the Governor and the Senate

February 15, 2019

Mr. Speaker:

I transmit herewith [S 1029](#) which has passed the Senate.

NOVAK, Secretary

[S 1029](#) was filed for first reading.

February 15, 2019

Mr. Speaker:

I return herewith enrolled [H 9](#) and [H 38](#) which have been signed by the President.

NOVAK, Secretary

Enrolled [H 9](#) and [H 38](#) were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

### 5TH ORDER Report of Standing Committees

February 18, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have printed [H 163](#), [H 164](#), [H 165](#), [H 166](#), [H 167](#), [H 168](#), [H 169](#), and [H 170](#).

DAYLEY, Chairman

[H 163](#), [H 164](#), and [H 165](#) were referred to the Revenue and Taxation Committee.

[H 166](#) and [H 170](#) were referred to the Judiciary, Rules and Administration Committee.

[H 167](#) and [H 168](#) were referred to the Transportation and Defense Committee.

[H 169](#) was referred to the State Affairs Committee.

February 18, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have enrolled [H 62](#), [H 31](#), [H 32](#), and [H 34](#).

DAYLEY, Chairman

The Speaker announced he was about to sign enrolled [H 62](#), [H 31](#), [H 32](#), and [H 34](#) and, when so signed, ordered them transmitted to the Senate for the signature of the President.

February 15, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have had under consideration [H 79](#) and recommend that it do pass.

DAYLEY, Chairman

[H 79](#) was filed for second reading.

February 15, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have had under consideration [H 137](#) and report it back to be placed on General Orders.

DAYLEY, Chairman

[H 137](#) was placed on General Orders for consideration.

February 15, 2019

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, return misdirected [H 158](#) to the Desk.

HARRIS, Chairman

[H 158](#) was referred to Business Committee.

February 18, 2019

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration [H 157](#) and recommend that it do pass.

HARRIS, Chairman

[H 157](#) was filed for second reading.

February 18, 2019

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration [H 109](#) and recommend that it do pass.

WOOD, Chairman

[H 109](#) was filed for second reading.

There being no objection, the House advanced to the Eighth Order of Business.

### 8TH ORDER Introduction, First Reading, and Reference of Bills and Joint Resolutions

#### HOUSE BILL NO. 171 BY STATE AFFAIRS COMMITTEE AN ACT

RELATING TO ELECTIONS; AMENDING SECTION 34-301, IDAHO CODE, TO REQUIRE THE COUNTY CLERK TO PROVIDE A DESCRIPTION OF ALL PRECINCTS WITHIN THE COUNTY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 34-302, IDAHO CODE, TO REVISE THE TIME BY WHICH A PRECINCT POLLING LOCATION SHALL BE DESIGNATED, TO REVISE A CITATION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 34-303, IDAHO CODE, TO REVISE THE TIME WITHIN WHICH RECOMMENDATIONS FOR ELECTION JUDGES MUST BE SUBMITTED, TO REVISE THE TIME WITHIN WHICH APPLICATIONS TO SERVE ON AN ELECTION BOARD MUST BE RECEIVED AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 34-413, IDAHO CODE, TO PROVIDE THAT AN ELECTOR WHO MOVES TO ANOTHER COUNTY OR STATE WITHIN THIRTY DAYS OF AN ELECTION MAY VOTE AT THE POLLING PLACE ASSIGNED TO THE ELECTOR'S PRIOR ADDRESS; REPEALING SECTION 34-417, IDAHO CODE, RELATING TO THE ALTERATION OF REGISTRATION CARDS FOLLOWING CHANGES IN A PRECINCT BOUNDARY; AMENDING SECTION 34-420, IDAHO CODE, TO PROVIDE THAT AN ELECTOR'S REGISTRATION MAY BE CANCELED IF HE HAS REGISTERED TO VOTE IN ANOTHER JURISDICTION, TO REMOVE OBSOLETE LANGUAGE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 34-432, IDAHO CODE, TO REVISE THE TIME WITHIN WHICH A COUNTY CLERK MUST EXAMINE THE ELECTION REGISTER AND NOTE CERTAIN CHALLENGES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 34-705, IDAHO CODE, TO REVISE THE TIME WITHIN WHICH THE SECRETARY OF STATE SHALL CERTIFY CERTAIN INFORMATION TO THE COUNTY CLERKS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 34-909, IDAHO CODE, TO REVISE THE TIME WITHIN WHICH THE SECRETARY OF STATE SHALL PROVIDE CERTAIN SAMPLE BALLOT INFORMATION TO COUNTY CLERKS; AMENDING



SECTION 34-1002, IDAHO CODE, TO PROVIDE A CORRECT CITATION AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 34-1003, IDAHO CODE, TO REVISE THE TIME WITHIN WHICH VALIDLY REQUESTED ABSENTEE BALLOTS FOR CANDIDATES FOR FEDERAL OFFICE SHALL BE RECEIVED AND SENT TO ELECTORS AND WITHIN WHICH A POLITICAL PARTY MUST SUPPLY THE NAME OF A WITNESS TO THE DELIVERY OF AN ABSENTEE BALLOT TO THE COUNTY CLERK AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 34-1405A, IDAHO CODE, TO REVISE THE TIME WITHIN WHICH A CANDIDATE MAY WITHDRAW HIS CANDIDACY; AMENDING SECTION 34-1407, IDAHO CODE, TO REVISE THE TIME WITHIN WHICH A WRITE-IN CANDIDATE MUST FILE A DECLARATION OF INTENT; AMENDING SECTION 34-1703, IDAHO CODE, TO PROVIDE FOR A MAXIMUM OF TWENTY NUMBERED LINES FOR SIGNATURES ON RECALL PETITIONS; AMENDING SECTION 34-1801A, IDAHO CODE, TO PROVIDE FOR A MAXIMUM OF TWENTY NUMBERED LINES FOR SIGNATURES ON AN INITIATIVE OR REFERENDUM PETITION; AMENDING SECTION 34-1809, IDAHO CODE, TO PROVIDE THAT SERVICE OF A BALLOT TITLE MAY BE MADE BY ELECTRONIC TRANSMISSION AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 172**  
**BY HEALTH AND WELFARE COMMITTEE**  
AN ACT

RELATING TO HOSPITAL DISTRICTS; AMENDING SECTION 39-1326, IDAHO CODE, TO PROVIDE THAT NO PERSON SHALL SERVE AS A HOSPITAL DISTRICT TRUSTEE WHILE ALSO SERVING ON THE BOARD OF DIRECTORS FOR A HOSPITAL WITHIN THE DISTRICT, TO PROVIDE THAT A CURRENT TRUSTEE MAY SERVE OUT THE REMAINDER OF THE TRUSTEE'S TERM, AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY.

[H 171](#) and [H 172](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

[S 1029](#), by Education Committee, was introduced, read the first time by title, and referred to the Education Committee.

There being no objection, the House advanced to the Tenth Order of Business.

**10TH ORDER**  
**Second Reading of Bills and Joint Resolutions**

[HCR 15](#) and [HJM 9](#), by Ways and Means Committee, were read the second time by title and filed for third reading.

[H 159](#), by Appropriations Committee, was read the second time by title and filed for third reading.

[H 76](#), [H 90](#), and [H 107](#), by Transportation and Defense Committee, were read the second time by title and filed for third reading.

[H 91](#), by Local Government Committee, was read the second time by title and filed for third reading.

[H 156](#), by State Affairs Committee, was read the second time by title and filed for third reading.

[S 1030](#), by Education Committee, was read the second time by title and filed for third reading.

**11TH ORDER**  
**Third Reading of Bills and Joint Resolutions**

Mr. Moyle asked unanimous consent that [H 102](#) be returned to the Revenue and Taxation Committee. There being no objection, it was so ordered.

**[H 88](#) - HIGHWAY DISTRIBUTION ACCOUNT**

[H 88](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Palmer to open debate.

Pursuant to Rule 38(3), Mrs. Green(18) disclosed a conflict of interest regarding [H 88](#).

Pursuant to Rule 38(3), Mr. Youngblood disclosed a conflict of interest regarding [H 88](#).

The question being, "Shall [H 88](#) pass?"

Roll call resulted as follows:

AYES—Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Blanksma, Boyle, Chaney, Christensen, Clow, Collins, Crane, Dayley, DeMordaunt, Dixon, Ehardt, Furniss, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kingsley, Lickley, Marshall, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Scott, Shepherd, Stevenson, Syme, Troy, Vander Woude, Wagoner, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 56.

NAYS—Abernathy, Berch, Chew, Davis, Ellis, Erpelding, Gannon, Kerby, Mason, McCrostie, Rubel, Smith, Toone, Wintrow. Total - 14.

Total - 70.

Whereupon the Speaker declared that [H 88](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

**[S 1024](#) - CROP RESIDUE BURNING**

[S 1024](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Stevenson to open debate.

The question being, "Shall [S 1024](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude,

Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 69.

NAYS–None.

Absent–Chaney. Total - 1.

Total - 70.

Whereupon the Speaker declared that [S 1024](#) passed the House. Title was approved and the bill ordered returned to the Senate.

#### **HCR 10 - WATER**

[HCR 10](#) was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Moyle to open debate.

The question being, "Shall [HCR 10](#) be adopted?"

Whereupon the Speaker declared [HCR 10](#) adopted by voice vote and ordered the resolution transmitted to the Senate.

#### **HJM 4 - WATER**

[HJM 4](#) was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Blanksma to open debate.

The question being, "Shall [HJM 4](#) be adopted?"

Roll call resulted as follows:

AYES–Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 69.

NAYS–Berch. Total - 1.

Total - 70.

Whereupon the Speaker declared [HJM 4](#) adopted and ordered the memorial transmitted to the Senate.

#### **S 1039 - IDAHO WOLF DEPREDATION CONTROL BOARD**

[S 1039](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Lickley to open debate.

Pursuant to Rule 38(3), Ms. Lickley disclosed a conflict of interest regarding [S 1039](#).

Pursuant to Rule 38(3), Mr. Raymond disclosed a conflict of interest regarding [S 1039](#).

The question being, "Shall [S 1039](#) pass?"

Roll call resulted as follows:

AYES–Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Blanksma, Boyle, Chaney, Clow, Collins,

Crane, Dayley, DeMordaunt, Dixon, Ehardt, Furniss, Gestrin, Gibbs, Goesling, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wood, Young, Youngblood, Zollinger, Mr. Speaker. Total - 51.

NAYS–Abernathy, Berch, Chew, Christensen, Davis, Ellis, Erpelding, Gannon, Giddings, Green(18), Green(2), Harris, Mason, McCrostie, Rubel, Scott, Wintrow, Wisniewski, Zito. Total - 19.

Total - 70.

Whereupon the Speaker declared that [S 1039](#) passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Fifteenth Order of Business.

#### **15TH ORDER Announcements**

Announcements were made to the body.

#### **16TH ORDER Adjournment**

Mr. Moyle moved that the House adjourn until 11 a.m., Tuesday, February 19, 2019. Seconded by Mr. Erpelding. Motion carried.

Whereupon the Speaker declared the House adjourned at 12:02 p.m.

SCOTT BEDKE, Speaker

ATTEST:

CARRIE MAULIN, Chief Clerk



# HOUSE JOURNAL

OF THE

## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-FIFTH LEGISLATURE

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**FORTY-FOURTH LEGISLATIVE DAY**  
**TUESDAY, FEBRUARY 19, 2019**

House of Representatives

The House convened at 11 a.m., the Speaker in the Chair.

Roll call showed 69 members present.  
Absent and excused - Ricks. Total - 1.  
Total - 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Daniel Smith, Page.

### 3RD ORDER

#### Approval of Journal

February 19, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Forty-third Legislative Day and recommend that same be adopted as corrected.

DAYLEY, Chairman

Mr. Dayley moved that the report be adopted. Seconded by Mr. Gannon. Report adopted.

### 4TH ORDER

#### Consideration of Messages from the Governor and the Senate

February 18, 2019

Mr. Speaker:

I transmit herewith [SJR 101](#) which has passed the Senate.

NOVAK, Secretary

[SJR 101](#) was filed for first reading.

February 18, 2019

Mr. Speaker:

I return herewith [HCR 7](#) and [HJM 1](#) which have passed the Senate.

NOVAK, Secretary

[HCR 7](#) and [HJM 1](#) were referred to the Judiciary, Rules, and Administration Committee for enrolling.

### 5TH ORDER

#### Report of Standing Committees

February 19, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have printed [H 171](#) and [H 172](#).

DAYLEY, Chairman

[H 171](#) was referred to the State Affairs Committee.

[H 172](#) was referred to the Health and Welfare Committee.

February 19, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have transmitted enrolled [H 9](#) and [H 38](#) to the Governor at 11:13 a.m., as of this date, February 18, 2019.

DAYLEY, Chairman

February 18, 2019

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration [H 74](#), [H 75](#), [H 89](#), and [H 126](#) and recommend that they do pass.

PALMER, Chairman

[H 74](#), [H 75](#), [H 89](#), and [H 126](#) were filed for second reading.

February 19, 2019

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration [HCR 13](#) and [HCR 14](#) and recommend that they do pass.

WOOD, Chairman

[HCR 13](#) and [HCR 14](#) were filed for second reading.

February 19, 2019

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration [H 85](#), [H 160](#), and [H 161](#) and recommend that they do pass.

HARRIS, Chairman

[H 85](#), [H 160](#), and [H 161](#) were filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

### 7TH ORDER

#### Motions, Memorials, and Resolutions

Mr. Moyle moved that the following persons be approved as attaches to serve the House of Representatives for and during the First Regular Session of the Sixty-fifth Idaho Legislature. Seconded by Mr. Erpelding.

Pages:

Elbia Christensen

Audrie Earle

Sawyer Greaves

Nathan Henrie

Chad Majors

Jack Marchant

Ruth Schenkenberger

Daniel Smith

Chathleen Wonacott

Whereupon the Speaker declared the motion carried by voice vote and administered the oath of office to the above named attaches.

Mr. Moyle asked unanimous consent that the following policies of the House of Representatives be referred to the House Ethics Committee for study and recommendation: House Internet Use Policy, House Copy Policy, House Mail Policy, House RS Policy, Legislative Newsletter Checklist, and Respectful Workplace Policy. There being no objection, it was so ordered.

**8TH ORDER****Introduction, First Reading, and Reference  
of Bills and Joint Resolutions****HOUSE BILL NO. 173  
BY STATE AFFAIRS COMMITTEE  
AN ACT**

RELATING TO ELECTIONS; AMENDING SECTION 34-308, IDAHO CODE, TO REVISE PROVISIONS REGARDING MAIL BALLOT PRECINCTS.

**H 173** was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

**SJR 101**, by State Affairs Committee, was introduced, read the first time by title, and referred to the State Affairs Committee.

There being no objection, the House advanced to the Tenth Order of Business.

**10TH ORDER****Second Reading of Bills and Joint Resolutions**

**H 79**, by Judiciary, Rules and Administration Committee, was read the second time by title and filed for third reading.

**H 157**, by State Affairs Committee, was read the second time by title and filed for third reading.

**H 109**, by Health and Welfare Committee, was read the second time by title and filed for third reading.

**11TH ORDER****Third Reading of Bills and Joint Resolutions**

Mr. Moyle asked unanimous consent that **H 117** retain its place on the Third Reading Calendar for one legislative day. There being no objection, it was so ordered.

**S 1041 - GROUND WATER DISTRICTS**

**S 1041** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Raybould to open debate.

The question being, "Shall **S 1041** pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 69.

NAYS—None.

Absent—Ricks. Total - 1.

Total - 70.

Whereupon the Speaker declared that **S 1041** passed the House. Title was approved and the bill ordered returned to the Senate.

**H 71 - INSURANCE**

**H 71** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Collins to open debate.

The question being, "Shall **H 71** pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 69.

NAYS—None.

Absent—Ricks. Total - 1.

Total - 70.

Whereupon the Speaker declared that **H 71** passed the House. Title was approved and the bill ordered transmitted to the Senate.

**H 73 - DIVISION OF FINANCIAL MANAGEMENT**

**H 73** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Dixon to open debate.

The question being, "Shall **H 73** pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 69.

NAYS—None.

Absent—Ricks. Total - 1.

Total - 70.

Whereupon the Speaker declared that **H 73** passed the House. Title was approved and the bill ordered transmitted to the Senate.

**H 94 - LIQUEFIED PETROLEUM GAS**

**H 94** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Raybould to open debate.

The question being, "Shall **H 94** pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gestrin, Gibbs, Goesling, Green(18), Green(2), Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Mason, McCrostie, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Rubel, Scott, Smith, Stevenson, Toone, Troy, Wagoner, Wintrow, Wood, Youngblood, Zollinger, Mr. Speaker. Total - 56.

NAYS—Christensen, Gannon, Giddings, Harris, Marshall, Mendive, Monks, Shepherd, Syme, Vander Woude, Wisniewski, Young, Zito. Total - 13.

Absent—Ricks. Total - 1.

Total - 70.

Whereupon the Speaker declared that [H 94](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

#### [H 114](#) - CHILDREN

[H 114](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Troy to open debate.

The question being, "Shall [H 114](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 69.

NAYS—None.

Absent—Ricks. Total - 1.

Total - 70.

Whereupon the Speaker declared that [H 114](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

#### [H 116](#) - SEXUAL ASSAULT EVIDENCE KITS

[H 116](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Wintrow to open debate.

The question being, "Shall [H 116](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks,

Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Rubel, Scott, Shepherd, Smith, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 68.

NAYS—Stevenson. Total - 1.

Absent—Ricks. Total - 1.

Total - 70.

Whereupon the Speaker declared that [H 116](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

#### [H 134](#) - ALCOHOLIC BEVERAGES

[H 134](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Syme to open debate.

The question being, "Shall [H 134](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Anderst, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, Dixon, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 61.

NAYS—Amador, Anderson, Andrus, Armstrong, Dayley, DeMordaunt, Ehardt, Kingsley. Total - 8.

Absent—Ricks. Total - 1.

Total - 70.

Whereupon the Speaker declared that [H 134](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

#### [HCR 15](#) - DR. TOM CADE

[HCR 15](#) was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Ellis to open debate.

The question being, "Shall [HCR 15](#) be adopted?"

Whereupon the Speaker declared [HCR 15](#) adopted by voice vote and ordered the resolution transmitted to the Senate.

#### [HJM 9](#) - STEELHEAD FISHING

[HJM 9](#) was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Moyle to open debate.

The question being, "Shall [HJM 9](#) be adopted?"

Whereupon the Speaker declared [HJM 9](#) adopted by voice vote and ordered the memorial transmitted to the Senate.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Fifteenth Order of Business.

**15TH ORDER**  
**Announcements**

Announcements were made to the body.

**16TH ORDER**  
**Adjournment**

Mr. Moyle moved that the House adjourn until 11 a.m., Wednesday, February 20, 2019. Seconded by Mr. Erpelding. Motion carried.

Whereupon the Speaker declared the House adjourned at 12:04 p.m.

SCOTT BEDKE, Speaker

ATTEST:

CARRIE MAULIN, Chief Clerk

# HOUSE JOURNAL OF THE IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-FIFTH LEGISLATURE

**FORTY-FIFTH LEGISLATIVE DAY  
WEDNESDAY, FEBRUARY 20, 2019**

House of Representatives

The House convened at 11 a.m., the Speaker in the Chair.

Roll call showed 69 members present.  
Absent and excused - Smith. Total - 1.  
Total - 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Chad Majors, Page.

### 3RD ORDER Approval of Journal

February 20, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Forty-fourth Legislative Day and recommend that same be adopted as corrected.

DAYLEY, Chairman

Mr. Dayley moved that the report be adopted. Seconded by Mr. Gannon. Report adopted.

### 4TH ORDER Consideration of Messages from the Governor and the Senate

OFFICE OF THE GOVERNOR  
Boise

February 19, 2019

The Honorable Scott Bedke  
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House bills, to wit:

[H 9](#) and [H 38](#)

Sincerely,  
/s/ Brad Little  
Governor

February 19, 2019

Mr. Speaker:

I transmit herewith enrolled [SCR 101](#) for the signature of the Speaker.

NOVAK, Secretary

The Speaker announced he was about to sign enrolled [SCR 101](#) when so signed, ordered it returned to the Senate.

February 19, 2019

Mr. Speaker:

I return herewith enrolled [H 62](#), [H 31](#), [H 32](#), and [H 34](#) which have been signed by the President.

NOVAK, Secretary

Enrolled [H 62](#), [H 31](#), [H 32](#), and [H 34](#) were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

February 19, 2019

Mr. Speaker:

I transmit herewith [SJM 102](#), [S 1044](#), [S 1077](#), and [S 1013](#) which have passed the Senate.

NOVAK, Secretary

[SJM 102](#), [S 1044](#), [S 1077](#), and [S 1013](#) were filed for first reading.

February 19, 2019

Mr. Speaker:

I return herewith [H 43](#) which has passed the Senate.

NOVAK, Secretary

[H 43](#) was referred to the Judiciary, Rules, and Administration Committee for enrolling.

### 5TH ORDER Report of Standing Committees

February 20, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have printed [H 173](#).

DAYLEY, Chairman

[H 173](#) was referred to the State Affairs Committee.

February 20, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have enrolled [HCR 7](#) and [HJM 1](#).

DAYLEY, Chairman

The Speaker announced he was about to sign enrolled [HCR 7](#) and [HJM 1](#) and, when so signed, ordered them transmitted to the Senate for the signature of the President.

February 19, 2019

Mr. Speaker:

We, your COMMITTEE ON RESOURCES AND CONSERVATION, report that we have had under consideration [HCR 12](#), [HJM 5](#), and [HJM 8](#) and recommend that they do pass.

GIBBS, Chairman

[HCR 12](#), [HJM 5](#), and [HJM 8](#) were filed for second reading.

February 20, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have had under consideration [H 78](#), [H 115](#), and [H 118](#) and report them back to be placed on General Orders.

DAYLEY, Chairman

[H 78](#), [H 115](#), and [H 118](#) were placed on General Orders for consideration.

February 19, 2019

Mr. Speaker:

We, your COMMITTEE ON BUSINESS, report that we have had under consideration [H 158](#) and report it back to be placed on General Orders.

DIXON, Chairman

[H 158](#) was placed on General Orders for consideration.

February 20, 2019

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration [H 133](#) and recommend that it do pass.

WOOD, Chairman

[H 133](#) was filed for second reading.

February 19, 2019

Mr. Speaker:

We, your COMMITTEE ON BUSINESS, report that we have had under consideration [H 112](#) and [H 146](#) and recommend that they do pass.

DIXON, Chairman

[H 112](#) and [H 146](#) were filed for second reading.

February 20, 2019

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration [H 162](#) and recommend that it do pass.

HARRIS, Chairman

[H 162](#) was filed for second reading.

February 20, 2019

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration [H 153](#) and recommend that it do pass.

CLOW, Chairman

[H 153](#) was filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

#### 7TH ORDER

##### Motions, Memorials, and Resolutions

[SJM 102](#), by State Affairs Committee, was introduced, read the first time by title, and referred to the State Affairs Committee.

#### 8TH ORDER

##### Introduction, First Reading, and Reference of Bills and Joint Resolutions

[S 1044](#), by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the Judiciary, Rules and Administration Committee.

[S 1077](#), by Finance Committee, was introduced, read the first time by title, and filed for second reading.

[S 1013](#), by Commerce and Human Resources Committee, was introduced, read the first time by title, and referred to the Business Committee.

There being no objection, the House advanced to the Tenth Order of Business.

#### 10TH ORDER

##### Second Reading of Bills and Joint Resolutions

[H 74](#), [H 75](#), [H 89](#), and [H 126](#), by Transportation and Defense Committee, were read the second time by title and filed for third reading.

[HCR 13](#) and [HCR 14](#), by Health and Welfare Committee, were read the second time by title and filed for third reading.

[H 85](#), [H 160](#), and [H 161](#), by State Affairs Committee, were read the second time by title and filed for third reading.

#### 11TH ORDER

##### Third Reading of Bills and Joint Resolutions

Mr. Moyle asked unanimous consent that [H 117](#) be placed at the bottom of the Third Reading Calendar. There being no objection, it was so ordered.

##### [H 159](#) - APPROPRIATIONS - DEPARTMENT OF CORRECTION

[H 159](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Wintrow to open debate.

The question being, "Shall [H 159](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 69.

NAYS—None.

Absent—Smith. Total - 1.

Total - 70.

Whereupon the Speaker declared that [H 159](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.





Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 69.

NAYS—None.

Absent—Smith. Total - 1.

Total - 70.

Whereupon the Speaker declared that [H 156](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

### [S 1030](#) - SCHOOL BOARDS

[S 1030](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. DeMordaunt to open debate.

The question being, "Shall [S 1030](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 69.

NAYS—None.

Absent—Smith. Total - 1.

Total - 70.

Whereupon the Speaker declared that [S 1030](#) passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Fifteenth Order of Business.

### **15TH ORDER Announcements**

Announcements were made to the body.

### **16TH ORDER Adjournment**

Mr. Moyle moved that the House adjourn until 11 a.m., Thursday, February 21, 2019. Seconded by Mr. Erpelding. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:49 a.m.

SCOTT BEDKE, Speaker

ATTEST:

CARRIE MAULIN, Chief Clerk

# HOUSE JOURNAL

OF THE

## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-FIFTH LEGISLATURE

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**FORTY-SIXTH LEGISLATIVE DAY  
THURSDAY, FEBRUARY 21, 2019**

House of Representatives

The House convened at 11 a.m., the Speaker in the Chair.

Roll call showed 67 members present.

Absent and excused - Berch, Smith, and Vander Woude.

Total - 3.

Total - 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Elbia Christensen, Page.

### 3RD ORDER

#### Approval of Journal

February 21, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Forty-fifth Legislative Day and recommend that same be adopted as corrected.

DAYLEY, Chairman

Mr. Dayley moved that the report be adopted. Seconded by Mr. Gannon. Report adopted.

### 4TH ORDER

#### Consideration of Messages from the Governor and the Senate

February 20, 2019

Mr. Speaker:

I transmit herewith enrolled [S 1024](#) and [S 1039](#) for the signature of the Speaker.

NOVAK, Secretary

The Speaker announced he was about to sign enrolled [S 1024](#) and [S 1039](#) when so signed, ordered them returned to the Senate.

February 20, 2019

Mr. Speaker:

I transmit herewith [S 1045](#) which has passed the Senate.

NOVAK, Secretary

[S 1045](#) was filed for first reading.

February 20, 2019

Mr. Speaker:

I return herewith [H 26](#) and [H 44](#) which have passed the Senate.

NOVAK, Secretary

[H 26](#) and [H 44](#) were referred to the Judiciary, Rules, and Administration Committee for enrolling.

### 5TH ORDER

#### Report of Standing Committees

February 21, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have enrolled [H 43](#).

DAYLEY, Chairman

The Speaker announced he was about to sign enrolled [H 43](#) and, when so signed, ordered it transmitted to the Senate for the signature of the President.

February 21, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have transmitted enrolled [H 62](#), [H 31](#), [H 32](#), and [H 34](#) to the Governor at 11:13 a.m., as of this date, February 20, 2019.

DAYLEY, Chairman

February 20, 2019

Mr. Speaker:

We, your COMMITTEE ON COMMERCE AND HUMAN RESOURCES, report that we have had under consideration [H 113](#) and recommend that it do pass.

HOLTZCLAW, Chairman

[H 113](#) was filed for second reading.

February 20, 2019

Mr. Speaker:

We, your COMMITTEE ON LOCAL GOVERNMENT, report that we have had under consideration [H 127](#) and report it back to be placed on General Orders.

MENDIVE, Chairman

[H 127](#) was placed on General Orders for consideration.

February 20, 2019

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration [H 106](#), [H 124](#), and [HJM 6](#) and recommend that they do pass.

PALMER, Chairman

[H 106](#), [H 124](#), and [HJM 6](#) were filed for second reading.

February 21, 2019

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration [H 155](#), [H 171](#), and [H 173](#) and recommend that they do pass.

HARRIS, Chairman

[H 155](#), [H 171](#), and [H 173](#) were filed for second reading.

February 21, 2019

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration [H 165](#) and recommend that it do pass.

COLLINS, Chairman

[H 165](#) was filed for second reading.

There being no objection, the House returned to the Fourth Order of Business.

**4TH ORDER**  
**Consideration of Messages from the**  
**Governor and the Senate**

OFFICE OF THE GOVERNOR  
Boise

February 20, 2019

The Honorable Scott Bedke  
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House bills, to wit:

[H 31](#), [H 32](#), [H 34](#), and [H 62](#)

Sincerely,  
/s/ Brad Little  
Governor

There being no objection, the House advanced to the Eighth Order of Business.

**8TH ORDER**  
**Introduction, First Reading, and Reference**  
**of Bills and Joint Resolutions**

**HOUSE BILL NO. 174**  
**BY APPROPRIATIONS 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 2019; APPROPRIATING ADDITIONAL MONEYS TO THE STATE BOARD OF EDUCATION AND THE BOARD OF REGENTS OF THE UNIVERSITY OF IDAHO FOR HEALTH EDUCATION PROGRAMS FOR FISCAL YEAR 2019; REDUCING 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 2019; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 175**  
**BY WAYS AND MEANS COMMITTEE**  
AN ACT

RELATING TO THE IDAHO ADMINISTRATIVE PROCEDURE ACT; AMENDING SECTION 67-5201, IDAHO CODE, TO REVISE DEFINITIONS AND TO DEFINE TERMS; REPEALING SECTION 67-5240, IDAHO CODE, RELATING TO CONTESTED CASES; AMENDING CHAPTER 52, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-5240, IDAHO CODE, TO PROVIDE FOR CONTESTED CASE EXEMPTIONS; AMENDING SECTION 67-5241, IDAHO CODE, TO REVISE PROVISIONS REGARDING DISPOSITION, TO PROVIDE FOR INCORPORATION OF AN AGREEMENT OR CONSENT ORDER INTO A FINAL CONTESTED CASE ORDER, TO PROVIDE FOR JUDICIAL REVIEW, TO PROVIDE THAT DISPOSITIONS BY AGREEMENT ARE PUBLIC RECORDS UNLESS EXEMPT UNDER SPECIFIED LAW, AND TO PROVIDE

THAT CERTAIN NONDISCLOSURE PROVISIONS ARE VOID; REPEALING SECTIONS 67-5242 THROUGH 67-5254, IDAHO CODE, RELATING TO PROCEDURE AT HEARING, ORDERS NOT ISSUED BY AN AGENCY HEAD, REVIEW OF RECOMMENDED ORDERS, REVIEW OF PRELIMINARY ORDERS, FINAL ORDERS AND EFFECTIVENESS OF FINAL ORDERS, EMERGENCY PROCEEDINGS, CONTENTS OF ORDERS, AGENCY RECORDS, INDEXING OF PRECEDENTIAL AGENCY ORDERS AND INDEXING OF AGENCY GUIDANCE DOCUMENTS, EVIDENCE AND OFFICIAL NOTICE, PRESIDING OFFICERS AND DISQUALIFICATION, EX PARTE COMMUNICATIONS, AND AGENCY ACTION AGAINST LICENSEES; REPEALING SECTIONS 67-5270 AND 67-5271, IDAHO CODE, RELATING TO RIGHT OF REVIEW AND EXHAUSTION OF ADMINISTRATIVE REMEDIES; REPEALING SECTIONS 67-5273 THROUGH 67-5278, IDAHO CODE, RELATING TO TIME FOR FILING PETITION FOR REVIEW, STAY, AGENCY RECORDS FOR JUDICIAL REVIEW, ADDITIONAL EVIDENCE, JUDICIAL REVIEW OF ISSUES OF FACT, DECLARATORY JUDGMENT ON VALIDITY OR APPLICABILITY OF RULES, AND SCOPE OF REVIEW AND TYPE OF RELIEF; AMENDING CHAPTER 52, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-5242, IDAHO CODE, TO PROVIDE FOR PRELIMINARY REVIEW AND TO PROVIDE FOR FACT-FINDING; AMENDING CHAPTER 52, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-5243, IDAHO CODE, TO PROVIDE FOR THE COMMENCEMENT OF CONTESTED CASES AND TO PROVIDE A PROCEDURE FOR COMMENCEMENT; AMENDING CHAPTER 52, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-5244, IDAHO CODE, TO PROVIDE A CONTESTED CASE PROCEDURE; AMENDING CHAPTER 52, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-5245, IDAHO CODE, TO PROVIDE FOR EVIDENCE IN CONTESTED CASES; AMENDING CHAPTER 52, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-5246, IDAHO CODE, TO PROVIDE FOR A HEARING RECORD IN CONTESTED CASES; AMENDING CHAPTER 52, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-5247, IDAHO CODE, TO PROVIDE AN EMERGENCY ADJUDICATION PROCEDURE; AMENDING CHAPTER 52, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-5248, IDAHO CODE, TO PROHIBIT EX PARTE COMMUNICATIONS, TO PROVIDE EXCEPTIONS FOR EX PARTE COMMUNICATIONS, TO PROVIDE PROCEDURES IF PROHIBITED EX PARTE COMMUNICATIONS OCCUR, AND TO PROVIDE FOR DISQUALIFICATION; AMENDING CHAPTER 52, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-5250, IDAHO CODE, TO PROVIDE FOR SUBPOENAS; AMENDING CHAPTER 52, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-5251, IDAHO CODE, TO PROVIDE FOR DISCOVERY; AMENDING CHAPTER 52, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-5252, IDAHO CODE, TO PROVIDE FOR DEFAULT; AMENDING CHAPTER 52, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-5253, IDAHO CODE, TO PROVIDE FOR CONTESTED CASE ORDERS; AMENDING CHAPTER 52, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-5254, IDAHO CODE, TO PROVIDE FOR AGENCY REVIEW OF CONTESTED CASE ORDERS; AMENDING CHAPTER 52, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-5256,

IDAHO CODE, TO PROVIDE FOR RECONSIDERATION; AMENDING CHAPTER 52, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-5257, IDAHO CODE, TO PROVIDE FOR STAYS; AMENDING CHAPTER 52, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-5258, IDAHO CODE, TO PROVIDE FOR THE AVAILABILITY AND INDEXING OF FINAL ORDERS, TO PROVIDE AN EXEMPTION FROM INDEXING CERTAIN FINAL ORDERS, TO PROVIDE FOR THE DESIGNATION OF ORDERS AS PRECEDENT, AND TO PROVIDE FOR THE INDEXING OF GUIDANCE DOCUMENTS; AMENDING CHAPTER 52, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-5259, IDAHO CODE, TO PROVIDE PROCEDURES FOR ACTIONS AGAINST LICENSEES; AMENDING CHAPTER 52, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-5260, IDAHO CODE, TO PROVIDE FOR JUDICIAL REVIEW; AMENDING CHAPTER 52, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-5262, IDAHO CODE, TO PROVIDE FOR THE TIME TO SEEK JUDICIAL REVIEW AND TO PROVIDE LIMITATIONS; AMENDING CHAPTER 52, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-5263, IDAHO CODE, TO PROVIDE FOR STAYS PENDING APPEAL; AMENDING CHAPTER 52, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-5264, IDAHO CODE, TO PROVIDE FOR STANDING; AMENDING CHAPTER 52, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-5265, IDAHO CODE, TO PROVIDE FOR THE EXHAUSTION OF ADMINISTRATIVE REMEDIES; AMENDING CHAPTER 52, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-5266, IDAHO CODE, TO PROVIDE FOR THE RECORD ON JUDICIAL REVIEW AND TO PROVIDE EXCEPTIONS; AMENDING CHAPTER 52, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-5267, IDAHO CODE, TO PROVIDE A STANDARD OF REVIEW; AMENDING SECTION 67-5255, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO REVISE PROVISIONS RELATING TO DECLARATORY RULINGS BY AGENCIES; AMENDING SECTION 67-5272, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO REVISE PROVISIONS REGARDING VENUES; AMENDING CHAPTER 52, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-5270, IDAHO CODE, TO PROVIDE FOR THE CREATION OF THE OFFICE OF ADMINISTRATIVE HEARINGS; AMENDING CHAPTER 52, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-5271, IDAHO CODE, TO PROVIDE FOR THE CHIEF ADMINISTRATIVE HEARING OFFICER; AMENDING CHAPTER 52, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-5272, IDAHO CODE, TO PROVIDE FOR HEARING OFFICERS; AMENDING CHAPTER 52, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-5273, IDAHO CODE, TO PROVIDE FOR COMPENSATION AND CLASSIFICATION; AMENDING CHAPTER 52, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-5274, IDAHO CODE, TO PROVIDE FOR DISQUALIFICATION; AMENDING CHAPTER 52, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-5275, IDAHO CODE, TO PROVIDE FOR AN ADVISORY COUNCIL; AMENDING CHAPTER 52, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-5276, IDAHO CODE, TO PROVIDE FOR THE COOPERATION OF AGENCIES; AMENDING CHAPTER 52, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-5277,

IDAHO CODE, TO PROVIDE FOR COST ESTIMATES AND ASSESSMENT OF RECIPIENT AGENCIES; AMENDING SECTION 67-5279, IDAHO CODE, TO REVISE PROVISIONS REGARDING SCOPE OF REVIEW; AMENDING SECTION 67-2601, IDAHO CODE, TO PROVIDE THAT THE DEPARTMENT OF SELF-GOVERNING AGENCIES SHALL INCLUDE THE OFFICE OF ADMINISTRATIVE HEARINGS; AMENDING SECTION 67-5303, IDAHO CODE, TO PROVIDE THAT THE CHIEF ADMINISTRATIVE HEARING OFFICER AND HEARING OFFICERS IN THE OFFICE OF ADMINISTRATIVE HEARINGS SHALL BE NONCLASSIFIED EMPLOYEES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING CHAPTER 9, TITLE 6, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 6-930, IDAHO CODE, TO PROVIDE FOR DETERMINATIONS OF RETALIATION AGAINST ONE SEEKING APPEAL OR ADMINISTRATIVE REVIEW; AMENDING SECTION 16-107, IDAHO CODE, TO PROVIDE THAT THE DEPARTMENT OF HEALTH AND WELFARE IS NOT EXEMPT FROM COMPLYING WITH SPECIFIED LAW IN EXERCISING RESPONSIBILITIES REGARDING EARLY INTERVENTION SERVICES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 26-31-208, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES; AMENDING SECTION 26-31-309, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 28-46-302, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES; AMENDING SECTION 28-46-404, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES; AMENDING SECTION 33-5209C, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 40-709A, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 41-227, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 47-328, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 50-222, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 54-2509, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE A TECHNICAL CORRECTION; REPEALING SECTION 56-133, IDAHO CODE, RELATING TO THE ADMINISTRATIVE REVIEW PROCESS; AMENDING CHAPTER 1, TITLE 56, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 56-133, IDAHO CODE, TO PROVIDE FOR ADMINISTRATIVE APPEALS; AMENDING SECTION 56-202, IDAHO CODE, TO PROVIDE THAT THE DEPARTMENT OF HEALTH AND WELFARE IS NOT EXEMPT FROM COMPLYING WITH SPECIFIED LAW IN EXERCISING CERTAIN DUTIES AND TO MAKE TECHNICAL CORRECTIONS; REPEALING SECTION 56-216, IDAHO CODE, RELATING TO APPEALS; AMENDING CHAPTER 2, TITLE 56, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 56-216, IDAHO CODE, TO PROVIDE FOR ADMINISTRATIVE APPEALS; AMENDING SECTION 56-1003, IDAHO CODE, TO PROVIDE THAT THE DEPARTMENT OF HEALTH AND WELFARE IS NOT EXEMPT FROM COMPLYING WITH SPECIFIED LAW IN EXERCISING CERTAIN POWERS AND DUTIES; AMENDING SECTION 56-1005, IDAHO CODE, TO PROVIDE FOR APPEALS, TO PROVIDE THAT THE DEPARTMENT OF HEALTH AND WELFARE IS NOT EXEMPT FROM COMPLYING WITH SPECIFIED LAW, AND TO MAKE TECHNICAL CORRECTIONS;



AMENDING SECTION 58-122, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES; AMENDING SECTION 67-2317, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 67-5206, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES AND TO MAKE A TECHNICAL CORRECTION; AND PROVIDING EFFECTIVE DATES AND PROVIDING A SUNSET DATE.

**HOUSE BILL NO. 176**  
**BY WAYS AND MEANS COMMITTEE**  
AN ACT

RELATING TO POTATOES; AMENDING SECTION 22-1204, IDAHO CODE, TO REVISE DEFINITIONS AND TO PROVIDE THAT CERTAIN RULEMAKING SHALL NOT BE AUTHORIZED; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 177**  
**BY WAYS AND MEANS COMMITTEE**  
AN ACT

RELATING TO RETIRED OFFICERS; AMENDING SECTION 59-1356, IDAHO CODE, TO PROVIDE FOR THE REEMPLOYMENT OF CERTAIN RETIRED MEMBERS; AND AMENDING SECTION 33-1004H, IDAHO CODE, TO PROVIDE FOR SCHOOL RESOURCE OFFICERS AND TO MAKE TECHNICAL CORRECTIONS.

**HOUSE BILL NO. 178**  
**BY WAYS AND MEANS COMMITTEE**  
AN ACT

RELATING TO INSURANCE; AMENDING CHAPTER 24, TITLE 41, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 41-2402, IDAHO CODE, TO PROHIBIT AN INSURER FROM CONSIDERING CERTAIN INQUIRIES OR CLAIMS WHEN CONSIDERING AN APPLICATION FOR, RENEWAL OF, CANCELLATION OF, OR CHANGE IN A PROPERTY INSURANCE POLICY; AND AMENDING CHAPTER 25, TITLE 41, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 41-2510A, IDAHO CODE, TO PROHIBIT AN INSURER FROM CONSIDERING CERTAIN INQUIRIES OR CLAIMS WHEN CONSIDERING AN APPLICATION FOR, RENEWAL OF, CANCELLATION OF, OR CHANGE IN A CASUALTY INSURANCE POLICY.

**HOUSE BILL NO. 179**  
**BY WAYS AND MEANS COMMITTEE**  
AN ACT

RELATING TO MOTOR VEHICLE INSURANCE; AMENDING SECTION 49-1234, IDAHO CODE, TO SPECIFY CERTAIN REQUIREMENTS OF THE ONLINE INSURANCE VERIFICATION PROGRAM; AND PROVIDING AN EFFECTIVE DATE.

**HOUSE BILL NO. 180**  
**BY HEALTH AND WELFARE COMMITTEE**  
AN ACT

RELATING TO THE SYRINGE AND NEEDLE EXCHANGE ACT; AMENDING TITLE 37, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 34, TITLE 37, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO PROVIDE LEGISLATIVE INTENT, TO DEFINE TERMS, TO ESTABLISH PROVISIONS REGARDING A SYRINGE AND NEEDLE EXCHANGE PROGRAM, TO PROVIDE FOR A CERTAIN REPORT, AND TO PROVIDE RULEMAKING AUTHORITY.

**HOUSE BILL NO. 181**  
**BY HEALTH AND WELFARE COMMITTEE**  
AN ACT

RELATING TO CHILDREN; AMENDING SECTION 16-1602, IDAHO CODE, TO REVISE DEFINITIONS.

**HOUSE BILL NO. 182**  
**BY HEALTH AND WELFARE COMMITTEE**  
AN ACT

RELATING TO PHARMACISTS; AMENDING SECTION 54-1704, IDAHO CODE, TO REVISE PROVISIONS REGARDING PRODUCTS THAT MAY BE PRESCRIBED.

**HOUSE BILL NO. 183**  
**BY REVENUE AND TAXATION COMMITTEE**  
AN ACT

RELATING TO INCOME TAXES; AMENDING SECTION 63-3022, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE TAXATION OF CORPORATIONS ON FOREIGN INCOME; AND DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

**HOUSE BILL NO. 184**  
**BY REVENUE AND TAXATION COMMITTEE**  
AN ACT

RELATING TO FINANCIAL AUDITS; AMENDING SECTION 67-450B, IDAHO CODE, TO REVISE PROVISIONS REGARDING EXPENDITURE LEVELS OF LOCAL GOVERNMENTAL ENTITIES SUBJECT TO AUDITS.

[H 174](#), [H 175](#), [H 176](#), [H 177](#), [H 178](#), [H 179](#), [H 180](#), [H 181](#), [H 182](#), [H 183](#), and [H 184](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

[S 1045](#), by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the Judiciary, Rules and Administration Committee.

There being no objection, the House advanced to the Tenth Order of Business.

**10TH ORDER**  
**Second Reading of Bills and Joint Resolutions**

[HCR 12](#), [HJM 5](#), and [HJM 8](#), by Resources and Conservation Committee, were read the second time by title and filed for third reading.

[H 133](#), by Health and Welfare Committee, was read the second time by title and filed for third reading.

[H 112](#) and [H 146](#), by Business Committee, were read the second time by title and filed for third reading.

[H 162](#), by State Affairs Committee, was read the second time by title and filed for third reading.

[H 153](#), by Education Committee, was read the second time by title and filed for third reading.

[S 1077](#), by Finance Committee, was read the second time by title and filed for third reading.



**11TH ORDER****Third Reading of Bills and Joint Resolutions**

Mr. Moyle asked unanimous consent that [H 79](#) and [H 117](#) be placed at the bottom of the Third Reading Calendar. There being no objection, it was so ordered.

**[H 157](#) - ALCOHOL**

[H 157](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Erpelding to open debate.

The question being, "Shall [H 157](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderst, Barbieri, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Rubel, Scott, Shepherd, Stevenson, Syme, Toone, Troy, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 60.

NAYS—Anderson, Andrus, Armstrong, Dayley, Furniss, Raymond, Ricks. Total - 7.

Absent—Berch, Smith, Vander Woude. Total - 3.  
Total - 70.

Whereupon the Speaker declared that [H 157](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

**[H 109](#) - HEALTH**

[H 109](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Green(2) to open debate.

The question being, "Shall [H 109](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Andrus, Chew, Clow, Davis, Dayley, Ellis, Erpelding, Gannon, Gibbs, Goesling, Green(18), Green(2), Hartgen, Horman, Kauffman, Lickley, Marshall, Mason, McCrostie, Raybould, Raymond, Ricks, Rubel, Toone, Troy, Wagoner, Wintrow, Wood, Young, Mr. Speaker. Total - 34.

NAYS—Anderst, Armstrong, Barbieri, Blanksma, Boyle, Chaney, Christensen, Collins, Crane, DeMordaunt, Dixon, Ehardt, Furniss, Gestrin, Giddings, Harris, Holtzclaw, Kerby, Kingsley, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Scott, Shepherd, Stevenson, Syme, Wisniewski, Youngblood, Zito, Zollinger. Total - 33.

Absent—Berch, Smith, Vander Woude. Total - 3.  
Total - 70.

Whereupon the Speaker declared that [H 109](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

**[H 74](#) - RECREATIONAL ACTIVITIES**

[H 74](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Gestrin to open debate.

The question being, "Shall [H 74](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Amador, Anderson, Anderst, Blanksma, Boyle, Chew, Clow, Collins, Crane, Davis, Dayley, Dixon, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Goesling, Green(18), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Monks, Moon, Moyle, Palmer, Raybould, Raymond, Ricks, Rubel, Shepherd, Stevenson, Syme, Toone, Wagoner, Wintrow, Wisniewski, Wood, Youngblood, Zito, Mr. Speaker. Total - 51.

NAYS—Addis, Andrus, Armstrong, Barbieri, Chaney, Christensen, DeMordaunt, Ehardt, Giddings, Green(2), Mendive, Nichols, Scott, Troy, Young, Zollinger. Total - 16.

Absent—Berch, Smith, Vander Woude. Total - 3.  
Total - 70.

Whereupon the Speaker declared that [H 74](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

**[H 75](#) - RECREATIONAL ACTIVITIES**

[H 75](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Gestrin to open debate.

The question being, "Shall [H 75](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Amador, Anderson, Anderst, Andrus, Boyle, Chew, Clow, Collins, Davis, Dayley, Dixon, Ellis, Erpelding, Furniss, Gannon, Gestrin, Goesling, Green(18), Harris, Hartgen, Holtzclaw, Kauffman, Kerby, Kingsley, Lickley, Mason, McCrostie, Moon, Moyle, Palmer, Raybould, Raymond, Ricks, Rubel, Shepherd, Stevenson, Syme, Toone, Wagoner, Wintrow, Wisniewski, Wood, Youngblood, Mr. Speaker. Total - 45.

NAYS—Addis, Armstrong, Barbieri, Blanksma, Chaney, Christensen, Crane, DeMordaunt, Ehardt, Gibbs, Giddings, Green(2), Horman, Marshall, Mendive, Monks, Nichols, Scott, Troy, Young, Zito, Zollinger. Total - 22.

Absent—Berch, Smith, Vander Woude. Total - 3.  
Total - 70.

Whereupon the Speaker declared that [H 75](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Fifteenth Order of Business.

**15TH ORDER**  
**Announcements**

Announcements were made to the body.

**16TH ORDER**  
**Adjournment**

Mr. Moyle moved that the House adjourn until 11 a.m., Friday, February 22, 2019. Seconded by Mr. Erpelding. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:55 a.m.

SCOTT BEDKE, Speaker

ATTEST:

CARRIE MAULIN, Chief Clerk

# HOUSE JOURNAL OF THE IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-FIFTH LEGISLATURE

**FORTY-SEVENTH LEGISLATIVE DAY  
FRIDAY, FEBRUARY 22, 2019**

House of Representatives

The House convened at 11 a.m., the Speaker in the Chair.

Roll call showed 67 members present.

Absent and excused - Abernathy, Smith, and Stevenson.

Total - 3.

Total - 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Audrie Earle, Page.

### 3RD ORDER Approval of Journal

February 22, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Forty-sixth Legislative Day and recommend that same be adopted as corrected.

DAYLEY, Chairman

Mr. Dayley moved that the report be adopted. Seconded by Mr. Gannon. Report adopted.

### 4TH ORDER Consideration of Messages from the Governor and the Senate

February 21, 2019

Mr. Speaker:

I transmit herewith enrolled [S 1041](#) for the signature of the Speaker.

NOVAK, Secretary

The Speaker announced he was about to sign enrolled [S 1041](#) when so signed, ordered it returned to the Senate.

February 21, 2019

Mr. Speaker:

I return herewith enrolled [HCR 7](#) and [HJM 1](#) which have been signed by the President.

NOVAK, Secretary

Enrolled [HCR 7](#) and [HJM 1](#) were referred to the Judiciary, Rules, and Administration Committee for delivery to the Secretary of State.

February 21, 2019

Mr. Speaker:

I transmit herewith [S 1005](#), as amended, [S 1006](#), [S 1012](#), [S 1053](#), [S 1054](#), [S 1055](#), and [S 1098](#) which have passed the Senate.

NOVAK, Secretary

[S 1005](#), as amended, [S 1006](#), [S 1012](#), [S 1053](#), [S 1054](#), [S 1055](#), and [S 1098](#) were filed for first reading.

February 21, 2019

Mr. Speaker:

I return herewith [HCR 3](#) which has passed the Senate.

NOVAK, Secretary

[HCR 3](#) was referred to the Judiciary, Rules, and Administration Committee for enrolling.

### 5TH ORDER Report of Standing Committees

February 22, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have printed [H 174](#), [H 175](#), [H 176](#), [H 177](#), [H 178](#), [H 179](#), [H 180](#), [H 181](#), [H 182](#), [H 183](#), and [H 184](#).

DAYLEY, Chairman

[H 174](#) was filed for second reading.

[H 175](#) was referred to the Judiciary, Rules and Administration Committee.

[H 176](#) was referred to the Agricultural Affairs Committee.

[H 177](#) was referred to the Commerce and Human Resources Committee.

[H 178](#) was referred to the Business Committee.

[H 179](#) was referred to the Transportation and Defense Committee.

[H 180](#), [H 181](#), and [H 182](#) were referred to the Health and Welfare Committee.

[H 183](#) and [H 184](#) were referred to the Revenue and Taxation Committee.

February 22, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have enrolled [H 26](#) and [H 44](#).

DAYLEY, Chairman

The Speaker announced he was about to sign enrolled [H 26](#) and [H 44](#) and, when so signed, ordered them transmitted to the Senate for the signature of the President.

February 21, 2019

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration [H 93](#) and recommend that it do pass.

CLOW, Chairman

[H 93](#) was filed for second reading.

February 21, 2019

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration [H 151](#) and [HJM 7](#) and recommend that they do pass.

WOOD, Chairman

[H 151](#) and [HJM 7](#) were filed for second reading.

February 21, 2019

Mr. Speaker:

We, your COMMITTEE ON RESOURCES AND CONSERVATION, report that we have had under consideration [H 97](#) and [H 141](#) and recommend that they do pass.

GIBBS, Chairman

[H 97](#) and [H 141](#) were filed for second reading.

February 21, 2019

Mr. Speaker:

We, your COMMITTEE ON COMMERCE AND HUMAN RESOURCES, report that we have had under consideration [S 1028](#) and recommend that it do pass.

HOLTZCLAW, Chairman

[S 1028](#) was filed for second reading.

February 21, 2019

Mr. Speaker:

We, your COMMITTEE ON BUSINESS, report that we have had under consideration [H 84](#) and recommend that it do pass.

DIXON, Chairman

[H 84](#) was filed for second reading.

February 22, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have had under consideration [H 98](#) and [H 170](#) and recommend that they do pass.

DAYLEY, Chairman

[H 98](#) and [H 170](#) were filed for second reading.

February 22, 2019

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration [H 150](#) and recommend that it do pass.

CLOW, Chairman

[H 150](#) was filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

#### 7TH ORDER Motions, Memorials, and Resolutions

#### HOUSE CONCURRENT RESOLUTION NO. 16 BY REVENUE AND TAXATION COMMITTEE

##### A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND REJECTING A CERTAIN RULE OF THE STATE TAX COMMISSION RELATING TO PROPERTY TAX ADMINISTRATIVE RULES.

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 Tax Commission relating to Property Tax Administrative Rules 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-fifth Idaho Legislature, the House of Representatives and the Senate concurring therein, that IDAPA 35.01.03, relating to Property Tax Administrative Rules, adopted as a pending rule under Docket Number 35-0103-1801, the entire rulemaking docket, be, and the same is hereby rejected and declared null, void, and of no force and effect.

#### HOUSE CONCURRENT RESOLUTION NO. 17 BY REVENUE AND TAXATION COMMITTEE

##### A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND REJECTING A CERTAIN RULE OF THE STATE TAX COMMISSION RELATING TO PROPERTY TAX ADMINISTRATIVE RULES.

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 Tax Commission relating to Property Tax Administrative Rules 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-fifth Idaho Legislature, the House of Representatives and the Senate concurring therein, that IDAPA 35.01.03, relating to Property Tax Administrative Rules, adopted as a pending rule under Docket Number 35-0103-1803, the entire rulemaking docket, be, and the same is hereby rejected and declared null, void, and of no force and effect.

[HCR 16](#) and [HCR 17](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

#### 8TH ORDER

#### Introduction, First Reading, and Reference of Bills and Joint Resolutions

#### HOUSE BILL NO. 185 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 61, 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.

**HOUSE BILL NO. 186**  
**BY APPROPRIATIONS COMMITTEE**  
 AN ACT

RELATING TO THE APPROPRIATION TO THE DIVISION OF VETERANS SERVICES FOR FISCAL YEAR 2019; APPROPRIATING ADDITIONAL MONEYS TO THE DIVISION OF VETERANS SERVICES FOR FISCAL YEAR 2019; REDUCING THE APPROPRIATION TO THE DIVISION OF VETERANS SERVICES FOR FISCAL YEAR 2019; PROVIDING FOR A CASH TRANSFER; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 187**  
**BY APPROPRIATIONS COMMITTEE**  
 AN ACT

RELATING TO THE APPROPRIATION TO THE COMMISSION ON HISPANIC AFFAIRS FOR FISCAL YEAR 2020; APPROPRIATING MONEYS TO THE COMMISSION ON HISPANIC AFFAIRS FOR FISCAL YEAR 2020; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

**HOUSE BILL NO. 188**  
**BY WAYS AND MEANS COMMITTEE**  
 AN ACT

RELATING TO SEED BUYERS; AMENDING SECTION 22-5103, IDAHO CODE, TO REVISE CONDITIONS OF LICENSURE AND TO MAKE TECHNICAL CORRECTIONS.

**HOUSE BILL NO. 189**  
**BY WAYS AND MEANS COMMITTEE**  
 AN ACT

RELATING TO FISH AND GAME; AMENDING SECTION 36-1303, IDAHO CODE, TO PROVIDE LEGISLATIVE INTENT, TO REVISE A PROVISION REGARDING AN INSPECTION OR SEARCH BY AN OFFICER, AND TO PROVIDE THAT A SEARCH OR INSPECTION BY AN OFFICER SHALL BE SUBJECT TO CERTAIN REQUIREMENTS.

**HOUSE BILL NO. 190**  
**BY STATE AFFAIRS COMMITTEE**  
 AN ACT

RELATING TO COMMERCIAL REGISTERED AGENTS; AMENDING SECTION 30-21-405, IDAHO CODE, TO PROVIDE FOR THE REGISTRATION OF A COMMERCIAL REGISTERED AGENT IN CERTAIN CASES.

**HOUSE BILL NO. 191**  
**BY STATE AFFAIRS COMMITTEE**  
 AN ACT

RELATING TO THE SECRETARY OF STATE; AMENDING SECTION 30-21-214, IDAHO CODE, TO REVISE A PROVISION REGARDING ENTITY FILING, TO PROVIDE A FEE FOR EXPEDITED FILING SERVICES FOR AN ENTITY FILING, AND TO CLARIFY THE APPLICATION OF A SURCHARGE FOR MANUAL ENTRY OF A FILING.

**HOUSE BILL NO. 192**  
**BY WAYS AND MEANS COMMITTEE**  
 AN ACT

RELATING TO OUTFITTERS AND GUIDES; AMENDING SECTION 36-408, IDAHO CODE, TO REVISE PROVISIONS REGARDING OUTFITTED HUNTER TAGS SET-ASIDE AND DEER AND ELK TAGS AND TO MAKE

TECHNICAL CORRECTIONS; AMENDING SECTION 36-2107, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE POWERS AND DUTIES OF THE IDAHO OUTFITTERS AND GUIDES LICENSING BOARD AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 193**  
**BY REVENUE AND TAXATION COMMITTEE**  
 AN ACT

RELATING TO THE STATE TAX COMMISSION; AMENDING SECTION 63-215, IDAHO CODE, TO REVISE PROVISIONS REGARDING LEGAL DESCRIPTIONS AND BOUNDARIES.

**HOUSE BILL NO. 194**  
**BY EDUCATION COMMITTEE**  
 AN ACT

RELATING TO PUBLIC LIBRARIES; AMENDING SECTION 33-2741, IDAHO CODE, TO PROVIDE THAT A PUBLIC LIBRARY'S INTERNET SAFETY POLICY SHALL APPLY TO ANY PUBLICLY ACCESSIBLE WIRELESS INTERNET ACCESS PROVIDED BY THE LIBRARY AND TO MAKE A TECHNICAL CORRECTION.

**HOUSE BILL NO. 195**  
**BY EDUCATION COMMITTEE**  
 AN ACT

RELATING TO BARBER AND COSMETOLOGY SERVICES; AMENDING SECTION 54-5821, IDAHO CODE, TO PROVIDE FOR THE RETROACTIVE REINSTATEMENT OF A BARBER SCHOOL OR COSMETOLOGY SCHOOL'S LICENSE.

[H 185](#), [H 186](#), [H 187](#), [H 188](#), [H 189](#), [H 190](#), [H 191](#), [H 192](#), [H 193](#), [H 194](#), and [H 195](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

[S 1005](#), as amended, by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the Judiciary, Rules and Administration Committee.

[S 1006](#), [S 1012](#), and [S 1053](#), by Commerce and Human Resources Committee, were introduced, read the first time by title, and referred to the Business Committee.

[S 1054](#), [S 1055](#), and [S 1098](#), by Health and Welfare Committee, were introduced, read the first time by title, and referred to the Health and Welfare Committee.

There being no objection, the House advanced to the Tenth Order of Business.

**10TH ORDER**  
**Second Reading of Bills and Joint Resolutions**

[H 113](#), by Judiciary, Rules and Administration Committee, was read the second time by title and filed for third reading.

[H 106](#), [H 124](#), and [HJM 6](#), by Transportation and Defense Committee, were read the second time by title and filed for third reading.

[H 155](#), [H 171](#), and [H 173](#), by State Affairs Committee, were read the second time by title and filed for third reading.

[H 165](#), by Revenue and Taxation Committee, was read the second time by title and filed for third reading.



**11TH ORDER****Third Reading of Bills and Joint Resolutions**

Mr. Moyle asked unanimous consent that [H 79](#) be placed at the bottom of the Third Reading Calendar. There being no objection, it was so ordered.

**[H 89](#) - HIGHWAYS AND BRIDGES**

[H 89](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Syme to open debate.

The question being, "Shall [H 89](#) pass?"

Roll call resulted as follows:

AYES—Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Scott, Shepherd, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 66.

NAYS—None.

Absent—Abernathy, Rubel, Smith, Stevenson. Total - 4.

Total - 70.

Whereupon the Speaker declared that [H 89](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

\*\*\*\*\*

**Guest Speaker**

At this time, the Speaker introduced Russ Fulcher, United States Congressman, who spoke briefly to the members of the House.

\*\*\*\*\*

Prior to going at ease, the House was at the Eleventh Order of Business.

**[H 126](#) - TRANSPORTATION**

[H 126](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Kauffman to open debate.

The question being, "Shall [H 126](#) pass?"

Roll call resulted as follows:

AYES—Addis, Amador, Anderson, Anderst, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Nichols, Palmer, Raybould, Raymond, Ricks, Scott, Shepherd, Syme, Toone, Troy,

Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 62.

NAYS—Andrus, Christensen. Total - 2.

Absent—Abernathy, Moyle, Rubel, Smith, Stevenson, Vander Woude. Total - 6.

Total - 70.

Whereupon the Speaker declared that [H 126](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

**[HCR 13](#) - DEPARTMENT OF HEALTH AND WELFARE - RULE REJECTION**

[HCR 13](#) was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Wagoner to open debate.

The question being, "Shall [HCR 13](#) be adopted?"

Roll call resulted as follows:

AYES—Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Scott, Shepherd, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 66.

NAYS—None.

Absent—Abernathy, Rubel, Smith, Stevenson. Total - 4.

Total - 70.

Whereupon the Speaker declared [HCR 13](#) adopted and ordered the resolution transmitted to the Senate.

**[HCR 14](#) - BUREAU OF OCCUPATIONAL LICENSES - RULE REJECTION**

[HCR 14](#) was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Wagoner to open debate.

The question being, "Shall [HCR 14](#) be adopted?"

Roll call resulted as follows:

AYES—Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Scott, Shepherd, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 65.

NAYS—Barbieri. Total - 1.

Absent—Abernathy, Rubel, Smith, Stevenson. Total - 4.

Total - 70.



Whereupon the Speaker declared [HCR 14](#) adopted and ordered the resolution transmitted to the Senate.

### [H 85](#) - DAYLIGHT SAVING TIME

[H 85](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Zito to open debate.

Pursuant to Rule 38(3), Mr. Erpelding disclosed a conflict of interest regarding [H 85](#).

The question being, "Shall [H 85](#) pass?"

Roll call resulted as follows:

AYES—Anderson, Andrus, Armstrong, Barbieri, Boyle, Chaney, Gestrin, Giddings, Green(2), Harris, Holtzclaw, Lickley, Palmer, Scott, Zito. Total - 15.

NAYS—Abernathy, Addis, Amador, Anderst, Berch, Blanksma, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gibbs, Goesling, Green(18), Hartgen, Horman, Kauffman, Kerby, Kingsley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Raybould, Raymond, Ricks, Rubel, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zollinger, Mr. Speaker. Total - 55.

Paired Votes:

AYE - Harris	NAY - Stevenson
AYE - Chaney	NAY - Rubel
AYE - Armstrong	NAY - Smith
AYE - Lickley	NAY - Abernathy

(Pairs enumerated in roll call above.)  
Total - 70.

Whereupon the Speaker declared that [H 85](#) failed to pass the House and ordered the bill filed in the office of the Chief Clerk.

### [H 160](#) - PURCHASING BY POLITICAL SUBDIVISIONS

[H 160](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Raymond to open debate.

Pursuant to Rule 38(3), Mr. Crane disclosed a conflict of interest regarding [H 160](#).

The question being, "Shall [H 160](#) pass?"

Roll call resulted as follows:

AYES—Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Blanksma, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Scott, Shepherd, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 62.

NAYS—Berch, Boyle, Gannon, Moon. Total - 4.

Absent—Abernathy, Rubel, Smith, Stevenson. Total - 4.  
Total - 70.

Whereupon the Speaker declared that [H 160](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

### [H 161](#) - PURCHASING BY POLITICAL SUBDIVISIONS

[H 161](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Raymond to open debate.

The question being, "Shall [H 161](#) pass?"

Roll call resulted as follows:

AYES—Addis, Amador, Anderst, Barbieri, Boyle, Chaney, Christensen, Clow, Collins, DeMordaunt, Dixon, Ehardt, Furniss, Gestrin, Gibbs, Giddings, Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kingsley, Lickley, Marshall, McCrostie, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Scott, Stevenson, Vander Woude, Wagoner, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger. Total - 44.

NAYS—Abernathy, Anderson, Andrus, Armstrong, Berch, Blanksma, Chew, Crane, Davis, Dayley, Ellis, Erpelding, Gannon, Goesling, Green(18), Kerby, Mason, Mendive, Rubel, Shepherd, Smith, Syme, Toone, Troy, Wintrow, Mr. Speaker. Total - 26.

Paired Votes:

AYE - Wood	NAY - Smith
AYE - Stevenson	NAY - Ellis
AYE - Wagoner	NAY - Rubel
AYE - Raybould	NAY - Abernathy

(Pairs enumerated in roll call above.)  
Total - 70.

Whereupon the Speaker declared that [H 161](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places until Monday, February 25, 2019. There being no objection, it was so ordered.

There being no objection, the House advanced to the Fifteenth Order of Business.

### 15TH ORDER Announcements

Announcements were made to the body.

### 16TH ORDER Adjournment

Mr. Moyle moved that the House adjourn until 11 a.m., Monday, February 25, 2019. Seconded by Mr. Erpelding. Motion carried.

Whereupon the Speaker declared the House adjourned at 12:41 p.m.

SCOTT BEDKE, Speaker

ATTEST:

CARRIE MAULIN, Chief Clerk

# HOUSE JOURNAL

OF THE

## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-FIFTH LEGISLATURE

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**FIFTIETH LEGISLATIVE DAY**  
**MONDAY, FEBRUARY 25, 2019**

House of Representatives

The House convened at 11 a.m., the Speaker in the Chair.

Roll call showed all 70 members present.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Sawyer Greaves, Page.

### 3RD ORDER

#### Approval of Journal

February 25, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Forty-seventh Legislative Day and recommend that same be adopted as corrected.

DAYLEY, Chairman

Mr. Dayley moved that the report be adopted. Seconded by Mr. Gannon. Report adopted.

### 4TH ORDER

#### Consideration of Messages from the Governor and the Senate

February 22, 2019

Mr. Speaker:

I transmit herewith [S 1058](#) which has passed the Senate.

NOVAK, Secretary

[S 1058](#) was filed for first reading.

February 22, 2019

Mr. Speaker:

I return herewith [HCR 6](#) which has passed the Senate.

NOVAK, Secretary

[HCR 6](#) was referred to the Judiciary, Rules, and Administration Committee for enrolling.

### 5TH ORDER

#### Report of Standing Committees

February 25, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have printed [HCR 16](#), [HCR 17](#), [H 185](#), [H 186](#), [H 187](#), [H 188](#), [H 189](#), [H 190](#), [H 191](#), [H 192](#), [H 193](#), [H 194](#), and [H 195](#).

DAYLEY, Chairman

[HCR 16](#), [HCR 17](#), [H 186](#), and [H 187](#) were filed for second reading.

[H 185](#) and [H 194](#) were referred to the Education Committee.

[H 188](#) was referred to the Ways and Means Committee.

[H 189](#) and [H 192](#) were referred to the Resources and Conservation Committee.

[H 190](#) and [H 191](#) were referred to the Judiciary, Rules and Administration Committee.

[H 193](#) was referred to the Revenue and Taxation Committee.

[H 195](#) was referred to the Business Committee.

February 25, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have enrolled [HCR 3](#).

DAYLEY, Chairman

The Speaker announced he was about to sign enrolled [HCR 3](#) and, when so signed, ordered it transmitted to the Senate for the signature of the President.

February 25, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have transmitted enrolled [HCR 7](#) and [HJM 1](#) to the Secretary of State at 11:24 a.m., as of this date, February 22, 2019.

DAYLEY, Chairman

February 22, 2019

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration [H 167](#) and [H 168](#) and recommend that they do pass.

PALMER, Chairman

[H 167](#) and [H 168](#) were filed for second reading.

February 22, 2019

Mr. Speaker:

We, your COMMITTEE ON AGRICULTURAL AFFAIRS, report that we have had under consideration [H 176](#) and recommend that it do pass.

BOYLE, Chairman

[H 176](#) was filed for second reading.

There being no objection, the House advanced to the Eighth Order of Business.

### 8TH ORDER

#### Introduction, First Reading, and Reference of Bills and Joint Resolutions

#### HOUSE BILL NO. 196

#### BY HEALTH AND WELFARE COMMITTEE

#### AN ACT

RELATING TO NATUROPATHIC MEDICINE LICENSING; AMENDING TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 51, TITLE 54, IDAHO CODE, TO DEFINE TERMS, TO PROVIDE FOR SCOPE OF PRACTICE, TO PROVIDE EXEMPTIONS FROM LICENSURE, TO ESTABLISH A NATUROPATHIC LICENSURE BOARD, TO PROVIDE FOR THE POWERS

AND DUTIES OF THE NATUROPATHIC LICENSURE BOARD, TO ESTABLISH PROVISIONS REGARDING QUALIFICATIONS FOR LICENSURE, TO PROVIDE FOR LICENSURE BY ENDORSEMENT, TO PROVIDE FOR LICENSE EXPIRATION AND RENEWAL, TO PROVIDE GROUNDS FOR DISCIPLINE OR DENIAL OF A LICENSE, TO SPECIFY CERTAIN PROHIBITED ACTS, AND TO PROVIDE FOR PREEMPTION OF LOCAL REGULATIONS.

**HOUSE BILL NO. 197**  
**BY WAYS AND MEANS COMMITTEE**  
AN ACT

RELATING TO DIVORCE ACTIONS; PROVIDING LEGISLATIVE INTENT; AMENDING SECTION 32-717, IDAHO CODE, TO PROVIDE FOR A CERTAIN REBUTTABLE PRESUMPTION, TO PROVIDE THAT A COURT SHALL ENTER CERTAIN WRITTEN FINDINGS OF FACT AND CONCLUSIONS OF LAW, TO PROVIDE FOR A CERTAIN FACTOR IN AN ACTION FOR DIVORCE, AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 32-717B, IDAHO CODE, TO REVISE A DEFINITION, TO REVISE A PROVISION REGARDING JOINT PHYSICAL CUSTODY, TO REVISE A PROVISION REGARDING A CERTAIN PRESUMPTION, TO PROVIDE FOR CERTAIN ISSUES RELEVANT TO THE SAFETY AND BEST INTERESTS OF A CHILD, AND TO MAKE A TECHNICAL CORRECTION.

**HOUSE BILL NO. 198**  
**BY WAYS AND MEANS COMMITTEE**  
AN ACT

RELATING TO EDUCATION; AMENDING SECTION 33-4602, IDAHO CODE, TO PROVIDE THAT ADVANCED OPPORTUNITIES FUNDS MAY BE USED AT STATE-DESIGNATED TRADE SCHOOLS UNDER CERTAIN CIRCUMSTANCES; AND AMENDING CHAPTER 46, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-4603, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING STATE-DESIGNATED TRADE SCHOOLS.

**HOUSE BILL NO. 199**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO CONCEALED WEAPONS; AMENDING SECTION 18-3302, IDAHO CODE, TO REVISE A DEFINITION AND TO REVISE PROVISIONS REGARDING THE CARRYING OF CONCEALED WEAPONS.

[H 196](#), [H 197](#), [H 198](#), and [H 199](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

[S 1058](#), by Education Committee, was introduced, read the first time by title, and referred to the Education Committee.

There being no objection, the House advanced to the Tenth Order of Business.

**10TH ORDER**  
**Second Reading of Bills and Joint Resolutions**

[H 174](#), by Appropriations Committee, was read the second time by title and filed for third reading.

[H 93](#), by Education Committee, was read the second time by title and filed for third reading.

[H 151](#) and [HJM 7](#), by Health and Welfare Committee, were read the second time by title and filed for third reading.

[H 97](#) and [H 141](#), by Resources and Conservation Committee, were read the second time by title and filed for third reading.

[S 1028](#), by Commerce and Human Resources Committee, was read the second time by title and filed for third reading.

[H 84](#), by Business Committee, was read the second time by title and filed for third reading.

[H 98](#), by Judiciary, Rules and Administration Committee, was read the second time by title and filed for third reading.

[H 170](#), by State Affairs Committee, was read the second time by title and filed for third reading.

[H 150](#), by Education Committee, was read the second time by title and filed for third reading.

**11TH ORDER**  
**Third Reading of Bills and Joint Resolutions**

Mr. Moyle asked unanimous consent that [H 106](#) be placed at the top of the Third Reading Calendar. There being no objection, it was so ordered.

**[H 106](#) - RULES OF THE ROAD**

[H 106](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. McCrostie to open debate.

The question being, "Shall [H 106](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Armstrong, Berch, Blanksma, Boyle, Chew, Clow, Collins, Davis, Dayley, DeMordaunt, Dixon, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Goesling, Green(18), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Lickley, Marshall, Mason, McCrostie, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Shepherd, Smith, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Youngblood, Mr. Speaker. Total - 55.

NAYS—Andrus, Barbieri, Christensen, Crane, Ehardt, Giddings, Green(2), Kingsley, Mendive, Scott, Stevenson, Young, Zito, Zollinger. Total - 14.

Absent—Chaney. Total - 1.

Total - 70.

Whereupon the Speaker declared that [H 106](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

**[H 117](#) - CRIME VICTIMS**

[H 117](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Troy to open debate.

The question being, "Shall [H 117](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chew, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon,

Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 66.

NAYS—Christensen, Stevenson. Total - 2.

Absent—Chaney, McCrostie. Total - 2.

Total - 70.

Whereupon the Speaker declared that [H 117](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

### [HCR 12](#) - NATURAL RESOURCE ISSUES

[HCR 12](#) was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Gibbs to open debate.

The question being, "Shall [HCR 12](#) be adopted?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 68.

NAYS—None.

Absent—Chaney, McCrostie. Total - 2.

Total - 70.

Whereupon the Speaker declared [HCR 12](#) adopted and ordered the resolution transmitted to the Senate.

### [HJM 5](#) - FEDERAL LANDS

[HJM 5](#) was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Moon to open debate.

Pursuant to Rule 38(3), Mr. Mason disclosed a conflict of interest regarding [HJM 5](#).

The question being, "Shall [HJM 5](#) be adopted?"

Roll call resulted as follows:

AYES—Addis, Amador, Andrus, Barbieri, Blanksma, Boyle, Chaney, Christensen, Clow, Collins, Crane, Dayley, DeMordaunt, Dixon, Ehardt, Furniss, Gestrin, Gibbs, Giddings, Goesling, Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Scott, Shepherd, Stevenson, Troy, Vander Woude, Wagoner, Wisniewski, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 51.

NAYS—Abernathy, Anderson, Anderst, Armstrong, Berch, Chew, Davis, Ellis, Erpelding, Gannon, Green(18), Mason, Rubel, Smith, Syme, Toone, Wintrow, Wood. Total - 18.

Absent—McCrostie. Total - 1.

Total - 70.

Whereupon the Speaker declared [HJM 5](#) adopted and ordered the memorial transmitted to the Senate.

### [HJM 8](#) - WILDERNESS

[HJM 8](#) was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Giddings to open debate.

Pursuant to Rule 38(3), Mr. Mason disclosed a conflict of interest regarding [HJM 8](#).

The question being, "Shall [HJM 8](#) be adopted?"

Roll call resulted as follows:

AYES—Addis, Amador, Anderst, Andrus, Armstrong, Barbieri, Blanksma, Boyle, Chaney, Christensen, Clow, Collins, Crane, Dayley, DeMordaunt, Dixon, Ehardt, Furniss, Gestrin, Gibbs, Giddings, Goesling, Green(2), Harris, Holtzclaw, Horman, Kerby, Kingsley, Marshall, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raymond, Ricks, Scott, Shepherd, Stevenson, Syme, Troy, Vander Woude, Wagoner, Wisniewski, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 50.

NAYS—Abernathy, Anderson, Berch, Chew, Davis, Ellis, Erpelding, Gannon, Green(18), Hartgen, Kauffman, Lickley, Mason, McCrostie, Raybould, Rubel, Smith, Toone, Wintrow, Wood. Total - 20.

Paired Votes:

AYE - Vander Woude                      NAY - McCrostie

AYE - Zito                                      NAY - Green(18)

(Pairs enumerated in roll call above.)

Total - 70.

Whereupon the Speaker declared [HJM 8](#) adopted and ordered the memorial transmitted to the Senate.

### [H 133](#) - HEALTH

[H 133](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Giddings to open debate.

Pursuant to Rule 38(3), Ms. Nichols disclosed a conflict of interest regarding [H 133](#).

The question being, "Shall [H 133](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderst, Andrus, Armstrong, Barbieri, Blanksma, Boyle, Chaney, Christensen, Clow, Collins, Crane, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Furniss, Gestrin, Gibbs, Giddings, Goesling, Green(2), Harris, Hartgen, Holtzclaw, Horman, Kingsley, Lickley, Marshall, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raymond, Ricks, Scott, Shepherd, Stevenson, Syme, Troy, Vander Woude, Wisniewski, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 52.

NAYS—Berch, Chew, Davis, Erpelding, Gannon, Green(18), Kauffman, Kerby, Mason, McCrostie, Raybould, Rubel, Smith, Toone, Wagoner, Wintrow, Wood. Total - 17.

Absent-Anderson. Total - 1.

Paired Votes:

AYE - Monks NAY - Green(18)

AYE - Blanksma NAY - McCrostie

(Pairs enumerated in roll call above.)

Total - 70.

Whereupon the Speaker declared that [H 133](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

**[H 112](#) - INSURANCE**

[H 112](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Crane to open debate.

The question being, "Shall [H 112](#) pass?"

Roll call resulted as follows:

AYES-Abernathy, Addis, Amador, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 67.

NAYS-None.

Absent-Anderson, Green(18), McCrostie. Total - 3.

Total - 70.

Whereupon the Speaker declared that [H 112](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Fifteenth Order of Business.

**15TH ORDER  
Announcements**

Announcements were made to the body.

**16TH ORDER  
Adjournment**

Mr. Moyle moved that the House adjourn until 11 a.m., Tuesday, February 26, 2019. Seconded by Mr. Erpelding. Motion carried.

Whereupon the Speaker declared the House adjourned at 12:10 p.m.

SCOTT BEDKE, Speaker

ATTEST:

CARRIE MAULIN, Chief Clerk



# HOUSE JOURNAL

OF THE

## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-FIFTH LEGISLATURE

**FIFTY-FIRST LEGISLATIVE DAY**  
**TUESDAY, FEBRUARY 26, 2019**

House of Representatives

The House convened at 11 a.m., the Speaker in the Chair.

Roll call showed all 70 members present.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Elbia Christensen, Page.

### 3RD ORDER

#### Approval of Journal

February 26, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Fiftieth Legislative Day and recommend that same be adopted as corrected.

DAYLEY, Chairman

Mr. Dayley moved that the report be adopted. Seconded by Mr. Gannon. Report adopted.

### 4TH ORDER

#### Consideration of Messages from the Governor and the Senate

THE OFFICE OF THE GOVERNOR

#### CERTIFICATE OF APPOINTMENT

**KNOW ALL MEN**, that pursuant to the provisions of Section 59-917, Idaho Code, JOHN MCCROSTIE, State Representative, District 16, Seat A, Ada County, State of Idaho, has nominated, COLIN NASH, of 6833 W. Russett St., Boise, ID 83704, to perform the duties of this office temporarily as Acting State Representative, District 16, Seat A.

**NOW, THEREFORE, I, BRAD LITTLE**, Governor of the State of Idaho, by virtue of the authority vested in me do hereby appoint Colin Nash of Boise, Idaho, to the office of Acting State Representative, District 16, Seat A, for a term commencing Monday February 25, 2019, and continuing 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 25th day of February, in the year of our

Lord two thousand and nineteen, and of the Independence of the United States of America, the two hundred and forty-third year and of the Statehood of Idaho the one hundred twenty-ninth.

/s/ BRAD LITTLE

Governor

/s/ LAWRENCE DENNEY

Secretary of State

The Certificate of Appointment was ordered filed in the office of the Chief Clerk.

The Speaker announced the oath of office had previously been administered to Colin Nash, effective at 12:00 p.m., Monday, February 25, 2019.

February 25, 2019

Mr. Speaker:

I transmit herewith enrolled [S 1030](#) for the signature of the Speaker.

NOVAK, Secretary

The Speaker announced he was about to sign enrolled [S 1030](#) when so signed, ordered it returned to the Senate.

February 25, 2019

Mr. Speaker:

I return herewith enrolled [H 43](#), [H 26](#), and [H 44](#) which have been signed by the President.

NOVAK, Secretary

Enrolled [H 43](#), [H 26](#), and [H 44](#) were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

February 25, 2019

Mr. Speaker:

I transmit herewith [SJM 103](#), [S 1105](#), [S 1107](#), [S 1115](#), [S 1119](#), [S 1123](#), [S 1122](#), [S 1116](#), [S 1117](#), [S 1093](#), [S 1084](#), [S 1085](#), [S 1086](#), [S 1057](#), and [S 1128](#) which have passed the Senate.

NOVAK, Secretary

[SJM 103](#), [S 1105](#), [S 1107](#), [S 1115](#), [S 1119](#), [S 1123](#), [S 1122](#), [S 1116](#), [S 1117](#), [S 1093](#), [S 1084](#), [S 1085](#), [S 1086](#), [S 1057](#), and [S 1128](#) were filed for first reading.

February 25, 2019

Mr. Speaker:

I return herewith [HCR 11](#) which has passed the Senate.

NOVAK, Secretary

[HCR 11](#) was referred to the Judiciary, Rules, and Administration Committee for enrolling.

February 25, 2019

Mr. Speaker:

I return herewith [H 2](#), as amended in the Senate, which has passed the Senate.

NOVAK, Secretary

Pursuant to House Rule 73, [H 2](#), as amended in the Senate, was referred to Transportation and Defense Committee for concurrence recommendation.



**5TH ORDER**  
**Report of Standing Committees**

February 26, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have printed [H 196](#), [H 197](#), [H 198](#), and [H 199](#).

DAYLEY, Chairman

[H 196](#) was referred to the Health and Welfare Committee.

[H 197](#) was referred to the Judiciary, Rules and Administration Committee.

[H 198](#) was referred to the Education Committee.

[H 199](#) was referred to the State Affairs Committee.

February 26, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have enrolled [HCR 6](#).

DAYLEY, Chairman

The Speaker announced he was about to sign enrolled [HCR 6](#) and, when so signed, ordered it transmitted to the Senate for the signature of the President.

February 25, 2019

Mr. Speaker:

We, your COMMITTEE ON RESOURCES AND CONSERVATION, report that we have had under consideration [H 189](#) and recommend that it do pass.

GIBBS, Chairman

[H 189](#) was filed for second reading.

February 25, 2019

Mr. Speaker:

We, your COMMITTEE ON COMMERCE AND HUMAN RESOURCES, report that we have had under consideration [S 1026](#) and recommend that it do pass.

HOLTZCLAW, Chairman

[S 1026](#) was filed for second reading.

February 25, 2019

Mr. Speaker:

We, your COMMITTEE ON BUSINESS, report that we have had under consideration [H 144](#) and [H 149](#) and recommend that they do pass.

DIXON, Chairman

[H 144](#) and [H 149](#) were filed for second reading.

February 25, 2019

Mr. Speaker:

We, your COMMITTEE ON BUSINESS, report that we have had under consideration [H 145](#) and report it back to be placed on General Orders.

DIXON, Chairman

[H 145](#) was placed on General Orders for consideration.

February 26, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have had under consideration [H 70](#), [H 138](#), and [H 139](#) and recommend that they do pass.

DAYLEY, Chairman

[H 70](#), [H 138](#), and [H 139](#) were filed for second reading.

February 26, 2019

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration [H 184](#) and recommend that it do pass.

COLLINS, Chairman

[H 184](#) was filed for second reading.

February 26, 2019

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration [H 169](#) and recommend that it do pass.

HARRIS, Chairman

[H 169](#) was filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

**7TH ORDER**  
**Motions, Memorials, and Resolutions**

[SJM 103](#), by State Affairs Committee, was introduced, read the first time by title, and referred to the State Affairs Committee.

**8TH ORDER**  
**Introduction, First Reading, and Reference of Bills and Joint Resolutions**

**HOUSE BILL NO. 200**  
**BY APPROPRIATIONS COMMITTEE**  
AN ACT

RELATING TO THE APPROPRIATION TO THE PUBLIC HEALTH DISTRICTS FOR FISCAL YEAR 2020; APPROPRIATING MONEYS TO THE PUBLIC HEALTH DISTRICTS AND TRANSFERRING MONEYS FROM THE GENERAL FUND TO THE PUBLIC HEALTH TRUST FUND FOR FISCAL YEAR 2020; APPROPRIATING MONEYS TO THE PUBLIC HEALTH DISTRICTS FROM THE IDAHO MILLENNIUM INCOME FUND FOR FISCAL YEAR 2020; PROVIDING FUNDING TO IMPROVE HEALTH TRANSFORMATIONS; AND PROVIDING FUNDING FOR CITIZEN REVIEW PANELS.

**HOUSE BILL NO. 201**  
**BY REVENUE AND TAXATION COMMITTEE**  
AN ACT

RELATING TO NONSCHOOL TAXING DISTRICTS AND PROPERTY TAX LEVIES; AMENDING CHAPTER 13, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-1315, IDAHO CODE, TO PROVIDE FOR THE FUNDING OF CERTAIN JUDICIALLY CONFIRMED OBLIGATIONS OF CERTAIN NONSCHOOL TAXING DISTRICTS; AMENDING CHAPTER 13, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-1316, IDAHO CODE, TO PROVIDE FOR VOTER APPROVAL OF FUNDING FOR A JUDICIALLY CONFIRMED OBLIGATION; AMENDING SECTION 31-1901, IDAHO CODE, TO PROVIDE THAT COUNTY COMMISSIONERS MAY ISSUE BONDS TO FUND A JUDICIALLY CONFIRMED OBLIGATION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 50-2908, IDAHO CODE, TO PROVIDE FOR THE CALCULATION OF THE

TAX RATE IN A REVENUE ALLOCATION AREA FOR LEVIES FOR JUDICIALLY CONFIRMED OBLIGATIONS, TO PROVIDE CORRECT CODE REFERENCES, AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 63-802, IDAHO CODE, TO SPECIFY THAT REVENUES FROM A LEVY FOR THE PAYMENT OF JUDICIALLY CONFIRMED OBLIGATIONS ARE EXCLUDED FROM A TAXING DISTRICT'S ANNUAL BUDGET AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 63-803, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 63-811, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; PROVIDING SEVERABILITY; AND DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

**HOUSE BILL NO. 202**  
**BY REVENUE AND TAXATION COMMITTEE**  
AN ACT

RELATING TO THE STATE TAX COMMISSION; AMENDING SECTION 63-107, IDAHO CODE, TO PROVIDE THAT CERTAIN ACTIONS OF THE STATE TAX COMMISSION AND THE STATE BOARD OF EQUALIZATION SHALL BE GOVERNED BY THE IDAHO ADMINISTRATIVE PROCEDURE ACT, TO PROVIDE EXCEPTIONS, TO PROVIDE FOR THE STANDARD OF APPEAL TO A DISTRICT COURT OF A DECISION BY THE STATE TAX COMMISSION OR STATE BOARD OF EQUALIZATION, AND TO MAKE A TECHNICAL CORRECTION.

**HOUSE BILL NO. 203**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO FIREARMS; AMENDING SECTION 18-3302C, IDAHO CODE, TO REVISE A PROVISION REGARDING PROHIBITED CONDUCT; AMENDING SECTION 18-3302D, IDAHO CODE, TO DEFINE A TERM, TO REVISE A DEFINITION, TO PROVIDE THAT CERTAIN PERSONS SHALL NOT BE PROHIBITED FROM POSSESSING WEAPONS ON SCHOOL PROPERTY, TO PROVIDE THAT CERTAIN PERSONS SHALL NOT BE COMPELLED TO DISCLOSE CERTAIN INFORMATION OR DISCIPLINED FOR CERTAIN ACTIONS, TO PROVIDE THAT PRIVATE PROPERTY OWNERS SHALL RETAIN CERTAIN RIGHTS, TO PROVIDE IMMUNITY FROM CERTAIN LIABILITY, AND TO MAKE TECHNICAL CORRECTIONS.

**HOUSE BILL NO. 204**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO PROPERTY; AMENDING SECTION 55-102, IDAHO CODE, TO REVISE A DEFINITION.

**HOUSE BILL NO. 205**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO PROCEEDINGS TO ESTABLISH PATERNITY; AMENDING SECTION 7-1103, IDAHO CODE, TO REVISE DEFINITIONS; AMENDING SECTION 7-1105, IDAHO CODE, TO REVISE TERMINOLOGY; AND AMENDING SECTION 7-1107, IDAHO CODE, TO REVISE TERMINOLOGY.

**HOUSE BILL NO. 206**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO CONCEALED WEAPONS; AMENDING SECTION 18-3302, IDAHO CODE, TO REVISE CERTAIN EXCEPTIONS AND TO MAKE TECHNICAL CORRECTIONS.

[H 200](#), [H 201](#), [H 202](#), [H 203](#), [H 204](#), [H 205](#), and [H 206](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

[S 1105](#), [S 1107](#), and [S 1057](#), by Education Committee, were introduced, read the first time by title, and referred to the Education Committee.

[S 1115](#) and [S 1128](#), by Finance Committee, were introduced, read the first time by title, and filed for second reading.

[S 1119](#), [S 1123](#), [S 1122](#), [S 1116](#), [S 1117](#), and [S 1093](#), by Judiciary and Rules Committee, were introduced, read the first time by title, and referred to the Judiciary, Rules and Administration Committee.

[S 1084](#), [S 1085](#), and [S 1086](#), by Resources and Environment Committee, were introduced, read the first time by title, and referred to the Resources and Conservation Committee.

There being no objection, the House advanced to the Tenth Order of Business.

**10TH ORDER**  
**Second Reading of Bills and Joint Resolutions**

Mr. Dayley asked unanimous consent that [H 115](#) be removed from General Orders and referred to the Judiciary, Rules and Administration Committee. There being no objection, it was so ordered.

Mr. Moyle asked unanimous consent that [H 189](#) be placed on General Orders for consideration. There being no objection it was so ordered.

[H 186](#) and [H 187](#), by Appropriations Committee, were read the second time by title and filed for third reading.

[H 167](#) and [H 168](#), by State Affairs Committee, were read the second time by title and filed for third reading.

[H 176](#), by Ways and Means Committee, was read the second time by title and filed for third reading.

[HCR 16](#) and [HCR 17](#), by Revenue and Taxation Committee, were read the second time by title and filed for third reading.

**11TH ORDER**  
**Third Reading of Bills and Joint Resolutions**

Mr. Moyle asked unanimous consent that [H 146](#) be placed at the bottom of the Third Reading Calendar. There being no objection, it was so ordered.

**[H 162](#) - FEDERAL LANDS**

[H 162](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Boyle to open debate.

The question being, "Shall [H 162](#) pass?"

Roll call resulted as follows:

AYES—Addis, Amador, Anderson, Anderst, Andrus, Barbieri, Blanksma, Boyle, Chaney, Christensen, Clow, Collins, Crane, Dayley, DeMordaunt, Dixon, Ehardt, Furniss, Gestrin, Gibbs, Giddings, Goesling, Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Scott, Shepherd, Stevenson, Syme, Troy, Vander Woude, Wagoner, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 55.

NAYS—Abernathy, Armstrong, Berch, Chew, Davis, Ellis, Erpelding, Gannon, Green(18), Mason, McCrostie(Nash), Rubel, Smith, Toone, Wintrow. Total - 15.

Total - 70.

Whereupon the Speaker declared that [H 162](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

### [H 153](#) - EDUCATION

[H 153](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Marshall to open debate.

The question being, "Shall [H 153](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Berch, Blanksma, Boyle, Chaney, Chew, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gibbs, Goesling, Green(18), Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie(Nash), Mendive, Monks, Moon, Moyle, Palmer, Raybould, Raymond, Ricks, Rubel, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 61.

NAYS—Barbieri, Christensen, Gestrin, Giddings, Green(2), Harris, Nichols, Scott, Young. Total - 9.

Total - 70.

Whereupon the Speaker declared that [H 153](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle moved that the House recess until 1:15 p.m. Seconded by Mr. Erpelding. Motion carried.

Whereupon the Speaker declared the House at recess until 1:15 p.m.

### RECESS

Afternoon Session

The House reconvened at 1:15 p.m., the Speaker in the Chair.

Prior to recess, the House was at the Eleventh Order of Business.

Mr. Moyle asked unanimous consent that [H 79](#) be placed at the bottom of the Third Reading Calendar. There being no objection, it was so ordered.

### [S 1077](#) - APPROPRIATIONS - BOARD OF TAX APPEALS

[S 1077](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Kauffman to open debate.

The question being, "Shall [S 1077](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Berch, Blanksma, Chew, Collins, Davis, Dixon, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Goesling, Green(18), Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Lickley, Marshall, Mason, McCrostie(Nash), Raybould, Raymond, Rubel, Shepherd, Stevenson, Syme, Toone, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Mr. Speaker. Total - 43.

NAYS—Andrus, Armstrong, Barbieri, Christensen, Crane, Dayley, DeMordaunt, Ehardt, Giddings, Green(2), Harris, Kingsley, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Ricks, Scott, Zollinger. Total - 21.

Absent—Boyle, Chaney, Clow, Smith, Troy, Vander Woude. Total - 6.

Total - 70.

Whereupon the Speaker declared that [S 1077](#) passed the House. Title was approved and the bill ordered returned to the Senate.

### [H 113](#) - WAGE CLAIMS

[H 113](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Erpelding to open debate.

The question being, "Shall [H 113](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie(Nash), Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 69.

NAYS—None.

Absent—Clow. Total - 1.

Total - 70.

Whereupon the Speaker declared that [H 113](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

### [H 124](#) - MILITARY

[H 124](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Syme to open debate.

The question being, "Shall [H 124](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Berch, Blanksma, Boyle, Chaney, Chew,

Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Goesling, Green(18), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Lickley, Marshall, Mason, McCrostie(Nash), Monks, Moyle, Palmer, Raybould, Raymond, Ricks, Rubel, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wood, Youngblood, Mr. Speaker. Total - 54.

NAYS—Barbieri, Christensen, Ehardt, Giddings, Green(2), Kingsley, Mendive, Moon, Nichols, Scott, Shepherd, Wisniewski, Young, Zito, Zollinger. Total - 15.

Absent—Clow. Total - 1.

Total - 70.

Whereupon the Speaker declared that [H 124](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

### [HJM 6](#) - WILDLIFE CROSSINGS

[HJM 6](#) was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Raymond to open debate.

Pursuant to Rule 38(3), Mr. Raymond disclosed a conflict of interest regarding [HJM 6](#).

The question being, "Shall [HJM 6](#) be adopted?"

Whereupon the Speaker declared [HJM 6](#) adopted by voice vote and ordered the memorial transmitted to the Senate.

### [H 155](#) - LIQUOR LICENSES

[H 155](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Gestrin to open debate.

The question being, "Shall [H 155](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie(Nash), Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 67.

NAYS—Armstrong. Total - 1.

Absent—Clow, Syme. Total - 2.

Total - 70.

Whereupon the Speaker declared that [H 155](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

### [H 171](#) - ELECTIONS

[H 171](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Crane to open debate.

The question being, "Shall [H 171](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie(Nash), Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 68.

NAYS—None.

Absent—Clow, Syme. Total - 2.

Total - 70.

Whereupon the Speaker declared that [H 171](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

### [H 173](#) - ELECTIONS

[H 173](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Crane to open debate.

The question being, "Shall [H 173](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Blanksma, Boyle, Chaney, Chew, Christensen, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie(Nash), Mendive, Monks, Moon, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Toone, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 65.

NAYS—Berch, Moyle, Troy. Total - 3.

Absent—Clow, Syme. Total - 2.

Total - 70.

Whereupon the Speaker declared that [H 173](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

### [H 165](#) - INCOME TAX REFUNDS

[H 165](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Addis to open debate.

The question being, "Shall [H 165](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley,

Lickley, Marshall, Mason, McCrostie(Nash), Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Shepherd, Smith, Stevenson, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zollinger, Mr. Speaker. Total - 67.

NAYS–Scott, Zito. Total - 2.

Absent–Syme. Total - 1.

Total - 70.

Whereupon the Speaker declared that [H 165](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

#### **[H 174](#) - APPROPRIATIONS - HEALTH EDUCATION PROGRAMS**

[H 174](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Horman to open debate.

The question being, "Shall [H 174](#) pass?"

Roll call resulted as follows:

AYES–Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie(Nash), Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 69.

NAYS–None.

Absent–Syme. Total - 1.

Total - 70.

Whereupon the Speaker declared that [H 174](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

There being no objection, the House returned to the Fifth Order of Business.

#### **5TH ORDER Report of Standing Committees**

February 26, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have printed [H 200](#), [H 201](#), [H 202](#), [H 203](#), [H 204](#), [H 205](#), and [H 206](#).

DAYLEY, Chairman

[H 200](#) was filed for second reading.

[H 201](#) and [H 202](#) were referred to the Revenue and Taxation Committee.

[H 203](#), [H 204](#), and [H 206](#) were referred to the State Affairs Committee.

[H 205](#) was referred to the Judiciary, Rules and Administration Committee.

February 26, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, return misdirected [H 166](#), [H 190](#), and [H 191](#) to the Desk.

DAYLEY, Chairman

[H 166](#), [H 190](#), and [H 191](#) were referred to State Affairs Committee.

There being no objection, the House advanced to the Fifteenth Order of Business.

#### **15TH ORDER Announcements**

Announcements were made to the body.

#### **16TH ORDER Adjournment**

Mr. Moyle moved that the House adjourn until 11 a.m., Wednesday, February 27, 2019. Seconded by Mr. Erpelding. Motion carried.

Whereupon the Speaker declared the House adjourned at 2:04 p.m.

SCOTT BEDKE, Speaker

ATTEST:

CARRIE MAULIN, Chief Clerk



# HOUSE JOURNAL

OF THE

## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-FIFTH LEGISLATURE

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**FIFTY-SECOND LEGISLATIVE DAY**  
**WEDNESDAY, FEBRUARY 27, 2019**

House of Representatives

The House convened at 11 a.m., the Speaker in the Chair.

Roll call showed all 70 members present.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Cathleen Wonacott, Page.

### 3RD ORDER

#### Approval of Journal

February 27, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Fifty-first Legislative Day and recommend that same be adopted as corrected.

DAYLEY, Chairman

Mr. Dayley moved that the report be adopted. Seconded by Mr. Gannon. Report adopted.

### 4TH ORDER

#### Consideration of Messages from the Governor and the Senate

THE OFFICE OF THE GOVERNOR

#### CERTIFICATE OF APPOINTMENT

**KNOW ALL MEN**, that pursuant to the provisions of Section 59-917, Idaho Code, CHRIS ABERNATHY, State Representative, District 29, Seat A, Bannock County, State of Idaho, has nominated, EVA NYE, of P.O. Box N, Pocatello, ID 83205, to perform the duties of this office temporarily as Acting State Representative, District 29, Seat A.

**NOW, THEREFORE, I, BRAD LITTLE**, Governor of the State of Idaho, by virtue of the authority vested in me do hereby appoint Eva Nye of Pocatello, Idaho, to the office of Acting State Representative, District 29, Seat A, for a term commencing February 27, 2019, and continuing through Friday, March 1, 2019.

**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 26th day of February, in the year of our Lord two thousand and nineteen, and of the Independence of the

United States of America, the two hundred and forty-third year and of the Statehood of Idaho the one hundred twenty-ninth.

/s/ BRAD LITTLE  
Governor  
/s/ LAWRENCE DENNEY  
Secretary of State

The Certificate of Appointment was ordered filed in the office of the Chief Clerk.

The Speaker announced the oath of office had previously been administered to Eva Nye.

February 26, 2019

Mr. Speaker:

I transmit herewith [S 1065](#), [S 1011](#), [S 1048](#), [S 1096](#), [S 1113](#), [S 1108](#), [S 1130](#), and [S 1125](#) which have passed the Senate.

NOVAK, Secretary

[S 1065](#), [S 1011](#), [S 1048](#), [S 1096](#), [S 1113](#), [S 1108](#), [S 1130](#), and [S 1125](#) were filed for first reading.

February 26, 2019

Mr. Speaker:

I return herewith enrolled [HCR 3](#) which has been signed by the President.

NOVAK, Secretary

Enrolled [HCR 3](#) was referred to the Judiciary, Rules, and Administration Committee for delivery to the Secretary of State.

### 5TH ORDER

#### Report of Standing Committees

February 27, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have transmitted enrolled [H 43](#), [H 26](#), and [H 44](#) to the Governor at 11:15 a.m., as of this date, February 26, 2019.

DAYLEY, Chairman

February 27, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have enrolled [HCR 11](#).

DAYLEY, Chairman

The Speaker announced he was about to sign enrolled [HCR 11](#) and, when so signed, ordered it transmitted to the Senate for the signature of the President.

February 26, 2019

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration [H 179](#) and [S 1046](#) and recommend that they do pass.

PALMER, Chairman

[H 179](#) and [S 1046](#) were filed for second reading.

February 26, 2019

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration [H 2](#), as



amended in the Senate, and recommend concurrence with Senate Amendments.

PALMER, Chairman

Mr. Dixon asked unanimous consent that the House concur in the Senate amendments to [H 2](#), as amended in the Senate, as recommended by the committee. There being no objection, it was so ordered.

[H 2](#), as amended in the Senate, was referred to the Judiciary, Rules, and Administration Committee for engrossing.

February 26, 2019

Mr. Speaker:

We, your COMMITTEE ON AGRICULTURAL AFFAIRS, report that we have had under consideration [H 121](#) and recommend that it do pass.

BOYLE, Chairman

[H 121](#) was filed for second reading.

February 27, 2019

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration [S 1049](#) and recommend that it do pass.

HARRIS, Chairman

[S 1049](#) was filed for second reading.

February 27, 2019

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration [H 193](#) and report it back to be placed on General Orders.

COLLINS, Chairman

[H 193](#) was placed on General Orders for consideration.

There being no objection, the House returned to the Fourth Order of Business.

**4TH ORDER**  
**Consideration of Messages from the**  
**Governor and the Senate**

OFFICE OF THE GOVERNOR  
Boise

February 26, 2019

The Honorable Scott Bedke  
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House bills, to wit:

[H 26](#), [H 43](#), and [H 44](#)

Sincerely,  
/s/ Brad Little  
Governor

There being no objection, the House advanced to the Seventh Order of Business.

**7TH ORDER**  
**Motions, Memorials, and Resolutions**

**HOUSE RESOLUTION NO. 3**  
**BY WAYS AND MEANS COMMITTEE**

A HOUSE RESOLUTION  
STATING FINDINGS OF THE HOUSE OF REPRESENTATIVES AND PROVIDING FOR THE AMENDMENT OF RULE 41 OF THE RULES OF THE HOUSE OF REPRESENTATIVES REGARDING PAIRING ON ROLL CALL.

Be It Resolved by the House of Representatives of the State of Idaho:

WHEREAS, the House of Representatives deems it necessary and desirable that Rule 41 of the Rules of the House of Representatives be amended.

NOW, THEREFORE, BE IT RESOLVED by the members of the House of Representatives, assembled in the First Regular Session of the Sixty-fifth Idaho Legislature, that Rule 41 of the Rules of the House of Representatives shall be amended to read as follows:

**RULE 41**

Pairing on Roll Call. - (1) Pairing - Pairing shall be permitted upon the absence of one, both, or all pairing members for good cause shown, shall be in writing, shall specifically state the bill or bills, or proposition, upon which pairs are arranged, and shall be announced by the Clerk, after the completion of the roll call, from a written list furnished to the Clerk. The pairs shall be recorded in the total vote and published in the Journal as a part of the proceedings; provided, pairs shall be broken if both members of the pair answer, or any member pairing, answers a roll call, regardless of whether pairs are for one or more bills. If only one of a pair be absent, none of the others shall debate or vote on the roll call for any measure as to which the member has paired or if the member should vote on the roll call, this vote shall not be counted therein, but shall be counted as paired signed by all parties involved in the pair.

(2) Who may pair - Two members may pair upon a roll call vote to be determined by a simple majority. On any question bill or proposition requiring a vote of two-thirds majority of the entire membership for adoption by roll call, a pair shall require three members, two affirmative and one negative. Pairs shall not be permitted on a veto override.

(3) Voting or debate while paired - If only one of a pair be absent, none of the others shall debate, ask or reply to inquiries or vote on the roll call for any measure.

(4) Broken pairs - Pairs shall be broken if all members of the pair are present in their seats or any member pairing debates, asks, or replies to inquiries or answers a roll call for the paired bill or proposition.

(5) Announcing and recording pairs - Each pair slip must be in the possession of the Chief Clerk before voting on any measure has begun. Each pair shall be announced by the Chief Clerk, after the completion of the roll call, from the completed pair slip furnished to the Chief Clerk. The pairs shall be recorded in the total vote and published in the Journal as a part of the proceedings.

**HOUSE RESOLUTION NO. 4**  
**BY WAYS AND MEANS COMMITTEE**

A HOUSE RESOLUTION  
STATING FINDINGS OF THE HOUSE OF REPRESENTATIVES AND PROVIDING FOR THE

**ADDITION OF A NEW RULE 79 TO THE RULES OF THE HOUSE OF REPRESENTATIVES.**

Be It Resolved by the House of Representatives of the State of Idaho:

WHEREAS, the House of Representatives deems it necessary and desirable to add a new Rule 79 to the Rules of the House of Representatives.

NOW, THEREFORE, BE IT RESOLVED by the members of the House of Representatives, assembled in the First Regular Session of the Sixty-fifth Idaho Legislature, that the Rules of the House of Representatives shall be amended by the addition thereto of a new Rule 79 to read as follows:

**RULE 79**

Veto – Procedure After Governor's Action. When a bill has been vetoed by the Governor and his objections entered upon the Journal, the vetoed bill is before the House for reconsideration in accordance with Section 10, Article IV, Idaho Constitution; the question put forth by the Chair is, "Shall House Bill \_\_\_\_\_ pass, the Governor's veto notwithstanding?" When the question of reconsideration has been stated, only the following motions shall be in order, in the order named:

1. To adjourn.
2. To recess.
3. To lay on the table.
4. To postpone to a time certain.
5. To hold at the desk.

[HR 3](#) and [HR 4](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

**8TH ORDER**

**Introduction, First Reading, and Reference of Bills and Joint Resolutions**

**HOUSE BILL NO. 207  
BY WAYS AND MEANS COMMITTEE  
AN ACT**

RELATING TO WETLANDS; AMENDING TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 93, TITLE 67, IDAHO CODE, TO PROVIDE LEGISLATIVE FINDINGS AND PURPOSE, TO DEFINE TERMS, AND TO PROVIDE FOR LIMITATIONS.

**HOUSE BILL NO. 208  
BY WAYS AND MEANS COMMITTEE  
AN ACT**

RELATING TO THE IDAHO TRANSPORTATION DEPARTMENT; AMENDING SECTION 49-202, IDAHO CODE, TO REMOVE PROVISIONS REGARDING RAILROAD CROSSINGS.

**HOUSE BILL NO. 209  
BY WAYS AND MEANS COMMITTEE  
AN ACT**

RELATING TO PEACE OFFICERS; AMENDING SECTION 19-603, IDAHO CODE, TO REVISE A PROVISION REGARDING A PERSON WHO HAS COMMITTED A VIOLATION, TO AUTHORIZE A PEACE OFFICER

TO ARREST A PERSON WITHOUT A WARRANT IN CERTAIN INSTANCES, TO PROVIDE A CORRECT CODE REFERENCE, AND TO MAKE TECHNICAL CORRECTIONS.

**HOUSE BILL NO. 210  
BY STATE AFFAIRS COMMITTEE  
AN ACT**

RELATING TO THE ELECTION OF STATE REPRESENTATIVES AND SENATORS; AMENDING SECTION 34-614, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE REQUIREMENTS FOR ELECTION TO THE OFFICE OF STATE REPRESENTATIVE OR SENATOR.

**HOUSE BILL NO. 211  
BY APPROPRIATIONS COMMITTEE  
AN ACT**

RELATING TO THE APPROPRIATION TO THE DIVISION OF VETERANS SERVICES FOR FISCAL YEAR 2020; APPROPRIATING MONEYS TO THE DIVISION OF VETERANS SERVICES FOR FISCAL YEAR 2020; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING FOR A CASH TRANSFER; AND PROVIDING REAPPROPRIATION AUTHORITY.

**HOUSE BILL NO. 212  
BY APPROPRIATIONS COMMITTEE  
AN ACT**

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF JUVENILE CORRECTIONS FOR FISCAL YEAR 2020; APPROPRIATING MONEYS TO THE DEPARTMENT OF JUVENILE CORRECTIONS FOR FISCAL YEAR 2020; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

**HOUSE BILL NO. 213  
BY APPROPRIATIONS COMMITTEE  
AN ACT**

RELATING TO THE APPROPRIATION TO THE SOIL AND WATER CONSERVATION COMMISSION FOR FISCAL YEAR 2020; APPROPRIATING MONEYS TO THE SOIL AND WATER CONSERVATION COMMISSION FOR FISCAL YEAR 2020; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AND PROVIDING REQUIREMENTS REGARDING TRUSTEE AND BENEFIT PAYMENTS DISTRIBUTION.

**HOUSE BILL NO. 214  
BY APPROPRIATIONS COMMITTEE  
AN ACT**

RELATING TO THE APPROPRIATION TO THE OFFICE OF ENERGY AND MINERAL RESOURCES FOR FISCAL YEAR 2020; APPROPRIATING MONEYS TO THE OFFICE OF ENERGY AND MINERAL RESOURCES FOR FISCAL YEAR 2020; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

**HOUSE BILL NO. 215  
BY APPROPRIATIONS COMMITTEE  
AN ACT**

RELATING TO THE APPROPRIATION TO THE STEM ACTION CENTER FOR FISCAL YEAR 2020; APPROPRIATING MONEYS TO THE STEM ACTION CENTER FOR FISCAL YEAR 2020; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT

POSITIONS; AND PROVIDING FOR AN APPROPRIATION AND TRANSFER OF MONEYS TO THE STEM EDUCATION FUND.

**HOUSE BILL NO. 216**  
**BY APPROPRIATIONS COMMITTEE**  
AN ACT

RELATING TO THE APPROPRIATION TO THE OFFICE OF SPECIES CONSERVATION FOR FISCAL YEAR 2020; APPROPRIATING MONEYS TO THE OFFICE OF SPECIES CONSERVATION FOR FISCAL YEAR 2020; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

**HOUSE BILL NO. 217**  
**BY REVENUE AND TAXATION COMMITTEE**  
AN ACT

RELATING TO THE LOCAL ECONOMIC DEVELOPMENT ACT; AMENDING SECTION 50-2905A, IDAHO CODE, TO REVISE A PROVISION REGARDING AN ELECTION, TO PROVIDE FOR CERTAIN IMPROVEMENTS, TO DEFINE A TERM, TO REVISE A DEFINITION, AND TO MAKE A TECHNICAL CORRECTION; AND DECLARING AN EMERGENCY.

[H 207](#), [H 208](#), [H 209](#), [H 210](#), [H 211](#), [H 212](#), [H 213](#), [H 214](#), [H 215](#), [H 216](#), and [H 217](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

[S 1065](#), by Transportation Committee, was introduced, read the first time by title, and referred to the Transportation and Defense Committee.

[S 1011](#), by Commerce and Human Resources Committee, was introduced, read the first time by title, and referred to the Environment, Energy and Technology Committee.

[S 1048](#), by Commerce and Human Resources Committee, was introduced, read the first time by title, and referred to the Business Committee.

[S 1096](#), by Health and Welfare Committee, was introduced, read the first time by title, and referred to the Health and Welfare Committee.

[S 1113](#), by State Affairs Committee, was introduced, read the first time by title, and referred to the State Affairs Committee.

[S 1108](#), by Education Committee, was introduced, read the first time by title, and referred to the Education Committee.

[S 1130](#), by Finance Committee, was introduced, read the first time by title, and filed for second reading.

[S 1125](#), by State Affairs Committee, was introduced, read the first time by title, and referred to the Agricultural Affairs Committee.

There being no objection, the House advanced to the Tenth Order of Business.

**10TH ORDER**  
**Second Reading of Bills and Joint Resolutions**

[S 1026](#), by Commerce and Human Resources Committee, was read the second time by title and filed for third reading.

[H 144](#) and [H 149](#), by Business Committee, were read the second time by title and filed for third reading.

[H 70](#), [H 138](#), and [H 139](#), by Judiciary, Rules and Administration Committee, were read the second time by title and filed for third reading.

[H 184](#), by Revenue and Taxation Committee, was read the second time by title and filed for third reading.

[H 169](#), by State Affairs Committee, was read the second time by title and filed for third reading.

[S 1115](#) and [S 1128](#), by Finance Committee, were read the second time by title and filed for third reading.

[H 200](#), by Appropriations Committee, was read the second time by title and filed for third reading.

There being no objection, the House advanced to the Twelfth Order of Business.

**12TH ORDER**  
**Consideration of General Orders**

Mr. Moyle moved that the House do now resolve itself into a Committee of the Whole House for the consideration of General Orders. Seconded by Mr. Erpelding. Motion carried.

Whereupon the House resolved itself into a Committee of the Whole House for the consideration of General Orders with Mr. Monks in the Chair.

When the Committee of the Whole House rose, the Speaker returned to the Chair and the House was in order.

**Report of the Committee of the Whole House**

February 27, 2019

Mr. Speaker:

We, your COMMITTEE OF THE WHOLE HOUSE, report that we have had under consideration [H 137](#), [H 78](#), [H 118](#), [H 158](#), [H 127](#), and [H 145](#) and report them back without recommendation, amended as follows:

**HOUSE AMENDMENT TO H.B. NO. 137**

AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 20, delete "Prosecu-"; and delete lines 21 and 22.

On page 2, in line 16, delete "Significant" and insert: "Serious".

**HOUSE AMENDMENT TO H.B. NO. 78**

AMENDMENT TO THE BILL

On page 1 of the printed bill, delete lines 24 through 42; and delete pages 2 through 23 and insert:

"SECTION 1. That Section 18-8002A, Idaho Code, be, and the same is hereby amended to read as follows:

18-8002A. TESTS OF DRIVER FOR ALCOHOL CONCENTRATION, PRESENCE OF DRUGS OR OTHER INTOXICATING SUBSTANCES – SUSPENSION UPON FAILURE OF TESTS. (1) Definitions. As used in this section:

(a) "Actual physical control" means being in the driver's position of a motor vehicle with the motor running or with the vehicle moving.

(b) "Administrative hearing" means a hearing conducted by a hearing officer to determine whether a suspension

imposed by the provisions of this section should be vacated or sustained.

(c) "Department" means the Idaho transportation department and, as the context requires, shall be construed to include any agent of the department designated by rule as hereinafter provided.

(d) "Director" means the director of the Idaho transportation department.

(e) "Evidentiary testing" means a procedure or test or series of procedures or tests utilized to determine the concentration of alcohol or the presence of drugs or other intoxicating substances in a person, including additional testing authorized by subsection (6) of this section. An evidentiary test for alcohol concentration shall be based on a formula of grams of alcohol per one hundred (100) cubic centimeters of blood, per two hundred ten (210) liters of breath, or per sixty-seven (67) milliliters of urine. Analysis of blood, breath or urine for the purpose of determining alcohol concentration shall be performed by a laboratory operated by the Idaho state police or by a laboratory approved by the Idaho state police under the provisions of approval and certification standards to be set by the Idaho state police, or by any other method approved by the Idaho state police. Notwithstanding any other provision of law or rule of court, the results of any test for alcohol concentration and records relating to calibration, approval, certification or quality control performed by a laboratory operated and approved by the Idaho state police or by any other method approved by the Idaho state police shall be admissible in any proceeding in this state without the necessity of producing a witness to establish the reliability of the testing procedure for examination.

(f) "Hearing officer" means a person designated by the department to conduct administrative hearings. The hearing officer shall have authority to administer oaths, examine witnesses and take testimony, receive relevant evidence, issue subpoenas, regulate the course and conduct of the hearing and make a final ruling on the issues before him.

(g) "Hearing request" means a request for an administrative hearing on the suspension imposed by the provisions of this section.

(2) Information to be given. At the time of evidentiary testing for concentration of alcohol or for the presence of drugs or other intoxicating substances is requested, the person shall be informed that if the person refuses to submit to or fails to complete evidentiary testing, or if the person submits to and completes evidentiary testing and the test results indicate an alcohol concentration or the presence of drugs or other intoxicating substances in violation of section 18-8004, 18-8004C or 18-8006, Idaho Code, the person shall be informed substantially as follows (but need not be informed verbatim):

If you refuse to submit to or if you fail to complete and pass evidentiary testing for alcohol or other intoxicating substances:

(a) The peace officer will issue a notice of suspension and you will be required to install, at your expense, a state-approved ignition interlock system on all motor vehicles you operate for a period to end one (1) year following the end of the suspension period;

(b) You have the right to request a hearing within seven (7) days of the notice of suspension of your driver's license to show cause why you refused to submit to or to complete and pass evidentiary testing and why your driver's license should not be suspended;

(c) If you refused or failed to complete evidentiary testing and do not request a hearing before the court or do not prevail at the hearing, your driver's license will

be suspended and you will be required to install, at your expense, a state-approved ignition interlock system on all motor vehicles you operate for a period to end one (1) year following the end of the suspension period. The suspension will be for one (1) year if this is your first refusal. The suspension will be for two (2) years if this is your second refusal within ten (10) years. You will not be able to obtain a temporary restricted license during that period;

(d) If you complete evidentiary testing and fail the testing and do not request a hearing before the department or do not prevail at the hearing, your driver's license will be suspended and you will be required to install, at your expense, a state-approved ignition interlock system on all motor vehicles you operate for a period to end one (1) year following the end of the suspension period. This suspension will be for ninety (90) days if this is your first failure of evidentiary testing, but you may request restricted noncommercial vehicle driving privileges after the first thirty (30) days. The suspension will be for one (1) year if this is your second failure of evidentiary testing within five (5) years. You will not be able to obtain a temporary restricted license during that period;

(e) However, if you are admitted to a problem solving court program and have served at least forty-five (45) days of an absolute suspension of driving privileges, you may be eligible for a restricted permit for the purpose of getting to and from work, school or an alcohol treatment program, but only if you install, at your expense, a state-approved ignition interlock system on all motor vehicles you operate; and

(f) After submitting to evidentiary testing, you may, when practicable, at your own expense, have additional tests made by a person of your own choosing.

(3) Rulemaking authority of the Idaho state police. The Idaho state police may, pursuant to chapter 52, title 67, Idaho Code, prescribe by rule:

(a) What testing is required to complete evidentiary testing under this section; and

(b) What calibration or checking of testing equipment must be performed to comply with the department's requirements. Any rules of the Idaho state police shall be in accordance with the following: a test for alcohol concentration in breath as defined in section 18-8004, Idaho Code, and subsection (1)(e) of this section will be valid for the purposes of this section if the breath alcohol testing instrument was approved for testing by the Idaho state police in accordance with section 18-8004, Idaho Code, at any time within ninety (90) days before the evidentiary testing. A test for alcohol concentration in blood or urine as defined in section 18-8004, Idaho Code, that is reported by the Idaho state police or by any laboratory approved by the Idaho state police to perform this test will be valid for the purposes of this section.

(4) Suspension and ignition interlock system.

(a) Upon receipt of the sworn statement of a peace officer that there existed legal cause to believe a person had been driving or was in actual physical control of a motor vehicle while under the influence of alcohol, drugs or other intoxicating substances and that the person submitted to a test and the test results indicated an alcohol concentration or the presence of drugs or other intoxicating substances in violation of section 18-8004, 18-8004C or 18-8006, Idaho Code, the department shall suspend the person's driver's license, driver's permit, driving privileges or nonresident driving privileges:

(i) For a period of ninety (90) days for a first failure of evidentiary testing under the provisions of this section. The first thirty (30) days of the

suspension shall be absolute and the person shall have absolutely no driving privileges of any kind. Restricted noncommercial vehicle driving privileges applicable during the remaining sixty (60) days of the suspension may be requested as provided in subsection (9) of this section.

(ii) For a period of one (1) year for a second and any subsequent failure of evidentiary testing under the provisions of this section within the immediately preceding five (5) years. No driving privileges of any kind shall be granted during the suspension imposed pursuant to this subsection subparagraph.

The department shall also direct the installation, at the offender's expense, of a state-approved ignition interlock system meeting the requirements of section 18-8008, Idaho Code, on all motor vehicles operated by the offender for a period to end one (1) year following the end of the suspension period.

The person may request an administrative hearing on the suspension as provided in subsection (7) of this section. Any right to contest the suspension shall be waived if a hearing is not requested as therein provided.

(b) The suspension shall become effective thirty (30) days after service upon the person of the notice of suspension and notice of the requirement to install, at his expense, a state-approved ignition interlock system for a period to end one (1) year following the end of the suspension period. The notice shall be in a form provided by the department and shall state:

(i) The reason and statutory grounds for the suspension and the requirement to install the ignition interlock system;

(ii) The effective date of the suspension and the requirement to install the ignition interlock system;

(iii) The suspension periods to which the person may be subject as provided in paragraph (a) of this subsection;

(iv) The procedures for obtaining restricted noncommercial vehicle driving privileges;

(v) The rights of the person to request an administrative hearing on the suspension and that, if an administrative hearing is not requested within seven (7) days of service of the notice of suspension and notice of the requirement to install the ignition interlock system, the right to contest the suspension shall be waived;

(vi) The procedures for obtaining an administrative hearing on the suspension;

(vii) The right to judicial review of the hearing officer's decision on the suspension and the procedures for seeking such review.

(c) Notwithstanding the provisions of paragraph(a)(i) and (ii) of this subsection, a person who is enrolled in and is a participant in good standing in a drug court or mental health court approved by the supreme court drug court and mental health court coordinating committee under the provisions of chapter 56, title 19, Idaho Code, or other similar problem solving court utilizing community-based sentencing alternatives shall be eligible for restricted noncommercial driving privileges for the purpose of getting to and from work, school or an alcohol treatment program, which may be granted by the presiding judge of the drug court or mental health court or other similar problem solving court, provided that the offender has served a period of absolute suspension of driving privileges of at least forty-five (45) days, that a state-approved ignition interlock system is installed, at his expense, on all motor vehicles operated by him for a period to end one (1) year following the end of the suspension

period and that the offender has shown proof of financial responsibility as defined and in the amounts specified in section 49-117, Idaho Code, provided that the restricted noncommercial driving privileges may be continued if the offender successfully completes the drug court, mental health court or other similar problem solving court, and that the court may revoke such privileges for failure to comply with the terms of probation or with the terms and conditions of the drug court, mental health court or other similar problem solving court program.

(5) Service of suspension and ignition interlock system by peace officer or the department. If the driver submits to evidentiary testing after the information in subsection (2) of this section has been provided and the results of the test indicate an alcohol concentration or the presence of drugs or other intoxicating substances in violation of the provisions of section 18-8004, 18-8004C or 18-8006, Idaho Code:

(a) The peace officer shall, acting on behalf of the department, serve the person with a notice of suspension and notice of the requirement to install, at his expense, a state-approved ignition interlock system for a period to end one (1) year following the end of the suspension period in the form and containing the information required under subsection (4) of this section. The department may serve the person with a notice of suspension and the requirement to install the ignition interlock system if the peace officer failed to do so or failed to include the date of service as provided in subsection (4)(b) of this section.

(b) Within five (5) business days following service of a notice of suspension and notice of the requirement to install the ignition interlock system, the peace officer shall forward to the department a copy of the completed notice of suspension and notice of the requirement to install the ignition interlock system form upon which the date of service upon the driver shall be clearly indicated, a certified copy or duplicate original of the results of all tests for alcohol concentration, as shown by analysis of breath administered at the direction of the peace officer, and a sworn statement of the officer, which may incorporate any arrest or incident reports relevant to the arrest and evidentiary testing setting forth:

(i) The identity of the person;

(ii) Stating the officer's legal cause to stop the person;

(iii) Stating the officer's legal cause to believe that the person had been driving or was in actual physical control of a motor vehicle while under the influence of alcohol, drugs or other intoxicating substances in violation of the provisions of section 18-8004, 18-8004C or 18-8006, Idaho Code;

(iv) That the person was advised of the consequences of taking and failing the evidentiary test as provided in subsection (2) of this section;

(v) That the person was lawfully arrested;

(vi) That the person was tested for alcohol concentration, drugs or other intoxicating substances as provided in this chapter, and that the results of the test indicated an alcohol concentration or the presence of drugs or other intoxicating substances in violation of the provisions of section 18-8004, 18-8004C or 18-8006, Idaho Code.

If an evidentiary test of blood or urine was administered rather than a breath test, the peace officer or the department shall serve the notice of suspension once the results are received. The sworn statement required in this subsection shall be made on forms in accordance with rules adopted by the department.

(c) The department may serve the person with a notice of suspension if the peace officer failed to issue the notice of suspension or failed to include the date of service as provided in subsection (4)(b) of this section.

(6) Additional tests. After submitting to evidentiary testing at the request of the peace officer, the person may, when practicable, at his own expense, have additional tests for alcohol concentration or for the presence of drugs or other intoxicating substances made by a person of his own choosing. The person's failure or inability to obtain additional tests shall not preclude admission of the results of evidentiary tests administered at the direction of the peace officer unless additional testing was denied by the peace officer.

(7) Administrative hearing on suspension. A person who has been served with a notice of suspension and notice of the requirement to install the ignition interlock system after submitting to an evidentiary test may request an administrative hearing on the suspension before a hearing officer designated by the department. The hearing may be held only on the suspension and not on the requirement to install an ignition interlock system. The request for hearing shall be in writing and must be received by the department within seven (7) calendar days of the date of service upon the person of the notice of suspension and notice of the requirement to install the ignition interlock system and shall include what issue or issues shall be raised at the hearing. The date on which the hearing request was received shall be noted on the face of the request.

If a hearing is requested, the hearing shall be held within twenty (20) days of the date the hearing request was received by the department unless this period is, for good cause shown, extended by the hearing officer for a ten (10) day period. Such extension shall not operate as a stay of the suspension, notwithstanding an extension of the hearing date beyond such thirty (30) day period. Written notice of the date and time of the hearing shall be sent to the party requesting the hearing at least seven (7) days prior to the scheduled hearing date. The department may conduct all hearings by telephone if each participant in the hearing has an opportunity to participate in the entire proceeding while it is taking place.

The hearing shall be recorded. The sworn statement of the arresting officer, and the copy of the notice of suspension and the notice of the requirement to install the ignition interlock system issued by the officer shall be admissible at the hearing without further evidentiary foundation. The results of any tests for alcohol concentration or the presence of drugs or other intoxicating substances by analysis of blood, urine or breath administered at the direction of the peace officer and the records relating to calibration, certification, approval or quality control pertaining to equipment utilized to perform the tests shall be admissible as provided in section 18-8004(4), Idaho Code. The arresting officer shall not be required to participate unless directed to do so by a subpoena issued by the hearing officer.

The burden of proof shall be on the person requesting the hearing. The hearing officer shall not vacate the suspension unless he finds, by a preponderance of the evidence, that:

- (a) The peace officer did not have legal cause to stop the person; or
- (b) The officer did not have legal cause to believe the person had been driving or was in actual physical control of a vehicle while under the influence of alcohol, drugs or other intoxicating substances in violation of the provisions of section 18-8004, 18-8004C or 18-8006, Idaho Code; or
- (c) The test results did not show an alcohol concentration or the presence of drugs or other intoxicating substances in violation of section 18-8004, 18-8004C or 18-8006, Idaho Code; or

(d) The tests for alcohol concentration, drugs or other intoxicating substances administered at the direction of the peace officer were not conducted in accordance with the requirements of section 18-8004(4), Idaho Code, or the testing equipment was not functioning properly when the test was administered; or

(e) The person was not informed of the consequences of submitting to evidentiary testing as required in subsection (2) of this section.

If the hearing officer finds that the person has not met his burden of proof, he shall sustain the suspension. The hearing officer shall make findings of fact and conclusions of law and shall enter an order vacating or sustaining the suspension. The findings of fact, conclusions of law and order entered by the hearing officer shall be considered a final order pursuant to the provisions of chapter 52, title 67, Idaho Code, except that motions for reconsideration of such order shall be allowed and new evidence can be submitted.

The facts as found by the hearing officer shall be independent of the determination of the same or similar facts in the adjudication of any criminal charges arising out of the same occurrence. The disposition of those criminal charges shall not affect the suspension and the requirement to install the ignition interlock system required to be imposed under the provisions of this section. If a license is suspended under this section and the person is also convicted on criminal charges arising out of the same occurrence for a violation of the provisions of section 18-8004, 18-8004C or 18-8006, Idaho Code, both the suspension under this section and the suspension imposed pursuant to the provisions of section 18-8005 or 18-8006, Idaho Code, shall be imposed, but the periods of suspension shall run concurrently, with the total period of suspension not to exceed the longer of the applicable suspension periods, unless the court ordering the suspension in the criminal case orders to the contrary. If a license is suspended pursuant to this section and the criminal charges arising out of the same occurrence for a violation of the provisions of section 18-8004, 18-8004C, or 18-8006, Idaho Code, are vacated or dismissed, then both the suspension pursuant to this section and the suspension imposed pursuant to the provisions of section 18-8005 or 18-8006, Idaho Code, shall also be vacated. The defendant's driving privileges shall be restored on the effective date the criminal charges are vacated or dismissed.

(8) Judicial review. A party aggrieved by the decision of the hearing officer may seek judicial review of the decision in the manner provided for judicial review of final agency action provided in chapter 52, title 67, Idaho Code. Upon motion of the person required to install an ignition interlock device pursuant to subsection (4)(a) of this section, a court in its discretion may relieve the person from the installation of the device where the court finds it clear and convincing that the person will not present a danger to the public or that there are exceptional or mitigating circumstances demonstrating that installation of the device is unnecessary or unwarranted. Financial hardship, standing alone, is not an exceptional or mitigating circumstance. A court may determine that an offender is eligible to utilize available funds from the court interlock device and electronic monitoring device fund, as outlined in section 18-8010, Idaho Code, for the installation and operation of an ignition interlock device, based on evidence of financial hardship.

(9) Restricted noncommercial vehicle driving privileges. A person served with a notice of suspension for ninety (90) days pursuant to this section may apply to the department for restricted noncommercial vehicle driving privileges, to become effective after the thirty (30) day absolute suspension has been completed. The request may be made at any time after service



of the notice of suspension. Restricted noncommercial vehicle driving privileges will be issued for the person to travel to and from work and for work purposes not involving operation of a commercial vehicle, to attend an alternative high school, work on a GED, for postsecondary education, or to meet the medical needs of the person or his family if the person is eligible for restricted noncommercial vehicle driving privileges. Any person whose driving privileges are suspended under the provisions of this chapter may be granted privileges to drive a noncommercial vehicle but shall not be granted privileges to operate a commercial motor vehicle.

(10) As used in this section, "at his expense," "at your expense" and "at the offender's expense" include the cost of obtaining, installing, using and maintaining an ignition interlock system.

(11) Rules. The department may adopt rules under the provisions of chapter 52, title 67, Idaho Code, deemed necessary to implement the provisions of this section.

SECTION 2. That Section 18-8005, Idaho Code, be, and the same is hereby amended to read as follows:

18-8005. PENALTIES. (1) Any person who pleads guilty to or is found guilty of a violation of the provisions of section 18-8004(1)(a), Idaho Code, for the first time is guilty of a misdemeanor; and, except as provided in section 18-8004C, Idaho Code:

- (a) May be sentenced to jail for a term not to exceed six (6) months;
- (b) May be fined an amount not to exceed one thousand dollars (\$1,000);
- (c) Shall be advised by the court in writing at the time of sentencing of the penalties that will be imposed for subsequent violations of the provisions of section 18-8004, Idaho Code, which advice shall be signed by the defendant, and a copy retained by the court and another copy retained by the prosecuting attorney;
- (d) Shall have his driving privileges suspended by the court for a period of thirty (30) days, which shall not be reduced and during which thirty (30) day period absolutely no driving privileges of any kind may be granted. After the thirty (30) day period of absolute suspension of driving privileges has passed, the defendant shall have driving privileges suspended by the court for an additional period of at least sixty (60) days, not to exceed one hundred fifty (150) days, during which the defendant may request restricted driving privileges that the court may allow, if the defendant shows by a preponderance of the evidence that driving privileges are necessary for his employment or for family health needs; and
- (e) Unless an exception is granted pursuant to section 18-8002(12), Idaho Code, shall within ten (10) days following the end of the mandatory suspension period have a state-approved ignition interlock system meeting the requirements of section 18-8008, Idaho Code, installed, at his expense, on all motor vehicles operated by him for a period to end one (1) year following the end of the suspension period. A court may determine that an offender is eligible to utilize available funds from the court interlock device and electronic monitoring device fund, as outlined in section 18-8010, Idaho Code, for the installation and operation of an ignition interlock device, based on evidence of financial hardship.

(2) Any person who pleads guilty to or is found guilty of a violation of the provisions of section 18-8004(1)(b), Idaho Code, for the first time is guilty of a misdemeanor and subject to:

- (a) The provisions of subsection (1)(a), (b), (c) and (e) of this section; and
- (b) The provisions of section 49-335, Idaho Code.
- (3) Any person who pleads guilty to or is found guilty of a violation of the provisions of section 18-8004(1)(c), Idaho Code, for the first time is guilty of a misdemeanor and is subject to:
  - (a) The provisions of subsection (1)(a), (b), (c) and (e) of this section; and
  - (b) The provisions of section 49-335, Idaho Code.
- (4) Any person who pleads guilty to or is found guilty of a violation of the provisions of section 18-8004(1)(a), (b) or (c), Idaho Code, who previously has been found guilty of or has pled guilty to a violation of the provisions of section 18-8004(1)(a), (b) or (c), Idaho Code, or any substantially conforming foreign criminal violation within ten (10) years, notwithstanding the form of the judgment(s) or withheld judgment(s), and except as provided in section 18-8004C, Idaho Code, is guilty of a misdemeanor; and, except as provided in section 18-8004C, Idaho Code:
  - (a) Shall be sentenced to jail for a mandatory minimum period of not less than ten (10) days, the first forty-eight (48) hours of which must be consecutive, and five (5) days of which must be served in jail, as required by 23 U.S.C. 164, and may be sentenced to not more than one (1) year, provided however, that in the discretion of the sentencing judge, the judge may authorize the defendant to be assigned to a work detail program within the custody of the county sheriff during the period of incarceration;
  - (b) May be fined an amount not to exceed two thousand dollars (\$2,000);
  - (c) Shall be advised by the court in writing at the time of sentencing of the penalties that will be imposed for subsequent violations of the provisions of section 18-8004, Idaho Code, which advice shall be signed by the defendant, and a copy retained by the court and another copy retained by the prosecuting attorney;
  - (d) Shall surrender his driver's license or permit to the court;
  - (e) Shall have his driving privileges suspended by the court for an additional mandatory minimum period of one (1) year after release from confinement, during which one (1) year period absolutely no driving privileges of any kind may be granted; and
  - (f) Shall, while operating a motor vehicle, be required to drive only a motor vehicle equipped with a functioning ignition interlock system, as provided in section 18-8008, Idaho Code, following the one (1) year mandatory license suspension period.
- (5) If the person has pled guilty or was found guilty for the second time within ten (10) years of a violation of the provisions of section 18-8004(1)(b) or (c), Idaho Code, then the provisions of section 49-335, Idaho Code, shall apply.
- (6) Except as provided in section 18-8004C, Idaho Code, any person who pleads guilty to or is found guilty of a violation of the provisions of section 18-8004(1)(a), (b) or (c), Idaho Code, who previously has been found guilty of or has pled guilty to two (2) or more violations of the provisions of section 18-8004(1)(a), (b) or (c), Idaho Code, or any substantially conforming foreign criminal violation, or any combination thereof, or who has completed a diversion program for driving under the influence, whether or not the person has pled guilty or been found guilty, or any substantially conforming foreign program, and has pled guilty or been found guilty of one (1) or more violations of the provisions of section 18-8004(1)(a), (b), or (c), Idaho Code, or any substantially conforming foreign criminal violation within

ten (10) years, notwithstanding the form of the judgment(s) or withheld judgment(s), shall be guilty of a felony and:

(a) Shall be sentenced to the custody of the state board of correction for not to exceed ten (10) years; provided that notwithstanding the provisions of section 19-2601, Idaho Code, should the court impose any sentence other than incarceration in the state penitentiary, the defendant shall be sentenced to the county jail for a mandatory minimum period of not less than thirty (30) days, the first forty-eight (48) hours of which must be consecutive, and ten (10) days of which must be served in jail, as required by 23 U.S.C. 164; and further provided that notwithstanding the provisions of section 18-111, Idaho Code, a conviction under this section shall be deemed a felony;

(b) May be fined an amount not to exceed five thousand dollars (\$5,000);

(c) Shall surrender his driver's license or permit to the court;

(d) Shall have his driving privileges suspended by the court for a mandatory minimum period of one (1) year after release from imprisonment, during which time he shall have absolutely no driving privileges of any kind, and may have his driving privileges suspended by the court for an additional period not to exceed four (4) years, during which the defendant may request restricted driving privileges that the court may allow if the defendant shows by a preponderance of the evidence that driving privileges are necessary for his employment or for family health needs; and

(e) Shall, while operating a motor vehicle, be required to drive only a motor vehicle equipped with a functioning ignition interlock system, as provided in section 18-8008, Idaho Code, following the mandatory one (1) year license suspension period.

(7) Notwithstanding the provisions of subsections (4)(e) and (6)(d) of this section, any person who is enrolled in and is a participant in good standing in a drug court or mental health court approved by the supreme court drug court and mental health court coordinating committee under the provisions of chapter 56, title 19, Idaho Code, or other similar problem solving court utilizing community-based sentencing alternatives shall be eligible for restricted noncommercial driving privileges for the purpose of getting to and from work, school or an alcohol treatment program, which may be granted by the presiding judge of the drug court or mental health court or other similar problem solving court, provided that the offender has served a period of absolute suspension of driving privileges of at least forty-five (45) days, that a state-approved ignition interlock system is installed, at his expense, on any motor vehicles operated by the offender for a period to end one (1) year following the end of the suspension period and that the offender has shown proof of financial responsibility as defined and in the amounts specified in section 49-117, Idaho Code, provided that the restricted noncommercial driving privileges may be continued if the offender successfully completes the drug court, mental health court or other similar problem solving court, and that the court may revoke such privileges for failure to comply with the terms of probation or with the terms and conditions of the drug court, mental health court or other similar problem solving court program.

(8) For the purpose of computation of the enhancement period in subsections (4), (6) and (9) of this section, the time that elapses between the date of commission of the offense and the date the defendant pleads guilty or is found guilty for the pending offense shall be excluded. If the determination of guilt against the defendant is reversed upon appeal, the time that

elapsed between the date of the commission of the offense and the date the defendant pleads guilty or is found guilty following the appeal shall also be excluded.

(9) Notwithstanding the provisions of subsections (4) and (6) of this section, any person who has pled guilty to or has been found guilty of a felony violation of the provisions of section 18-8004, Idaho Code, a felony violation of the provisions of section 18-8004C, Idaho Code, a violation of the provisions of section 18-8006, Idaho Code, a violation of the provisions of section 18-4006 3.(b), Idaho Code, notwithstanding the form of the judgment(s) or withheld judgment(s) or any substantially conforming foreign criminal felony violation, notwithstanding the form of the judgment(s) or withheld judgment(s), and within fifteen (15) years pleads guilty to or is found guilty of a further violation of the provisions of section 18-8004, Idaho Code, shall be guilty of a felony and shall be sentenced pursuant to subsection (6) of this section.

(10) For the purpose of subsections (4), (6) and (9) of this section and the provisions of section 18-8004C, Idaho Code, a substantially conforming foreign criminal violation exists when a person has pled guilty to or has been found guilty of a violation of any federal law or law of another state, or any valid county, city, or town ordinance of another state substantially conforming to the provisions of section 18-8004, Idaho Code. The determination of whether a foreign criminal violation is substantially conforming is a question of law to be determined by the court.

(11) Any person who pleads guilty to or is found guilty of a violation of the provisions of section 18-8004, 18-8004C or 18-8006, Idaho Code, shall undergo, at his own expense (or at county expense through the procedures set forth in chapters 34 and 35, title 31, Idaho Code) and prior to the sentencing date, an alcohol evaluation by an alcohol evaluation facility approved by the Idaho department of health and welfare; provided however, if the defendant has no prior or pending charges with respect to the provisions of section 18-8004, 18-8004C or 18-8006, Idaho Code, and the court has the records and information required under subsection (12)(a), (b) and (c) of this section or possesses information from other reliable sources relating to the defendant's use or nonuse of alcohol or drugs which does not give the court any reason to believe that the defendant regularly abuses alcohol or drugs and is in need of treatment, the court may, in its discretion, waive the evaluation with respect to sentencing for a violation of section 18-8004 or 18-8004C(1), Idaho Code, and proceed to sentence the defendant. The court may also, in its discretion, waive the requirement of an alcohol evaluation with respect to a defendant's first violation of the provisions of section 18-8004, 18-8004C or 18-8006, Idaho Code, and proceed to sentence the defendant if the court has a presentence investigation report, substance abuse assessment, criminogenic risk assessment, or other assessment which evaluates the defendant's degree of alcohol abuse and need for alcohol treatment conducted within twelve (12) months preceding the date of the defendant's sentencing. In the event an alcohol evaluation indicates the need for alcohol treatment, the evaluation shall contain a recommendation by the evaluator as to the most appropriate treatment program, together with the estimated cost thereof, and recommendations for other suitable alternative treatment programs, together with the estimated costs thereof. The person shall request that a copy of the completed evaluation be forwarded to the court. The court shall take the evaluation into consideration in determining an appropriate sentence. If a copy of the completed evaluation has not been provided to the court, the court may proceed to sentence the defendant; however, in such event, it shall be presumed that alcohol treatment is required unless the defendant makes a showing by a preponderance of evidence that treatment is not

required. If the defendant has not made a good faith effort to provide the completed copy of the evaluation to the court, the court may consider the failure of the defendant to provide the report as an aggravating circumstance in determining an appropriate sentence. If treatment is ordered, in no event shall the person or facility doing the evaluation be the person or facility that provides the treatment unless this requirement is waived by the sentencing court, with the exception of federally recognized Indian tribes or federal military installations, where diagnosis and treatment are appropriate and available. Nothing herein contained shall preclude the use of funds authorized pursuant to the provisions of chapter 3, title 39, Idaho Code, for court-ordered alcohol treatment for indigent defendants.

(12) At the time of sentencing, the court shall be provided with the following information:

- (a) The results, if administered, of any evidentiary test for alcohol and/or drugs;
- (b) A computer or teletype or other acceptable copy of the person's driving record;
- (c) Information as to whether the defendant has pled guilty to or been found guilty of a violation of the provisions of section 18-8004, 18-8004C or 18-8006, Idaho Code, or a similar offense within the past five (5) years, notwithstanding the form of the judgment(s) or withheld judgment(s); and
- (d) The alcohol evaluation required in subsection (11) of this section, if any.

(13) A minor may be prosecuted for a violation of the provisions of section 18-8004 or 18-8004C, Idaho Code, under chapter 5, title 20, Idaho Code. In addition to any other penalty, if a minor pleads guilty to or is found guilty of a violation of the provisions of section 18-8004(1)(a), (b) or (c) or 18-8004C, Idaho Code, he shall have his driving privileges suspended or denied for an additional one (1) year following the end of any period of suspension or revocation existing at the time of the violation, or until he reaches the age of twenty-one (21) years, whichever period is greater. During the period of additional suspension or denial, absolutely no driving privileges shall be allowed.

(14) In the event that the alcohol evaluation required in subsection (11) of this section recommends alcohol treatment, the court shall order the person to complete a treatment program in addition to any other sentence which may be imposed, unless the court determines that alcohol treatment would be inappropriate or undesirable, in which event the court shall enter findings articulating the reasons for such determination on the record. The court shall order the defendant to complete the preferred treatment program set forth in the evaluation, or a comparable alternative, unless it appears that the defendant cannot reasonably obtain adequate financial resources for such treatment. In that event, the court may order the defendant to complete a less costly alternative set forth in the evaluation, or a comparable program. Such treatment shall, to the greatest extent possible, be at the expense of the defendant. In the event that funding is provided for or on behalf of the defendant by an entity of state government, restitution shall be ordered to such governmental entity in accordance with the restitution procedure for crime victims, as specified under chapter 53, title 19, Idaho Code. Nothing contained herein shall be construed as requiring a court to order that a governmental entity shall provide alcohol treatment at government expense unless otherwise required by law.

(15) Any person who is disqualified, or whose driving privileges have been suspended, revoked or canceled under the provisions of this chapter, shall not be granted restricted driving privileges to operate a commercial motor vehicle.

(16) As used in this section, "at his expense" includes the cost of obtaining, installing, using and maintaining an ignition interlock system.

SECTION 3. That Section 18-8008, Idaho Code, be, and the same is hereby amended to read as follows:

#### 18-8008. IGNITION INTERLOCK SYSTEMS.

(1)(a) If a person is convicted, is found guilty, pleads guilty or receives a withheld judgment for violating any of the provisions of this chapter relating to driving under the influence and has had any or all of a sentence or fine suspended for the violation, the court shall, unless an exception is granted pursuant to section 18-8002(12), Idaho Code, impose the sanction provided for in this section in addition to any other penalty or fine imposed pursuant to this chapter.

(b) The court shall order the person to have a state-approved ignition interlock system installed, at his expense, on all motor vehicles operated by him. A court may determine that an offender is eligible to utilize available funds from the court interlock device and electronic monitoring device fund, as outlined in section 18-8010, Idaho Code, for the installation and operation of an ignition interlock device, based on evidence of financial hardship.

(2) The calibration setting at which the ignition interlock system will prevent the motor vehicle from being started shall be .025.

(3) As used in this chapter, the term "ignition interlock system" means breath alcohol ignition interlock device, including a camera, certified by the transportation department, designed to prevent a motor vehicle from being operated by a person who has consumed an alcoholic beverage.

(4) The transportation department shall by rule provide standards for the certification, installation, repair and removal of the devices.

(5) The court shall notify the transportation department of its order imposing a sanction pursuant to this section. The department shall attach or imprint a notation on the driver's license or other document granting the person restricted driving privileges of any person restricted under this section that the person may operate only a motor vehicle equipped with an ignition interlock system.

(6) When a court orders a person to install and use an ignition interlock system pursuant to this section, the court shall order the person to pay the cost for obtaining, installing, utilizing and maintaining the ignition interlock system. All fees collected pursuant to this section shall be in addition to any other fines or penalty provided by law and shall be deposited in the court interlock device and electronic monitoring device fund created in section 18-8010, Idaho Code.

SECTION 4. That Section 18-8010, Idaho Code, be, and the same is hereby amended to read as follows:

18-8010. SURCHARGE ADDED TO ALL FINES. Every person who is convicted, found guilty, pleads guilty or receives a withheld judgment for violating the provisions of this chapter shall be required to pay an additional fifteen dollars (\$15.00) in addition to any other fine, penalty or costs the court may assess. Moneys received pursuant to this section shall be remitted to the county treasurer in the county where the person was adjudicated for deposit in the "court interlock device and electronic monitoring device fund," which is hereby created in each county. Moneys in this fund may be utilized for the purchase

of ignition interlock devices and electronic monitoring devices required pursuant to sections 18-8002, 18-8002A, 18-8005, 18-8008 and 18-8008A, Idaho Code. Additionally, any moneys a court charges a defendant for using an ignition interlock device or electronic monitoring devices shall be placed in this fund. The court or a prosecuting attorney who establishes a diversion program pursuant to section 19-3509, Idaho Code, may also utilize moneys in this fund to pay for drug testing for an indigent diversion participant or to assist an indigent defendant or indigent diversion participant to procure an ignition interlock device or electronic monitoring devices. The court may also utilize moneys in this fund for alcohol or drug abuse-related probation, treatment or prevention programs for adults or juveniles.

SECTION 5. That Section 19-403, Idaho Code, be, and the same is hereby amended to read as follows:

19-403. MISDEMEANORS. (1) Except as otherwise provided in subsections (2) and (3) of this section, a prosecution for any misdemeanor must be commenced by the filing of the complaint or the finding of an indictment within one (1) year after its commission.

(2) A prosecution for failure to report or failure to cause to be reported the abuse, abandonment, or neglect of a child as provided for in section 16-1605, Idaho Code, must be commenced by the filing of the complaint or the finding of an indictment within four (4) years after its commission.

(3) A prosecution for misuse of funds as provided for in section 18-5702(1), Idaho Code, must be commenced by the filing of the complaint or the finding of an indictment within five (5) years after its commission.

(4) A prosecution for a misdemeanor that was dismissed pursuant to section 19-3509, Idaho Code, must be refiled no later than two (2) years after its dismissal.

SECTION 6. That Section 19-3506, Idaho Code, be, and the same is hereby amended to read as follows:

19-3506. EFFECT OF DISMISSAL AS BAR – DISMISSAL FOR DIVERSION PARTICIPANT. (1) An order for the dismissal of the action, as provided in this chapter, is a bar to any other prosecution for the same offense, if it is a misdemeanor, except as provided in subsection (2) of this section; but it is not a bar if the offense is a felony.

(2) A prosecuting attorney may move for dismissal of a misdemeanor action, and the court may order such dismissal, if the defendant agrees to participate in a diversion program pursuant to section 19-3509, Idaho Code. The action may be refiled for failure to complete the diversion program, and speedy trial shall be calculated from the date of refiled.

SECTION 7. That Chapter 35, Title 19, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 19-3507, Idaho Code, and to read as follows:

19-3507. DIVERSION PROGRAMS – LEGISLATIVE INTENT. (1) For purposes of this section and sections 19-3508 and 19-3509, Idaho Code, "diversion program" means the use of local community resources, churches, substance abuse counseling, informal probation, community service work, voluntary restitution, or other available services or programs as an alternative to adjudication of a criminal case in court.

(2) It is the intent of the legislature and the policy of the state of Idaho that a diversion program should:

(a) Provide an opportunity to incorporate statistics and empirical research into decision-making in the criminal justice system in a way that saves taxpayer dollars while also reducing recidivism and enhancing public safety;

(b) Provide individuals with the opportunity to rectify criminal conduct through early rehabilitative services or supervision, when such services or supervision can reasonably be expected to deter future criminal behavior by such individuals;

(c) Provide an alternative to the imposition of criminal sanctions when such an alternative can be expected to serve as sufficient sanction to deter criminal conduct; and

(d) Provide assistance to criminal court calendars in order to focus expenditure of criminal justice resources on matters involving serious criminality and severe correctional problems.

SECTION 8. That Chapter 35, Title 19, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 19-3508, Idaho Code, and to read as follows:

19-3508. ELIGIBILITY FOR DIVERSION PROGRAM. A person is eligible to participate in a diversion program if:

(1) The person has been charged with driving under the influence pursuant to section 18-8004 or 18-8004A, Idaho Code;

(2) No other person is alleged to have been physically injured as a result of the conduct underlying such charge; and

(3) The person charged has not been convicted of driving under the influence or a substantially conforming foreign criminal violation within the past ten (10) years and has not previously participated in a diversion program pursuant to section 19-3509, Idaho Code.

SECTION 9. That Chapter 35, Title 19, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 19-3509, Idaho Code, and to read as follows:

19-3509. DIVERSION PROGRAM REQUIREMENTS. (1) A prosecuting attorney may, at the prosecuting attorney's discretion, establish a diversion program and may refer a defendant eligible to participate in a diversion program pursuant to section 19-3508, Idaho Code, to such program within thirty (30) calendar days of a citation being issued or charges being filed against the defendant. Before entering an agreement to participate in the diversion program, a defendant may obtain advice from a defense attorney on the requirements and consequences of participating in the diversion program and must undergo a drug or alcohol evaluation, or both, if requested by the prosecuting attorney. The terms and conditions of the diversion program shall be set forth in a written agreement signed by the prosecuting attorney and the defendant as well as the defendant's attorney, if the defendant is represented by an attorney. If the defendant agrees to participate in the diversion program, then the prosecuting attorney shall move for dismissal of the action against the defendant pursuant to section 19-3506, Idaho Code.

(a) A diversion program may be administered by the prosecuting attorney or by the prosecuting attorney's designee. The diversion agreement shall specify the person administering the program and shall set out the requirements for successful completion of the program and the duration of the diversion agreement. The duration of the period a

person is required to participate in a diversion program under this section shall be no shorter than twelve (12) months. A person participating in a diversion program for an alcohol-related charge shall be required to install and maintain, at the participant's expense, an ignition interlock system in each vehicle such person operates for the duration of the program, as further provided in subsection (5) of this section. A person participating in a diversion program for a charge unrelated to alcohol shall be required to undergo drug testing at the person's expense for at least twelve (12) months. If the person is indigent, the prosecuting attorney may order the use of moneys from the court interlock device and electronic monitoring device fund created by section 18-8010, Idaho Code, to assist the person in procuring an ignition interlock device or to pay for drug testing. The participant in a diversion program must also complete at least thirty-two (32) hours of sheriff inmate labor detail or approved community service and at least twenty-four (24) hours of drug and alcohol counseling, therapy, or education from an approved provider.

(b) At the end of the diversion period, the prosecuting attorney shall determine whether the participant complied with the requirements of the diversion agreement. If the prosecuting attorney finds that the participant failed to comply with the requirements of the diversion agreement, then the prosecuting attorney may refile the case pursuant to section 19-3506, Idaho Code.

(2) If a person participates in a diversion program pursuant to this section, then any statement made by the person in diversion activities or proceedings is inadmissible as substantive evidence of guilt during an adjudicative proceeding in the refiled case.

(3) The requirements for successful completion of a diversion program may include, but are not limited to:

- (a) Informal supervision with the probation department;
- (b) Community service work;
- (c) Inmate labor detail work;
- (d) A community-based diversion program;
- (e) Restitution to a victim;
- (f) Alcohol monitoring and testing;
- (g) Individual therapy and counseling;
- (h) Group therapy and counseling; and
- (i) Drug monitoring and testing.

(4) The administrator of a diversion program may require payment of restitution and fees to cover the costs of the diversion program. Any moneys collected shall be reasonably related to program costs. The administrator shall assess a diversion fee of one hundred fifty-seven dollars and fifty cents (\$157.50) to each diversion participant. If the participant is indigent, the diversion fee may be waived. The diversion fee shall be paid to the clerk of the district court and distributed as follows:

- (a) Seventeen dollars and fifty cents (\$17.50) to be distributed as provided in section 31-3201A(2), Idaho Code;
- (b) Ten dollars (\$10.00) to be distributed as provided in section 31-3201(3), Idaho Code;
- (c) Ten dollars (\$10.00) to be distributed as provided in section 31-3201(5), Idaho Code;
- (d) Fifteen dollars (\$15.00) to be distributed as provided in section 31-3201B, Idaho Code;
- (e) Fifty dollars (\$50.00) to be distributed as provided in section 31-3201H, Idaho Code;
- (f) Fifteen dollars (\$15.00) to be distributed as provided in section 31-3204, Idaho Code;
- (g) Thirty-seven dollars (\$37.00) to be distributed as provided in section 72-1025, Idaho Code; and
- (h) Three dollars (\$3.00) to be distributed as provided in section 72-1105, Idaho Code.

(5) If a person is participating in a diversion program due to a charge involving alcohol, then the participant must have an ignition interlock system as defined in section 18-8008, Idaho Code, installed in each vehicle operated by the participant and must pay an ignition interlock fee of fifteen dollars (\$15.00) to be deposited in the court interlock device and electronic monitoring device fund created by section 18-8010, Idaho Code. The ignition interlock system shall be removed once the participant successfully completes diversion, provided that such removal shall not occur, and the program shall not be considered successfully completed, until the administrator of the diversion program receives a declaration from the participant's ignition interlock vendor, on a form provided or approved by the administrator, certifying that none of the following incidents occurred while the system was installed in the vehicle:

- (a) An attempt to start the vehicle with an alcohol concentration of 0.04 or more;
- (b) Failure to take any random test;
- (c) Failure to pass any random retest with an alcohol concentration of 0.025 or lower; or
- (d) Failure of the participant to appear at the ignition interlock system vendor's place of business when required for maintenance, repair, calibration, monitoring, inspection, or replacement of the system.

(6) If criminal charges against the participant are refiled pursuant to section 19-3506, Idaho Code, then an ignition interlock system installed pursuant to this section shall be removed.

SECTION 10. That Section 20-617, Idaho Code, be, and the same is hereby amended to read as follows:

20-617. LABOR OF PRISONERS ON PUBLIC WORKS. Persons confined in the county jail under a judgment of conviction, suspended sentence or withheld judgment rendered in any criminal case, either under a judgment of imprisonment or a judgment for the payment of a fine and costs, or persons participating in a diversion program pursuant to section 19-3509, Idaho Code, may be required to perform labor on federal, state or other governmental projects or community service projects."

#### CORRECTION TO TITLE

On page 1, in line 2, delete "18-8002" insert: "18-8002A"; and delete lines 3 through 22, and insert: "PROVIDE THAT SUSPENSION OF DRIVING PRIVILEGES SHALL BE VACATED UNDER CERTAIN CIRCUMSTANCES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 18-8005, IDAHO CODE, TO REVISE PROVISIONS REGARDING PENALTIES; AMENDING SECTION 18-8008, IDAHO CODE, TO REVISE THE DEFINITION OF "IGNITION INTERLOCK SYSTEM" AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 18-8010, IDAHO CODE, TO PROVIDE THAT A PROSECUTING ATTORNEY WHO ESTABLISHES A DIVERSION PROGRAM MAY USE CERTAIN MONEYS; AMENDING SECTION 19-403, IDAHO CODE, TO PROVIDE THAT CERTAIN MISDEMEANOR CASES SHALL BE REFILED NO LATER THAN TWO YEARS AFTER DISMISSAL AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 19-3506, IDAHO CODE, TO PROVIDE THAT DISMISSED MISDEMEANOR CASES MAY BE REFILED UNDER CERTAIN CIRCUMSTANCES; AMENDING CHAPTER 35, TITLE 19, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 19-3507, IDAHO CODE, TO DEFINE A TERM AND TO PROVIDE LEGISLATIVE INTENT; AMENDING CHAPTER 35,

TITLE 19, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 19-3508, IDAHO CODE, TO PROVIDE ELIGIBILITY REQUIREMENTS FOR A DIVERSION PROGRAM; AMENDING CHAPTER 35, TITLE 19, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 19-3509, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING DIVERSION PROGRAMS; AND AMENDING SECTION 20-617, IDAHO CODE, TO PROVIDE THAT PERSONS PARTICIPATING IN DIVERSION PROGRAMS MAY BE REQUIRED TO PERFORM CERTAIN LABOR."

#### HOUSE AMENDMENT TO H.B. NO. 118

##### AMENDMENT TO SECTION 1

On page 1 of the printed bill, delete lines 7 through 41, and insert:

"SECTION 1. That Chapter 19, Title 19, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 19-1910, Idaho Code, and to read as follows:

19-1910. PRETRIAL RISK ASSESSMENT TOOLS. (1) All pretrial risk assessment tools shall be transparent, and:

(a) All documents, data, records, and information used to build or validate the risk assessment and ongoing documents, data, records, information, and policies surrounding the usage of the risk assessment shall be open to public inspection, auditing, and testing;

(b) A party to a criminal case wherein a court has considered, or an expert witness has relied upon, a pretrial risk assessment tool shall be entitled to review all calculations and data used to calculate his own risk score; and

(c) No builder or user of a pretrial risk assessment tool may assert trade secret or other protections in order to quash discovery in a criminal or civil case.

(2) For purposes of this section, "pretrial risk assessment tool" means a process that creates or scores particular factors in order to estimate a person's level of risk to fail to appear in court, risk to commit a new crime, or risk posed to the community in order to then classify a person into a particular category of risk or to make recommendations as to bail and conditions of release based on such risk, whether made on an individualized basis or based on a grid or schedule."

##### CORRECTION TO TITLE

On page 1, delete lines 3 through 5, and insert: "BY THE ADDITION OF A NEW SECTION 19-1910, IDAHO CODE, TO PROVIDE CERTAIN REQUIREMENTS FOR PRETRIAL RISK ASSESSMENT TOOLS AND TO DEFINE A TERM."

#### HOUSE AMENDMENT TO H.B. NO. 158

##### AMENDMENT TO SECTION 1

On page 2 of the printed bill, in line 6, delete "limits or"; in line 8, following "association" insert: "provided however, that a homeowner's association may determine the specific location where solar panels or solar collectors may be installed on the roof as long as installation is permitted within an orientation to the south or within forty-five (45) degrees east or west of due south"; in line 9, delete "regarding the placement"; delete lines 10 and 11; and in line 12, delete "use, or adversely affect the cost or efficiency of the device" and insert: "for the installation of solar panels or solar collectors consistent with an applicable building

code or to require that panels or collectors be parallel to a roof line, conform to the slope of the roof, and that any frame, support bracket, or visible piping or wiring be painted to coordinate with the roofing material".

#### HOUSE AMENDMENT TO H.B. NO. 127

##### AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 8, following "shall" insert: ", and every county may,"; also in line 8, delete "Every county may exer-"; and delete lines 9 and 10.

##### CORRECTION TO TITLE

On page 1, in line 3, delete "PROVISIONS" and insert: "A PROVISION".

#### HOUSE AMENDMENT TO H.B. NO. 145

##### AMENDMENT TO SECTION 1

On page 2 of the printed bill, in line 20, delete "Unites" and insert: "United".

##### AMENDMENT TO SECTION 4

On page 4, in line 16, delete "a week for two" and insert: "a week for two"; in line 17, delete "(2) consecutive weeks" and insert: "(2) consecutive weeks"; and in line 18, delete "located or" and insert: "located. The operator may also advertise the sale".

On page 5, delete lines 7 through 14.

We have also had under consideration [H 189](#), report progress and beg leave to sit again.

MONKS, Chairman

Mr. Monks moved that the report be adopted. Seconded by Mr. Erpelding.

Whereupon the Speaker declared the report adopted.

[H 137](#), as amended, [H 78](#), as amended, [H 118](#), as amended, [H 158](#), as amended, [H 127](#), as amended, and [H 145](#), as amended, were referred to the Judiciary, Rules, and Administration Committee for engrossing.

[H 189](#) was retained on General Orders.

The amendments were referred to Judiciary, Rules, and Administration committee for printing.

There being no objection, the House returned to the Eleventh Order of Business.

#### 11TH ORDER

##### Third Reading of Bills and Joint Resolutions

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Fifteenth Order of Business.



**15TH ORDER  
Announcements**

Announcements were made to the body.

**16TH ORDER  
Adjournment**

Mr. Moyle moved that the House adjourn until 10:30 a.m., Thursday, February 28, 2019. Seconded by Mr. Erpelding. Motion carried.

Whereupon the Speaker declared the House adjourned at 12:27 p.m.

SCOTT BEDKE, Speaker

ATTEST:

CARRIE MAULIN, Chief Clerk

# HOUSE JOURNAL

OF THE

## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-FIFTH LEGISLATURE

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**FIFTY-THIRD LEGISLATIVE DAY**  
**THURSDAY, FEBRUARY 28, 2019**

House of Representatives

The House convened at 10:30 a.m., the Speaker in the Chair.

Roll call showed 69 members present.  
Absent and excused - Raybould. Total - 1.  
Total - 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Jack Marchant, Page.

### 3RD ORDER

#### Approval of Journal

February 28, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Fifty-second Legislative Day and recommend that same be adopted as corrected.

DAYLEY, Chairman

Mr. Dayley moved that the report be adopted. Seconded by Mr. Gannon. Report adopted.

### 4TH ORDER

#### Consideration of Messages from the Governor and the Senate

THE OFFICE OF THE GOVERNOR

#### CERTIFICATE OF APPOINTMENT

**KNOW ALL MEN**, that pursuant to the provisions of Section 59-917, Idaho Code, CAROLINE NILSSON TROY, State Representative, District 5, Seat B, Beneway and Latah Counties, State of Idaho, has nominated, KAY MAURIN, of 1326 Orchard Avenue, Moscow, ID 83843, to perform the duties of this office temporarily as Acting State Representative, District 5, Seat B.

**NOW, THEREFORE, I, BRAD LITTLE**, Governor of the State of Idaho, by virtue of the authority vested in me do hereby appoint Kay Maurin of Moscow, Idaho, to the office of Acting State Representative, District 5, Seat B, for a term commencing February 27, 2019, through Wednesday, March 6, 2019.

**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 26th day of February, in the year of our Lord two thousand and nineteen, and of the Independence of the

United States of America, the two hundred and forty-third year and of the Statehood of Idaho the one hundred twenty-ninth.

/s/ BRAD LITTLE  
Governor  
/s/ LAWRENCE DENNEY  
Secretary of State

The Certificate of Appointment was ordered filed in the office of the Chief Clerk.

The Speaker announced the oath of office had previously been administered to Kay Maurin, effective Wednesday, February 27, 2019 at 1:00 p.m.

February 27, 2019

Mr. Speaker:

I return herewith enrolled [HCR 6](#) which has been signed by the President.

NOVAK, Secretary

Enrolled [HCR 6](#) was referred to the Judiciary, Rules, and Administration Committee for delivery to the Secretary of State.

February 27, 2019

Mr. Speaker:

I transmit herewith [SCR 103](#), [S 1083](#), [S 1059](#), [S 1082](#), [S 1069](#), [S 1097](#), [S 1007](#), as amended, [S 1070](#), as amended, [S 1060](#), as amended, [S 1076](#), [S 1111](#), and [S 1112](#) which have passed the Senate.

NOVAK, Secretary

[SCR 103](#), [S 1083](#), [S 1059](#), [S 1082](#), [S 1069](#), [S 1097](#), [S 1007](#), as amended, [S 1070](#), as amended, [S 1060](#), as amended, [S 1076](#), [S 1111](#), and [S 1112](#) were filed for first reading.

February 27, 2019

Mr. Speaker:

I return herewith [H 42](#), as amended in the Senate, which has passed the Senate.

NOVAK, Secretary

Pursuant to House Rule 73, [H 42](#), as amended in the Senate, was referred to State Affairs Committee for concurrence recommendation.

### 5TH ORDER

#### Report of Standing Committees

February 28, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have printed House amendments to [H 137](#), [H 78](#), [H 118](#), [H 158](#), [H 127](#), and [H 145](#).

DAYLEY, Chairman

February 28, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have printed [HR 3](#), [HR 4](#), [H 207](#), [H 208](#), [H 209](#), [H 210](#), [H 211](#), [H 212](#), [H 213](#), [H 214](#), [H 215](#), [H 216](#), and [H 217](#).

DAYLEY, Chairman

[HR 3](#), [HR 4](#), and [H 209](#) were referred to the Judiciary, Rules and Administration Committee.

[H 207](#) was referred to the Resources and Conservation Committee.

[H 208](#) was referred to the Transportation and Defense Committee.

[H 210](#) was referred to the State Affairs Committee.

[H 217](#) was referred to the Revenue and Taxation Committee.

[H 211](#), [H 212](#), [H 213](#), [H 214](#), [H 215](#), and [H 216](#) were filed for second reading.

February 28, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have engrossed [H 2](#), as amended in the Senate, [H 137](#), as amended, [H 78](#), as amended, [H 118](#), as amended, [H 158](#), as amended, [H 127](#), as amended, and [H 145](#), as amended.

DAYLEY, Chairman

[H 2](#), as amended in the Senate, [H 137](#), as amended, [H 78](#), as amended, [H 118](#), as amended, [H 158](#), as amended, [H 127](#), as amended, and [H 145](#), as amended, were filed for first reading of engrossed bills.

February 28, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have transmitted enrolled [HCR 3](#) to the Secretary of State at 11:15 a.m., as of this date, February 27, 2019.

DAYLEY, Chairman

February 27, 2019

Mr. Speaker:

We, your COMMITTEE ON COMMERCE AND HUMAN RESOURCES, report that we have had under consideration [H 177](#) and [S 1047](#) and recommend that they do pass.

HOLTZCLAW, Chairman

[H 177](#) and [S 1047](#) were filed for second reading.

February 27, 2019

Mr. Speaker:

We, your COMMITTEE ON BUSINESS, report that we have had under consideration [S 1008](#), [S 1012](#), and [S 1013](#) and recommend that they do pass.

DIXON, Chairman

[S 1008](#), [S 1012](#), and [S 1013](#) were filed for second reading.

February 27, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have had under consideration [H 99](#) and recommend that it do pass.

DAYLEY, Chairman

[H 99](#) was filed for second reading.

February 28, 2019

Mr. Speaker:

We, your COMMITTEE ON ENVIRONMENT, ENERGY AND TECHNOLOGY, report that we have had under consideration [HCR 9](#) and recommend that it do pass.

VANDER WOUDE, Chairman

[HCR 9](#) was filed for second reading.

February 28, 2019

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration [H 180](#), [H 181](#), [H 182](#), and [H 196](#) and recommend that they do pass.

WOOD, Chairman

[H 180](#), [H 181](#), [H 182](#), and [H 196](#) were filed for second reading.

February 28, 2019

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration [H 191](#) and recommend that it do pass.

HARRIS, Chairman

[H 191](#) was filed for second reading.

February 28, 2019

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration [H 164](#) and [H 201](#) and recommend that they do pass.

COLLINS, Chairman

[H 164](#) and [H 201](#) were filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

#### **7TH ORDER Motions, Memorials, and Resolutions**

[SCR 103](#), by State Affairs Committee, was introduced, read the first time by title, and referred to the Commerce and Human Resources Committee.

#### **8TH ORDER Introduction, First Reading, and Reference of Bills and Joint Resolutions**

##### **HOUSE BILL NO. 218 BY EDUCATION COMMITTEE**

AN ACT

RELATING TO THE IDAHO RURAL TEACHER RECRUITMENT AND RETENTION ACT; AMENDING TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 61, TITLE 33, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO PROVIDE A DECLARATION OF PURPOSE, TO DEFINE TERMS, TO ESTABLISH PROVISIONS REGARDING THE RURAL TEACHER INCENTIVE PROGRAM, TO PROVIDE FOR PROGRAM FRAMEWORKS, TO PROVIDE FOR A CERTAIN OFFER OF EMPLOYMENT, TO PROVIDE REQUIREMENTS FOR PROGRAM PARTICIPANTS, TO PROVIDE FOR MENTORING AND SUPPORT OF PROGRAM PARTICIPANTS, TO PROVIDE FOR A CERTAIN REPORT, TO PROVIDE A TEACHING COMMITMENT, AND TO PROVIDE RULEMAKING AUTHORITY; PROVIDING AN EFFECTIVE DATE; AND PROVIDING A SUNSET DATE.

##### **HOUSE BILL NO. 219 BY APPROPRIATIONS COMMITTEE**

AN ACT

RELATING TO THE APPROPRIATION TO THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM'S

DIVISION OF ADMINISTRATORS FOR FISCAL YEAR 2020; PROVIDING FOR EXPENDITURES TO THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM'S DIVISION OF ADMINISTRATORS FOR FISCAL YEAR 2020; APPROPRIATING GENERAL FUND MONEYS FOR TRANSFER TO THE PUBLIC SCHOOL INCOME FUND; APPROPRIATING FUNDS TO THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM'S DIVISION OF ADMINISTRATORS FOR FISCAL YEAR 2020; AND AMENDING SECTION 33-1004E, IDAHO CODE, TO INCREASE THE BASE SALARY FOR ADMINISTRATORS.

**HOUSE BILL NO. 220**  
**BY APPROPRIATIONS COMMITTEE**  
AN ACT

RELATING TO THE APPROPRIATION TO THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM'S DIVISION OF TEACHERS FOR FISCAL YEAR 2020; PROVIDING FOR EXPENDITURES FOR THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM'S DIVISION OF TEACHERS FOR FISCAL YEAR 2020; APPROPRIATING GENERAL FUND MONEYS FOR TRANSFER TO THE PUBLIC SCHOOL INCOME FUND; APPROPRIATING FUNDS TO THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM'S DIVISION OF TEACHERS FOR FISCAL YEAR 2020; DIRECTING THE USE OF MONEYS FOR PROFESSIONAL DEVELOPMENT; DEFINING "DISTRIBUTED"; AND PROVIDING REQUIREMENTS REGARDING THE COLLEGE AND CAREER ADVISORS AND STUDENT MENTORS PROGRAM.

**HOUSE BILL NO. 221**  
**BY APPROPRIATIONS COMMITTEE**  
AN ACT

RELATING TO THE APPROPRIATION TO THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM'S DIVISION OF OPERATIONS FOR FISCAL YEAR 2020; PROVIDING FOR EXPENDITURES FOR THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM'S DIVISION OF OPERATIONS FOR FISCAL YEAR 2020; APPROPRIATING GENERAL FUND MONEYS FOR TRANSFER TO THE PUBLIC SCHOOL INCOME FUND; APPROPRIATING FUNDS TO THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM'S DIVISION OF OPERATIONS FOR FISCAL YEAR 2020; AMENDING SECTION 33-1004E, IDAHO CODE, TO INCREASE THE BASE SALARY FOR CLASSIFIED STAFF; PROVIDING AN ESTIMATE OF DISCRETIONARY FUNDS PER SUPPORT UNIT AND DIVIDING THAT AMOUNT INTO TWO DISTRIBUTIONS; DIRECTING THE USE OF APPROPRIATION FOR INFORMATION TECHNOLOGY STAFFING COSTS; DIRECTING THE USE OF APPROPRIATION FOR CLASSROOM TECHNOLOGY, WIRELESS INFRASTRUCTURE, AND INSTRUCTIONAL MANAGEMENT SYSTEMS; DEFINING "DISTRIBUTED"; AND EXEMPTING THE APPROPRIATION FROM PROGRAM TRANSFER LIMITATIONS.

**HOUSE BILL NO. 222**  
**BY APPROPRIATIONS COMMITTEE**  
AN ACT

RELATING TO THE APPROPRIATION TO THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM'S DIVISION OF CHILDREN'S PROGRAMS FOR FISCAL YEAR 2020; PROVIDING FOR EXPENDITURES FOR

THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM'S DIVISION OF CHILDREN'S PROGRAMS FOR FISCAL YEAR 2020; APPROPRIATING GENERAL FUND MONEYS FOR TRANSFER TO THE PUBLIC SCHOOL INCOME FUND; APPROPRIATING FUNDS TO THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM'S DIVISION OF CHILDREN'S PROGRAMS FOR FISCAL YEAR 2020; PROVIDING REQUIREMENTS REGARDING THE IDAHO DIGITAL LEARNING ACADEMY; DIRECTING THE USE OF TOBACCO, CIGARETTE, AND LOTTERY INCOME TAX MONEYS; DIRECTING THE USE OF APPROPRIATION FOR REMEDIATION; DIRECTING THE USE OF APPROPRIATION FOR ENGLISH PROFICIENCY PROGRAMS; DIRECTING THE USE OF FUNDS FOR GIFTED AND TALENTED STUDENTS; DIRECTING A DISTRIBUTION TO PURCHASE DIGITAL CONTENT AND CURRICULUM; DIRECTING THE STATE DEPARTMENT OF EDUCATION TO COMPILE INFORMATION ON ADVANCED OPPORTUNITIES; PROVIDING A TRANSFER TO THE COMMISSION ON HISPANIC AFFAIRS; PROVIDING A TRANSFER TO IDAHO STATE POLICE; DEFINING "DISTRIBUTED"; PROVIDING REQUIREMENTS REGARDING LITERACY INTERVENTION PROGRAMS; PROVIDING REQUIREMENTS REGARDING USES OF FUNDS; AND DIRECTING THE USE OF FUNDS FOR K-3 LITERACY.

**HOUSE BILL NO. 223**  
**BY APPROPRIATIONS COMMITTEE**  
AN ACT

RELATING TO THE APPROPRIATION TO THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM'S DIVISION OF FACILITIES FOR FISCAL YEAR 2020; APPROPRIATING MONEYS TO THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM'S DIVISION OF FACILITIES FOR FISCAL YEAR 2020; PROVIDING THE NECESSARY FUNDS FOR THE BOND LEVY EQUALIZATION PROGRAM; SPECIFYING THE AMOUNT OF REVENUE DISTRIBUTED TO THE GENERAL FUND FOR FISCAL YEAR 2020; AND MAKING A TRANSFER TO THE PUBLIC SCHOOL INCOME FUND FOR FISCAL YEAR 2020.

**HOUSE BILL NO. 224**  
**BY APPROPRIATIONS COMMITTEE**  
AN ACT

RELATING TO THE APPROPRIATION TO THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM'S DIVISION OF CENTRAL SERVICES FOR FISCAL YEAR 2020; PROVIDING FOR EXPENDITURES FOR THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM'S DIVISION OF CENTRAL SERVICES FOR FISCAL YEAR 2020; APPROPRIATING GENERAL FUND MONEYS FOR TRANSFER TO THE PUBLIC SCHOOL INCOME FUND; APPROPRIATING FUNDS TO THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM'S DIVISION OF CENTRAL SERVICES FOR FISCAL YEAR 2020; DIRECTING THE USE OF FUNDS FOR LITERACY PROGRAMS, INTERVENTION SERVICES, MATH INITIATIVE PROGRAMS, AND LIMITED-ENGLISH PROFICIENCY PROGRAMS; DIRECTING THE USE OF FUNDS FOR STUDENT ASSESSMENTS; DIRECTING THE USE OF FUNDS FOR PROFESSIONAL DEVELOPMENT; PROVIDING REQUIREMENTS FOR DIGITAL CONTENT AND CURRICULUM; PROVIDING GUIDANCE

ON YEAR-END RECONCILIATION; PROVIDING REQUIREMENTS FOR TECHNOLOGY CONTENT AND CURRICULUM; AND DEFINING "DISTRIBUTED" AND "EXPENDED."

**HOUSE BILL NO. 225**  
**BY APPROPRIATIONS COMMITTEE**  
AN ACT

RELATING TO THE APPROPRIATION TO THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM'S DIVISION OF EDUCATIONAL SERVICES FOR THE DEAF AND THE BLIND FOR FISCAL YEAR 2020; PROVIDING FOR EXPENDITURES FOR THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM'S DIVISION OF EDUCATIONAL SERVICES FOR THE DEAF AND THE BLIND FOR FISCAL YEAR 2020; APPROPRIATING GENERAL FUND MONEYS FOR TRANSFER TO THE PUBLIC SCHOOL INCOME FUND; AND APPROPRIATING MONEYS TO THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM'S DIVISION OF EDUCATIONAL SERVICES FOR THE DEAF AND THE BLIND FOR FISCAL YEAR 2020.

[H 218](#), [H 219](#), [H 220](#), [H 221](#), [H 222](#), [H 223](#), [H 224](#), and [H 225](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

[S 1083](#), by Resources and Environment Committee, was introduced, read the first time by title, and referred to the Resources and Conservation Committee.

[S 1059](#) and [S 1060](#), as amended, by Education Committee, were introduced, read the first time by title, and referred to the Education Committee.

[S 1082](#), by State Affairs Committee, was introduced, read the first time by title, and referred to the Agricultural Affairs Committee.

[S 1069](#) and [S 1007](#), as amended, by Commerce and Human Resources Committee, were introduced, read the first time by title, and referred to the Business Committee.

[S 1097](#), by Health and Welfare Committee, was introduced, read the first time by title, and referred to the Health and Welfare Committee.

[S 1070](#), as amended, by Commerce and Human Resources Committee, was introduced, read the first time by title, and referred to the Commerce and Human Resources Committee.

[S 1076](#), [S 1111](#), and [S 1112](#), by State Affairs Committee, were introduced, read the first time by title, and referred to the State Affairs Committee.

**9TH ORDER**  
**First Reading of Engrossed Bills**

[H 2](#), as amended in the Senate, by Business Committee, was introduced, read the first time by title, and filed for second reading.

[H 137](#), as amended, [H 78](#), as amended, and [H 118](#), as amended, by Judiciary, Rules and Administration Committee, were introduced, read the first time by title, and filed for second reading.

[H 158](#), as amended, by Ways and Means Committee, was introduced, read the first time by title, and filed for second reading.

[H 127](#), as amended, by Local Government Committee, was introduced, read the first time by title, and filed for second reading.

[H 145](#), as amended, by Business Committee, was introduced, read the first time by title, and filed for second reading.

**10TH ORDER**  
**Second Reading of Bills and Joint Resolutions**

[H 179](#), by Ways and Means Committee, was read the second time by title and filed for third reading.

[S 1046](#), by Transportation Committee, was read the second time by title and filed for third reading.

[H 121](#), by Agricultural Affairs Committee, was read the second time by title and filed for third reading.

[S 1049](#), by State Affairs Committee, was read the second time by title and filed for third reading.

[S 1130](#), by Finance Committee, was read the second time by title and filed for third reading.

**11TH ORDER**  
**Third Reading of Bills and Joint Resolutions**

Mr. Moyle asked unanimous consent that [S 1028](#) be placed at the top of the Third Reading Calendar. There being no objection, it was so ordered.

**[S 1028](#) - WORKER'S COMPENSATION**

[S 1028](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Erpelding to open debate.

Pursuant to Rule 38(3), Mr. Gestrin disclosed a conflict of interest regarding [S 1028](#).

Pursuant to Rule 38(3), Ms. Stevenson disclosed a conflict of interest regarding [S 1028](#).

Pursuant to Rule 38(3), Mrs. Green(18) disclosed a conflict of interest regarding [S 1028](#).

The question being, "Shall [S 1028](#) pass?"

Roll call resulted as follows:

AYES—Abernathy(Nye), Addis, Amador, Anderson, Anderst, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gibbs, Giddings, Goesling, Green(18), Green(2), Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie(Nash), Mendive, Monks, Nichols, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Syme, Toone, Troy(Maurin), Vander Woude, Wagoner, Wintrow, Wisniewski, Young, Youngblood, Zito, Zollinger. Total - 59.

NAYS—Andrus, Armstrong, Gestrin, Harris, Moon, Moyle, Palmer, Stevenson, Wood, Mr. Speaker. Total - 10.

Absent—Raybould. Total - 1.

Total - 70.

Whereupon the Speaker declared that [S 1028](#) passed the House. Title was approved and the bill ordered returned to the Senate.







There being no objection, the House advanced to the Fifteenth Order of Business.

**15TH ORDER**  
**Announcements**

Announcements were made to the body.

**16TH ORDER**  
**Adjournment**

Mr. Moyle moved that the House adjourn until 10:30 a.m., Friday, March 1, 2019. Seconded by Mr. Erpelding. Motion carried.

Whereupon the Speaker declared the House adjourned at 3:04 p.m.

SCOTT BEDKE, Speaker

ATTEST:

CARRIE MAULIN, Chief Clerk

# HOUSE JOURNAL

OF THE

## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-FIFTH LEGISLATURE

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FIFTY-FOURTH LEGISLATIVE DAY  
FRIDAY, MARCH 1, 2019

House of Representatives

The House convened at 10:30 a.m., the Speaker in the Chair.

Roll call showed 66 members present.

Absent and excused - Ellis, Kingsley, Raybould, and Stevenson. Total - 4.

Total - 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Ruth Schenkenberger, Page.

### 3RD ORDER

#### Approval of Journal

March 1, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Fifty-third Legislative Day and recommend that same be adopted as corrected.

DAYLEY, Chairman

Mr. Dayley moved that the report be adopted. Seconded by Mr. Gannon. Report adopted.

### 4TH ORDER

#### Consideration of Messages from the Governor and the Senate

February 28, 2019

Mr. Speaker:

I transmit herewith enrolled [S 1077](#) for the signature of the Speaker.

NOVAK, Secretary

The Speaker announced he was about to sign enrolled [S 1077](#) when so signed, ordered it returned to the Senate.

February 28, 2019

Mr. Speaker:

I return herewith enrolled [HCR 11](#) which has been signed by the President.

NOVAK, Secretary

Enrolled [HCR 11](#) was referred to the Judiciary, Rules, and Administration Committee for delivery to the Secretary of State.

February 28, 2019

Mr. Speaker:

I transmit herewith [S 1018](#), as amended, [S 1135](#), [S 1136](#), [S 1071](#), [S 1072](#), and [S 1127](#) which have passed the Senate.

NOVAK, Secretary

[S 1018](#), as amended, [S 1135](#), [S 1136](#), [S 1071](#), [S 1072](#), and [S 1127](#) were filed for first reading.

February 28, 2019

Mr. Speaker:

I return herewith [H 8](#), [H 18](#), [H 37](#), [H 22](#), [H 64](#), [H 132](#), [H 60](#), [H 3](#), [H 4](#), [H 86](#), [H 87](#), [H 67](#), [H 59](#), [H 159](#), [H 7](#), [H 27](#), [H 46](#), and [H 108](#) which have passed the Senate.

NOVAK, Secretary

[H 8](#), [H 18](#), [H 37](#), [H 22](#), [H 64](#), [H 132](#), [H 60](#), [H 3](#), [H 4](#), [H 86](#), [H 87](#), [H 67](#), [H 59](#), [H 159](#), [H 7](#), [H 27](#), [H 46](#), and [H 108](#) were referred to the Judiciary, Rules, and Administration Committee for enrolling.

### 5TH ORDER

#### Report of Standing Committees

March 1, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have printed [H 218](#), [H 219](#), [H 220](#), [H 221](#), [H 222](#), [H 223](#), [H 224](#), and [H 225](#).

DAYLEY, Chairman

[H 219](#), [H 220](#), [H 221](#), [H 222](#), [H 223](#), [H 224](#), and [H 225](#) were filed for second reading.

[H 218](#) was referred to the Education Committee.

March 1, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have transmitted enrolled [HCR 6](#) to the Secretary of State at 10:48 a.m., as of this date, February 28, 2019.

DAYLEY, Chairman

February 28, 2019

Mr. Speaker:

We, your COMMITTEE ON BUSINESS, return misdirected [S 1069](#) to the Desk.

DIXON, Chairman

[S 1069](#) was referred to Health and Welfare Committee.

There being no objection, the House advanced to the Eighth Order of Business.

### 8TH ORDER

#### Introduction, First Reading, and Reference of Bills and Joint Resolutions

[S 1018](#), as amended, by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the Judiciary, Rules and Administration Committee.

[S 1135](#) and [S 1136](#), by Finance Committee, were introduced, read the first time by title, and filed for second reading.

[S 1071](#), by Commerce and Human Resources Committee, was introduced, read the first time by title, and referred to the Commerce and Human Resources Committee.

[S 1072](#) and [S 1127](#), by State Affairs Committee, were introduced, read the first time by title, and referred to the State Affairs Committee.

There being no objection, the House advanced to the Tenth Order of Business.

#### 10TH ORDER

##### Second Reading of Bills and Joint Resolutions

[H 211](#), [H 212](#), [H 213](#), [H 214](#), [H 215](#), and [H 216](#), by Appropriations Committee, were read the second time by title and filed for third reading.

[H 177](#), by Ways and Means Committee, was read the second time by title and filed for third reading.

[S 1047](#), [S 1008](#), [S 1012](#), and [S 1013](#), by Commerce and Human Resources Committee, were read the second time by title and filed for third reading.

[H 99](#), by Judiciary, Rules and Administration Committee, was read the second time by title and filed for third reading.

[HCR 9](#), by Environment, Energy and Technology Committee, was read the second time by title and filed for third reading.

[H 180](#), [H 181](#), [H 182](#), and [H 196](#), by Health and Welfare Committee, were read the second time by title and filed for third reading.

[H 191](#), by State Affairs Committee, was read the second time by title and filed for third reading.

[H 164](#) and [H 201](#), by Revenue and Taxation Committee, were read the second time by title and filed for third reading.

[H 2](#), as amended in the Senate, by Transportation and Defense Committee, was read the second time by title and filed for third reading.

[H 137](#), as amended, [H 78](#), as amended, and [H 118](#), as amended, by Judiciary, Rules and Administration Committee, were read the second time by title and filed for third reading.

[H 158](#), as amended, by Ways and Means Committee, was read the second time by title and filed for third reading.

[H 127](#), as amended, by Local Government Committee, was read the second time by title and filed for third reading.

[H 145](#), as amended, by Business Committee, was read the second time by title and filed for third reading.

[S 1058](#), by Education Committee, was read the second time by title and filed for third reading.

#### 11TH ORDER

##### Third Reading of Bills and Joint Resolutions

Mr. Moyle asked unanimous consent that [HCR 16](#) and [HCR 17](#) be placed at the bottom of the Third Reading Calendar. There being no objection, it was so ordered.

Mr. Moyle asked unanimous consent that [H 70](#) and [H 138](#) be placed at the bottom of the Third Reading Calendar. There being no objection, it was so ordered.

Mr. Moyle asked unanimous consent that [H 179](#) be placed on General Orders for consideration. There being no objection it was so ordered.

#### [H 150](#) - OPEN MEETINGS

[H 150](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Goesling to open debate.

The question being, "Shall [H 150](#) pass?"

Roll call resulted as follows:

AYES—Abernathy(Nye), Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Syme, Toone, Troy(Maurin), Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 65.

NAYS—None.

Absent—Ellis, Kingsley, Raybould, Stevenson, Vander Woude. Total - 5.

Total - 70.

Whereupon the Speaker declared that [H 150](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle asked unanimous consent that Mr. Crane's vote be counted as AYE on [H 150](#). There being no objection, it was so ordered. Corrected vote is shown above.

#### [H 79](#) - LEGAL IMMUNITY

[H 79](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Smith and Ms. Wintrow to open debate.

The question being, "Shall [H 79](#) pass?"

Roll call resulted as follows:

AYES—Abernathy(Nye), Anderson, Andrus, Armstrong, Berch, Chaney, Chew, Davis, Dayley, Ellis, Erpelding, Gannon, Goesling, Green(18), Kerby, Mason, McCrostie, Rubel, Smith, Syme, Toone, Troy(Maurin), Wagoner, Wintrow. Total - 24.

NAYS—Addis, Amador, Anderst, Barbieri, Blanksma, Boyle, Christensen, Clow, Collins, Crane, DeMordaunt, Dixon, Ehardt, Furniss, Gestrin, Gibbs, Giddings, Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kingsley, Lickley, Marshall, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raymond, Ricks, Scott, Shepherd, Stevenson, Vander Woude, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 45.

Absent—Raybould. Total - 1.

Paired Votes:

AYE - Chew NAY - Stevenson

AYE - Rubel NAY - Kingsley

AYE - Ellis NAY - Blanksma

(Pairs enumerated in roll call above.)

Total - 70.

Whereupon the Speaker declared that [H 79](#) failed to pass the House and ordered the bill filed in the office of the Chief Clerk.

#### [H 186](#) - APPROPRIATIONS - DIVISION OF VETERANS SERVICES

[H 186](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Amador to open debate.

The question being, "Shall [H 186](#) pass?"

Roll call resulted as follows:

AYES—Abernathy(Nye), Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Syme, Toone, Troy(Maurin), Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 66.

NAYS—None.

Absent—Ellis, Kingsley, Raybould, Stevenson. Total - 4.  
Total - 70.

Whereupon the Speaker declared that [H 186](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

#### [H 187](#) - APPROPRIATIONS - COMMISSION ON HISPANIC AFFAIRS

[H 187](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Kauffman to open debate.

The question being, "Shall [H 187](#) pass?"

Roll call resulted as follows:

AYES—Abernathy(Nye), Amador, Anderson, Anderst, Berch, Blanksma, Chaney, Chew, Clow, Collins, Davis, Dayley, Erpelding, Furniss, Gannon, Gibbs, Goesling, Green(18), Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Lickley, Marshall, Mason, McCrostie, Raymond, Rubel, Smith, Syme, Toone, Troy(Maurin), Wagoner, Wintrow, Wood, Youngblood, Mr. Speaker. Total - 38.

NAYS—Addis, Andrus, Armstrong, Barbieri, Boyle, Christensen, Crane, DeMordaunt, Dixon, Ehardt, Gestrin, Giddings, Green(2), Harris, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Ricks, Scott, Shepherd, Vander Woude, Wisniewski, Young, Zito, Zollinger. Total - 28.

Absent—Ellis, Kingsley, Raybould, Stevenson. Total - 4.  
Total - 70.

Whereupon the Speaker declared that [H 187](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

#### [H 167](#) - MOTOR VEHICLES

[H 167](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Palmer to open debate.

The question being, "Shall [H 167](#) pass?"

Roll call resulted as follows:

AYES—Abernathy(Nye), Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Syme, Toone, Troy(Maurin), Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 66.

NAYS—None.

Absent—Ellis, Kingsley, Raybould, Stevenson. Total - 4.  
Total - 70.

Whereupon the Speaker declared that [H 167](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

#### [H 168](#) - MOTOR VEHICLES

[H 168](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Palmer to open debate.

The question being, "Shall [H 168](#) pass?"

Roll call resulted as follows:

AYES—Abernathy(Nye), Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Erpelding, Furniss, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Syme, Toone, Troy(Maurin), Vander Woude, Wagoner, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 64.

NAYS—None.

Absent—Ellis, Gannon, Kingsley, Raybould, Stevenson, Wintrow. Total - 6.  
Total - 70.

Whereupon the Speaker declared that [H 168](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

#### [H 176](#) - POTATOES

[H 176](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Blanksma to open debate.

Pursuant to Rule 38(3), Mrs. Blanksma disclosed a conflict of interest regarding [H 176](#).

The question being, "Shall [H 176](#) pass?"





The question being, "Shall [H 139](#) pass?"

Roll call resulted as follows:

AYES—Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Horman, Kauffman, Kerby, Lickley, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raymond, Ricks, Rubel, Scott, Shepherd, Syme, Toone, Troy(Maurin), Vander Woude, Wagoner, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 60.

NAYS—Abernathy(Nye), Berch, Marshall, Smith. Total - 4.

Absent—Ellis, Holtzclaw, Kingsley, Raybould, Stevenson, Wintrow. Total - 6.

Total - 70.

Whereupon the Speaker declared that [H 139](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

#### [H 184](#) - AUDITS OF LOCAL GOVERNMENT ENTITIES

[H 184](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Moyle to open debate.

The question being, "Shall [H 184](#) pass?"

Roll call resulted as follows:

AYES—Abernathy(Nye), Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Syme, Toone, Troy(Maurin), Vander Woude, Wagoner, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 65.

NAYS—None.

Absent—Ellis, Kingsley, Raybould, Stevenson, Wintrow. Total - 5.

Total - 70.

Whereupon the Speaker declared that [H 184](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

#### [H 169](#) - FEDERALISM

[H 169](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Monks to open debate.

The question being, "Shall [H 169](#) pass?"

Roll call resulted as follows:

AYES—Addis, Amador, Anderson, Anderst, Andrus, Barbieri, Blanksma, Boyle, Christensen, Collins, Crane, Dayley, DeMordaunt, Dixon, Ehardt, Furniss, Gestrin, Gibbs, Giddings, Goesling, Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Lickley, Mendive, Monks, Moon, Moyle, Nichols, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Syme, Toone,

Palmer, Raymond, Ricks, Scott, Shepherd, Syme, Troy(Maurin), Vander Woude, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 47.

NAYS—Abernathy(Nye), Armstrong, Berch, Chaney, Chew, Clow, Davis, Ellis, Erpelding, Gannon, Green(18), Kerby, Marshall, Mason, McCrostie, Rubel, Smith, Toone, Wagoner, Wintrow. Total - 20.

Absent—Kingsley, Raybould, Stevenson. Total - 3.

Paired Votes:

AYE - Vander Woude                      NAY - Wintrow

AYE - Blanksma                              NAY - Ellis

(Pairs enumerated in roll call above.)

Total - 70.

Whereupon the Speaker declared that [H 169](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

#### [S 1115](#) - APPROPRIATIONS - LEGISLATIVE BRANCH

[S 1115](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Maurin(Troy) to open debate.

The question being, "Shall [S 1115](#) pass?"

Roll call resulted as follows:

AYES—Abernathy(Nye), Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Syme, Toone, Troy(Maurin), Vander Woude, Wagoner, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 64.

NAYS—None.

Absent—Chaney, Ellis, Kingsley, Raybould, Stevenson, Wintrow. Total - 6.

Total - 70.

Whereupon the Speaker declared that [S 1115](#) passed the House. Title was approved and the bill ordered returned to the Senate.

#### [S 1128](#) - APPROPRIATIONS - OITS

[S 1128](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Youngblood to open debate.

The question being, "Shall [S 1128](#) pass?"

Roll call resulted as follows:

AYES—Abernathy(Nye), Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Syme, Toone,

Troy(Maurin), Vander Woude, Wagoner, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 64.

NAYS–None.

Absent–Chaney, Ellis, Kingsley, Raybould, Stevenson, Wintrow. Total - 6.

Total - 70.

Whereupon the Speaker declared that [S 1128](#) passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Moyle asked unanimous consent that [S 1046](#) be placed at the top of the Third Reading Calendar. There being no objection, it was so ordered.

### [S 1046](#) - HIGHWAY DISTRICTS

[S 1046](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Kauffman to open debate.

Pursuant to Rule 38(3), Mrs. Green(18) disclosed a conflict of interest regarding [S 1046](#).

The question being, "Shall [S 1046](#) pass?"

Roll call resulted as follows:

AYES–Abernathy(Nye), Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Syme, Toone, Troy(Maurin), Vander Woude, Wagoner, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 64.

NAYS–None.

Absent–Chaney, Ellis, Kingsley, Raybould, Stevenson, Wintrow. Total - 6.

Total - 70.

Whereupon the Speaker declared that [S 1046](#) passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Moyle asked unanimous consent that [S 1049](#) be placed at the top of the Third Reading Calendar. There being no objection, it was so ordered.

### [S 1049](#) - ABORTION

[S 1049](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. DeMordaunt to open debate.

The question being, "Shall [S 1049](#) pass?"

Roll call resulted as follows:

AYES–Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Blanksma, Boyle, Chaney, Christensen, Clow, Collins, Crane, Dayley, DeMordaunt, Dixon, Ehardt, Furniss, Gestrin, Gibbs, Goesling, Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Lickley, Marshall, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raymond, Ricks, Shepherd,

Syme, Troy(Maurin), Vander Woude, Wagoner, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 50.

NAYS–Berch, Chew, Davis, Erpelding, Gannon, Green(18), Mason, McCrostie, Rubel, Smith, Toone. Total - 11.

Absent–Abernathy(Nye), Ellis, Giddings, Green(2), Kingsley, Raybould, Scott, Stevenson, Wintrow. Total - 9.

Total - 70.

Whereupon the Speaker declared that [S 1049](#) passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Moyle asked unanimous consent that [S 1130](#) be placed at the top of the Third Reading Calendar. There being no objection, it was so ordered.

### [S 1130](#) - APPROPRIATIONS - DIVISION OF BUILDING SAFETY

[S 1130](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Horman to open debate.

The question being, "Shall [S 1130](#) pass?"

Roll call resulted as follows:

AYES–Abernathy(Nye), Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Syme, Toone, Troy(Maurin), Vander Woude, Wagoner, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 65.

NAYS–None.

Absent–Ellis, Kingsley, Raybould, Stevenson, Wintrow. Total - 5.

Total - 70.

Whereupon the Speaker declared that [S 1130](#) passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places until Monday, March 4, 2019. There being no objection, it was so ordered.

There being no objection, the House returned to the Fifth Order of Business.

## 5TH ORDER

### Report of Standing Committees

March 1, 2019

Mr. Speaker:

We, your COMMITTEE ON COMMERCE AND HUMAN RESOURCES, return misdirected [SCR 103](#) to the Desk.

HOLTZCLAW, Chairman

[SCR 103](#) was referred to State Affairs Committee.

There being no objection, the House advanced to the Fifteenth Order of Business.

**15TH ORDER  
Announcements**

Announcements were made to the body.

**16TH ORDER  
Adjournment**

Mr. Moyle moved that the House adjourn until 10:30 a.m., Monday, March 4, 2019. Seconded by Mr. Erpelding. Motion carried.

Whereupon the Speaker declared the House adjourned at 12:29 p.m.

SCOTT BEDKE, Speaker

ATTEST:

CARRIE MAULIN, Chief Clerk

HOUSE JOURNAL
OF THE
IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FIFTH LEGISLATURE

FIFTY-SEVENTH LEGISLATIVE DAY
MONDAY, MARCH 4, 2019

House of Representatives

The House convened at 10:30 a.m., the Speaker in the Chair.

Roll call showed 69 members present.
Absent and excused - Wintrow. Total - 1.
Total - 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Daniel Smith, Page.

3RD ORDER
Approval of Journal

March 4, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND
ADMINISTRATION, report that we have read and approved
the House Journal of the Fifty-fourth Legislative Day and
recommend that same be adopted as corrected.
DAYLEY, Chairman

Mr. Dayley moved that the report be adopted. Seconded by
Mr. Gannon. Report adopted.

At this time, the Speaker put the House at ease for the Idaho
Day Program.

\*\*\*\*\*

2019 IDAHO DAY PROGRAM

"Small Towns"

Welcome

Representative Clark Kauffman

Musical Performance

"Shaker Dance and Lament"

Advanced Orchestra II Class, East Jr. High

Instructor Ana Robins

Stories: Towns in Idaho

- Juliaetta.....Acting Rep. Kay Maurin
May.....Rep. Rob Mason
Jerome.....Rep. Laurie Lickley
Osgood.....Rep. Gary Marshall

Introduction of Guest Speaker

Representative Gary Marshall

Guest Speaker

Former Representative Linden Batemen

Vocal Performance

"Here We Have Idaho"

Patti Syme

Closing Remarks

Representative Clark Kauffman

\*\*\*\*\*

Prior to going at ease, the House was at the Third Order of
Business.

4TH ORDER
Consideration of Messages from the
Governor and the Senate

March 1, 2019

Mr. Speaker:

I transmit herewith SCR 104, SCR 105, SCR 106, S 1078,
S 1079, S 1080, and S 1081 which have passed the Senate.
NOVAK, Secretary

SCR 104, SCR 105, SCR 106, S 1078, S 1079, S 1080, and
S 1081 were filed for first reading.

March 1, 2019

Mr. Speaker:

I return herewith H 68 which has passed the Senate.
NOVAK, Secretary

H 68 was referred to the Judiciary, Rules, and Administration
Committee for enrolling.

5TH ORDER
Report of Standing Committees

March 4, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND
ADMINISTRATION, report that we have enrolled H 8, H 18,
H 37, H 22, H 64, H 132, H 60, H 3, H 4, H 86, H 87, H 67,
H 59, H 159, H 7, H 27, H 46, and H 108.
DAYLEY, Chairman

The Speaker announced he was about to sign enrolled H 8,
H 18, H 37, H 22, H 64, H 132, H 60, H 3, H 4, H 86, H 87,
H 67, H 59, H 159, H 7, H 27, H 46, and H 108 and, when so
signed, ordered them transmitted to the Senate for the signature
of the President.

March 4, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND
ADMINISTRATION, report that we have transmitted enrolled
HCR 11 to the Secretary of State at 10:43 a.m., as of this date,
March 1, 2019.

DAYLEY, Chairman

March 1, 2019

Mr. Speaker:

We, your COMMITTEE ON LOCAL GOVERNMENT, report that we have had under consideration [H 130](#) and report it back to be placed on General Orders.

MENDIVE, Chairman

[H 130](#) was placed on General Orders for consideration.

March 1, 2019

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration [H 120](#) and [H 194](#) and recommend that they do pass.

CLOW, Chairman

[H 120](#) and [H 194](#) were filed for second reading.

March 1, 2019

Mr. Speaker:

We, your COMMITTEE ON RESOURCES AND CONSERVATION, report that we have had under consideration [H 207](#) and recommend that it do pass.

GIBBS, Chairman

[H 207](#) was filed for second reading.

March 1, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have had under consideration [H 209](#), [HR 3](#), and [HR 4](#) and recommend that they do pass.

DAYLEY, Chairman

[H 209](#), [HR 3](#), and [HR 4](#) were filed for second reading.

March 4, 2019

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration [H 42](#), as amended in the Senate, and recommend concurrence with Senate Amendments.

HARRIS, Chairman

Mr. Harris asked unanimous consent that the House concur in the Senate amendments to [H 42](#), as amended in the Senate, as recommended by the committee. There being no objection, it was so ordered.

[H 42](#), as amended in the Senate, was referred to the Judiciary, Rules, and Administration Committee for engrossing.

There being no objection, the House advanced to the Seventh Order of Business.

### 7TH ORDER Motions, Memorials, and Resolutions

[SCR 104](#) and [SCR 105](#), by State Affairs Committee, were introduced, read the first time by title, and referred to the Commerce and Human Resources Committee.

[SCR 106](#), by State Affairs Committee, was introduced, read the first time by title, and referred to the Business Committee.

### 8TH ORDER

#### Introduction, First Reading, and Reference of Bills and Joint Resolutions

#### HOUSE BILL NO. 226 BY APPROPRIATIONS COMMITTEE AN ACT

RELATING TO THE APPROPRIATION TO THE OFFICE OF THE STATE BOARD OF EDUCATION FOR FISCAL YEAR 2020; APPROPRIATING MONEYS TO THE OFFICE OF THE STATE BOARD OF EDUCATION FOR FISCAL YEAR 2020; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING REAPPROPRIATION AUTHORITY FOR THE PUBLIC CHARTER SCHOOL AUTHORIZERS FUND; PROVIDING REQUIREMENTS REGARDING ANNUAL REPORTING OF PAYMENTS TO THE IDAHO STATE BUILDING AUTHORITY; AND PROVIDING REQUIREMENTS REGARDING EXTERNAL PROGRAM EVALUATIONS.

#### HOUSE BILL NO. 227 BY APPROPRIATIONS COMMITTEE AN ACT

RELATING TO THE APPROPRIATION TO THE STATE INDEPENDENT LIVING COUNCIL FOR FISCAL YEAR 2020; APPROPRIATING MONEYS TO THE STATE INDEPENDENT LIVING COUNCIL FOR FISCAL YEAR 2020; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

#### HOUSE BILL NO. 228 BY HEALTH AND WELFARE COMMITTEE AN ACT

RELATING TO MEDICAID; AMENDING SECTION 56-253, IDAHO CODE, TO PROVIDE THAT A HEALTH RISK ASSESSMENT SHALL INCLUDE QUESTIONS RELATING TO SUBSTANCE USE DISORDERS, TO PROVIDE THAT THE DIRECTOR OF THE DEPARTMENT OF HEALTH AND WELFARE SHALL SEEK CERTAIN WAIVERS AND CONDUCT CERTAIN RESEARCH, TO PROVIDE THAT APPROVED WAIVERS SHALL BE IMPLEMENTED AS SOON AS POSSIBLE, AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 56-267, IDAHO CODE, TO PROVIDE THAT THE LEGISLATURE MAY DECLARE THE SECTION TO BE NULL, VOID, AND OF NO FORCE AND EFFECT UNDER CERTAIN CIRCUMSTANCES, TO PROVIDE THAT THE SECTION SHALL BECOME NULL, VOID, AND OF NO FORCE AND EFFECT UNDER CERTAIN CIRCUMSTANCES, TO PROVIDE FOR A REVERSION OF CERTAIN FUNDING, TO PROVIDE FOR A REVIEW OF AND A RECOMMENDATION REGARDING MEDICAID ELIGIBILITY EXPANSION, AND TO MAKE TECHNICAL CORRECTIONS; AND PROVIDING SEVERABILITY.

[H 226](#), [H 227](#), and [H 228](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

[S 1078](#), by State Affairs Committee, was introduced, read the first time by title, and referred to the State Affairs Committee.

[S 1079](#), [S 1080](#), and [S 1081](#), by State Affairs Committee, were introduced, read the first time by title, and referred to the Transportation and Defense Committee.

There being no objection, the House advanced to the Tenth Order of Business.

### 10TH ORDER

#### Second Reading of Bills and Joint Resolutions

[H 219](#), [H 220](#), [H 221](#), [H 222](#), [H 223](#), [H 224](#), and [H 225](#), by Appropriations Committee, were read the second time by title and filed for third reading.

[S 1135](#) and [S 1136](#), by Finance Committee, were read the second time by title and filed for third reading.

### 11TH ORDER

#### Third Reading of Bills and Joint Resolutions

Mr. Moyle asked unanimous consent that [H 200](#), [H 121](#), [H 70](#), [H 215](#), and [H 196](#) be placed at the bottom of the Third Reading Calendar. There being no objection, it was so ordered.

Mr. Moyle asked unanimous consent that [S 1047](#), [S 1008](#), [S 1012](#), and [S 1013](#) be placed at the bottom of the Third Reading Calendar. There being no objection, it was so ordered.

#### [HCR 16](#) - STATE TAX COMMISSION - RULE REJECTION

[HCR 16](#) was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Stevenson to open debate.

The question being, "Shall [HCR 16](#) be adopted?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Troy(Maurin), Vander Woude, Wagoner, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 69.

NAYS—None.

Absent—Wintrow. Total - 1.

Total - 70.

Whereupon the Speaker declared [HCR 16](#) adopted and ordered the resolution transmitted to the Senate.

#### [HCR 17](#) - STATE TAX COMMISSION - RULE REJECTION

[HCR 17](#) was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Stevenson to open debate.

The question being, "Shall [HCR 17](#) be adopted?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley,

DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Troy(Maurin), Vander Woude, Wagoner, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 69.

NAYS—None.

Absent—Wintrow. Total - 1.

Total - 70.

Whereupon the Speaker declared [HCR 17](#) adopted and ordered the resolution transmitted to the Senate.

#### [H 138](#) - FORCIBLE ENTRY AND UNLAWFUL DETAINER

[H 138](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Zollinger to open debate.

Pursuant to Rule 38(3), Mr. Holtzclaw disclosed a conflict of interest regarding [H 138](#).

Mr. Moyle moved that the House recess until 1:15 p.m. Seconded by Mr. Monks. Motion carried.

Whereupon the Speaker declared the House at recess until 1:15 p.m.

#### RECESS

#### Afternoon Session

The House reconvened at 1:15 p.m., the Speaker in the Chair.

Prior to recess, the House was at the Eleventh Order of Business.

[H 138](#), having previously been read the third time at length, debate continued.

Pursuant to Rule 38(3), Ms. Nichols disclosed a conflict of interest regarding [H 138](#).

Pursuant to Rule 38(3), Mr. Addis disclosed a conflict of interest regarding [H 138](#).

Pursuant to Rule 38(3), Mr. Anderson disclosed a conflict of interest regarding [H 138](#).

Pursuant to Rule 38(3), Mr. Ricks disclosed a conflict of interest regarding [H 138](#).

Pursuant to Rule 38(3), Ms. Rubel disclosed a conflict of interest regarding [H 138](#).

Pursuant to Rule 38(3), Mr. Erpelding disclosed a conflict of interest regarding [H 138](#).

Pursuant to Rule 38(3), Mr. Gestrin disclosed a conflict of interest regarding [H 138](#).

Pursuant to Rule 38(3), Mr. Gannon disclosed a conflict of interest regarding [H 138](#).

Pursuant to Rule 38(3), Mr. Kingsley disclosed a conflict of interest regarding [H 138](#).

Pursuant to Rule 38(3), Mr. Zollinger disclosed a conflict of interest regarding [H 138](#).



The question being, "Shall [H 138](#) pass?"

Roll call resulted as follows:

AYES—Amador, Anderson, Anderst, Andrus, Armstrong, Blanksma, Christensen, Dayley, DeMordaunt, Dixon, Ehardt, Furniss, Gibbs, Giddings, Green(2), Harris, Horman, Kingsley, Moon, Nichols, Palmer, Raybould, Raymond, Ricks, Scott, Shepherd, Troy(Maurin), Vander Woude, Wagoner, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 34.

NAYS—Abernathy, Addis, Barbieri, Berch, Boyle, Chaney, Chew, Clow, Collins, Crane, Davis, Ellis, Erpelding, Gannon, Gestrin, Goesling, Green(18), Hartgen, Holtzclaw, Kauffman, Kerby, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moyle, Rubel, Smith, Stevenson, Syme, Toone, Wintrow, Wisniewski, Wood. Total - 36.

Paired Votes:

AYE - Vander Woude	NAY - Erpelding
AYE - Palmer	NAY - Crane
AYE - Blanksma	NAY - Wintrow

(Pairs enumerated in roll call above.)

Total - 70.

Whereupon the Speaker declared that [H 138](#) failed to pass the House and ordered the bill filed in the office of the Chief Clerk.

#### [H 211](#) - APPROPRIATIONS - DIVISION OF VETERANS SERVICES

[H 211](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Syme to open debate.

The question being, "Shall [H 211](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Troy(Maurin), Vander Woude, Wagoner, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 67.

NAYS—None.

Absent—Crane, Erpelding, Wintrow. Total - 3.

Total - 70.

Whereupon the Speaker declared that [H 211](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

#### [H 212](#) - APPROPRIATIONS - DEPARTMENT OF JUVENILE CORRECTIONS

[H 212](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Kauffman to open debate.

The question being, "Shall [H 212](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Troy(Maurin), Vander Woude, Wagoner, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 67.

NAYS—None.

Absent—Crane, Erpelding, Wintrow. Total - 3.

Total - 70.

Whereupon the Speaker declared that [H 212](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

#### [H 213](#) - APPROPRIATIONS - SOIL AND WATER CONSERVATION COMMISSION

[H 213](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Kauffman to open debate.

The question being, "Shall [H 213](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Troy(Maurin), Vander Woude, Wagoner, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 67.

NAYS—None.

Absent—Crane, Erpelding, Wintrow. Total - 3.

Total - 70.

Whereupon the Speaker declared that [H 213](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

#### [H 214](#) - APPROPRIATIONS - OFFICE OF ENERGY AND MINERAL RESOURCES

[H 214](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Horman to open debate.

The question being, "Shall [H 214](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Berch, Blanksma, Chaney, Chew, Clow, Collins, Davis, Dayley, DeMordaunt, Dixon, Ellis, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18),

Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moyle, Raybould, Raymond, Ricks, Rubel, Shepherd, Smith, Stevenson, Syme, Toone, Troy(Maurin), Vander Woude, Wagoner, Wisniewski, Wood, Young, Youngblood, Mr. Speaker. Total - 56.

NAYS—Barbieri, Boyle, Christensen, Ehardt, Kingsley, Moon, Nichols, Palmer, Scott, Zito, Zollinger. Total - 11.

Absent—Crane, Erpelding, Wintrow. Total - 3.  
Total - 70.

Whereupon the Speaker declared that [H 214](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

#### [H 216](#) - APPROPRIATIONS - OFFICE OF SPECIES CONSERVATION

[H 216](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Amador to open debate.

The question being, "Shall [H 216](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Berch, Blanksma, Boyle, Chaney, Chew, Clow, Collins, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Troy(Maurin), Vander Woude, Wagoner, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 63.

NAYS—Armstrong, Barbieri, Christensen, Green(2). Total - 4.

Absent—Crane, Erpelding, Wintrow. Total - 3.  
Total - 70.

Whereupon the Speaker declared that [H 216](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

#### [H 177](#) - PERSI

[H 177](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Young to open debate.

The question being, "Shall [H 177](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Troy(Maurin), Vander Woude, Wagoner, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 67.

NAYS—None.

Absent—Crane, Erpelding, Wintrow. Total - 3.  
Total - 70.

Whereupon the Speaker declared that [H 177](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

#### [H 99](#) - CONTROLLED SUBSTANCES

[H 99](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Zollinger and Ms. Rubel to open debate.

The question being, "Shall [H 99](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Andrus, Armstrong, Barbieri, Berch, Blanksma, Chew, Christensen, Clow, Collins, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Gannon, Gestrin, Giddings, Green(18), Green(2), Harris, Horman, Kerby, Kingsley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Rubel, Scott, Shepherd, Smith, Stevenson, Toone, Troy(Maurin), Wintrow, Wisniewski, Young, Zito, Zollinger. Total - 48.

NAYS—Anderson, Anderst, Boyle, Chaney, Furniss, Gibbs, Goesling, Hartgen, Holtzclaw, Kauffman, Lickley, Palmer, Raybould, Raymond, Ricks, Syme, Vander Woude, Wagoner, Wood, Youngblood, Mr. Speaker. Total - 21.

Absent—Crane. Total - 1.

Paired Votes:

AYE - Wintrow	NAY - Lickley
AYE - Blanksma	NAY - Vander Woude

(Pairs enumerated in roll call above.)  
Total - 70.

Whereupon the Speaker declared that [H 99](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle moved that the House recess until 4 p.m. Seconded by Mr. Erpelding. Motion carried.

Whereupon the Speaker declared the House at recess until 4 p.m.

RECESS  
Afternoon Session

The House reconvened at 4 p.m., the Speaker in the Chair.

Prior to recess, the House was at the Eleventh Order of Business.

#### [HCR 9](#) - HYDROPOWER

[HCR 9](#) was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Ehardt to open debate.

The question being, "Shall [HCR 9](#) be adopted?"

Whereupon the Speaker declared [HCR 9](#) adopted by voice vote and ordered the resolution transmitted to the Senate.



Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Troy(Maurin), Vander Woude, Wagoner, Wisniewski, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 66.

NAYS—None.

Absent—Amador, Anderst, Wintrow, Wood. Total - 4.  
Total - 70.

Whereupon the Speaker declared that [H 164](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

### [H 201](#) - PROPERTY TAX LEVIES

[H 201](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Gibbs to open debate.

The question being, "Shall [H 201](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Anderson, Berch, Blanksma, Chew, Clow, Collins, Davis, Dayley, Dixon, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Goesling, Green(18), Hartgen, Horman, Kauffman, Kerby, Lickley, Marshall, Mason, McCrostie, Moyle, Raybould, Raymond, Rubel, Smith, Toone, Troy(Maurin), Wagoner, Youngblood, Mr. Speaker. Total - 37.

NAYS—Andrus, Armstrong, Barbieri, Boyle, Chaney, Christensen, Crane, DeMordaunt, Ehardt, Giddings, Green(2), Harris, Holtzclaw, Kingsley, Mendive, Monks, Moon, Nichols, Palmer, Ricks, Scott, Shepherd, Stevenson, Syme, Vander Woude, Wisniewski, Young, Zito, Zollinger. Total - 29.

Absent—Amador, Anderst, Wintrow, Wood. Total - 4.  
Total - 70.

Whereupon the Speaker declared that [H 201](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

### [H 2](#), as amended in the Senate - LOGGING

[H 2](#), as amended in the Senate, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Dixon to open debate.

The question being, "Shall [H 2](#), as amended in the Senate, pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Anderson, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Goesling, Green(18), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Troy(Maurin), Vander Woude, Wagoner, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 65.

NAYS—Giddings, Green(2). Total - 2.

Absent—Amador, Anderst, Wintrow. Total - 3.  
Total - 70.

Whereupon the Speaker declared [H 2](#), as amended in the Senate, passed the House. Title was approved and the bill referred to the Judiciary, Rules, and Administration Committee for enrolling.

### [H 137](#), as amended - DANGEROUS AND AT-RISK DOGS

[H 137](#), as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Moyle to open debate.

The question being, "Shall [H 137](#), as amended, pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Anderson, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Troy(Maurin), Vander Woude, Wagoner, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 67.

NAYS—None.

Absent—Amador, Anderst, Wintrow. Total - 3.  
Total - 70.

Whereupon the Speaker declared that [H 137](#), as amended, passed the House. Title was approved and the bill ordered transmitted to the Senate.

### [H 78](#), as amended - CRIMES AND PUNISHMENTS

[H 78](#), as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Kerby to open debate.

The question being, "Shall [H 78](#), as amended, pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Troy(Maurin), Vander Woude, Wagoner, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 68.

NAYS—None.

Absent—Amador, Wintrow. Total - 2.  
Total - 70.



Whereupon the Speaker declared that [H 78](#), as amended, passed the House. Title was approved and the bill ordered transmitted to the Senate.

**[H 118](#), as amended - CRIMINAL PROCEDURE**

[H 118](#), as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Chaney to open debate.

The question being, "Shall [H 118](#), as amended, pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Toone, Troy(Maurin), Vander Woude, Wagoner, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 66.

NAYS—Gannon, Syme. Total - 2.

Absent—Amador, Wintrow. Total - 2.

Total - 70.

Whereupon the Speaker declared that [H 118](#), as amended, passed the House. Title was approved and the bill ordered transmitted to the Senate.

**[H 158](#), as amended - HOMEOWNER'S ASSOCIATIONS**

[H 158](#), as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Rubel to open debate.

Pursuant to Rule 38(3), Mr. Anderson disclosed a conflict of interest regarding [H 158](#), as amended.

Pursuant to Rule 38(3), Ms. Rubel disclosed a conflict of interest regarding [H 158](#), as amended.

Pursuant to Rule 38(3), Mr. Furniss disclosed a conflict of interest regarding [H 158](#), as amended.

Pursuant to Rule 38(3), Mrs. Green(18) disclosed a conflict of interest regarding [H 158](#), as amended.

The question being, "Shall [H 158](#), as amended, pass?"

Roll call resulted as follows:

AYES—Abernathy, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Goesling, Green(18), Harris, Hartgen, Holtzclaw, Kauffman, Kerby, Lickley, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Smith, Stevenson, Toone, Troy(Maurin), Wagoner, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 55.

NAYS—Addis, Anderson, Christensen, Giddings, Green(2), Horman, Kingsley, Marshall, Scott, Shepherd, Syme, Vander Woude, Wisniewski. Total - 13.

Absent—Amador, Wintrow. Total - 2.  
Total - 70.

Whereupon the Speaker declared that [H 158](#), as amended, passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

Mr. Moyle asked unanimous consent that beginning Tuesday, March 5, 2019, legislation on the Third Reading Calendar be placed in the following order: House bills, House proclamations, House concurrent resolutions, House joint memorials, Senate bills, Senate concurrent resolutions, and Senate joint memorials. There being no objection, it was so ordered.

There being no objection, the House advanced to the Fifteenth Order of Business.

**15TH ORDER  
Announcements**

Announcements were made to the body.

**16TH ORDER  
Adjournment**

Mr. Moyle moved that the House adjourn until 10:30 a.m., Tuesday, March 5, 2019. Seconded by Mr. Erpelding. Motion carried.

Whereupon the Speaker declared the House adjourned at 5:06 p.m.

SCOTT BEDKE, Speaker

ATTEST:

CARRIE MAULIN, Chief Clerk

# HOUSE JOURNAL

OF THE

## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-FIFTH LEGISLATURE

FIFTY-EIGHTH LEGISLATIVE DAY  
TUESDAY, MARCH 5, 2019

House of Representatives

The House convened at 10:30 a.m., the Speaker in the Chair.

Roll call showed all 70 members present.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Chad Majors, Page.

### 3RD ORDER

#### Approval of Journal

March 5, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Fifty-seventh Legislative Day and recommend that same be adopted as corrected.

DAYLEY, Chairman

Mr. Dayley moved that the report be adopted. Seconded by Mr. Gannon. Report adopted.

### 4TH ORDER

#### Consideration of Messages from the Governor and the Senate

March 4, 2019

Mr. Speaker:

I transmit herewith enrolled [S 1028](#) for the signature of the Speaker.

NOVAK, Secretary

The Speaker announced he was about to sign enrolled [S 1028](#) when so signed, ordered it returned to the Senate.

March 4, 2019

Mr. Speaker:

I transmit herewith [S 1134](#), [S 1133](#), [S 1037](#), as amended, and [S 1088](#), as amended, which have passed the Senate.

NOVAK, Secretary

[S 1134](#), [S 1133](#), [S 1037](#), as amended, and [S 1088](#), as amended, were filed for first reading.

March 4, 2019

Mr. Speaker:

I return herewith [H 89](#) which has passed the Senate.

NOVAK, Secretary

[H 89](#) was referred to the Judiciary, Rules, and Administration Committee for enrolling.

### 5TH ORDER

#### Report of Standing Committees

March 5, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have printed [H 226](#), [H 227](#), and [H 228](#).

DAYLEY, Chairman

[H 226](#) and [H 227](#) were filed for second reading.

[H 228](#) was referred to the Health and Welfare Committee.

March 5, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have enrolled [H 68](#).

DAYLEY, Chairman

The Speaker announced he was about to sign enrolled [H 68](#) and, when so signed, ordered it transmitted to the Senate for the signature of the President.

March 5, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have engrossed [H 42](#), as amended in the Senate.

DAYLEY, Chairman

[H 42](#), as amended in the Senate, was filed for first reading of engrossed bills.

March 4, 2019

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration [H 210](#) and recommend that it do pass.

HARRIS, Chairman

[H 210](#) was filed for second reading.

March 4, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, return misdirected [H 205](#) to the Desk.

DAYLEY, Chairman

[H 205](#) was referred to State Affairs Committee.

March 4, 2019

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration [H 208](#) and recommend that it do pass.

PALMER, Chairman

[H 208](#) was filed for second reading.

March 4, 2019

Mr. Speaker:

We, your COMMITTEE ON AGRICULTURAL AFFAIRS, report that we have had under consideration [S 1082](#) and recommend that it do pass.

BOYLE, Chairman

[S 1082](#) was filed for second reading.



March 5, 2019

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration [H 204](#) and [H 206](#) and recommend that they do pass.

HARRIS, Chairman

[H 204](#) and [H 206](#) were filed for second reading.

Ms. Zito asked unanimous consent, pursuant to Rule 46, that [H 206](#) be corrected as follows:

Page 2 Line 22 delete (m) and insert (n).

There being no objection, it was so ordered.

There being no objection, the House advanced to the Eighth Order of Business.

**8TH ORDER**

**Introduction, First Reading, and Reference of Bills and Joint Resolutions**

**HOUSE BILL NO. 229  
BY STATE AFFAIRS COMMITTEE  
AN ACT**

RELATING TO ELECTRICAL OCCUPATIONS; AMENDING SECTION 54-1001, IDAHO CODE, TO PROVIDE FOR THE ADOPTION OF THE IDAHO RESIDENTIAL ELECTRICAL CODE AND TO REVISE TERMINOLOGY; AND AMENDING SECTION 54-1010, IDAHO CODE, TO PROVIDE FOR SUPERVISION OF ELECTRICAL APPRENTICES AND TO REVISE TERMINOLOGY.

**HOUSE BILL NO. 230  
BY APPROPRIATIONS COMMITTEE  
AN ACT**

RELATING TO THE APPROPRIATION TO THE IDAHO COMMISSION FOR LIBRARIES FOR FISCAL YEAR 2020; APPROPRIATING MONEYS TO THE IDAHO COMMISSION FOR LIBRARIES FOR FISCAL YEAR 2020; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING REQUIREMENTS FOR A REPORT ON ONLINE SERVICES FILTERS; REPURPOSING AN APPROPRIATION FOR SPECIFIC EXPENSES FOR FISCAL YEAR 2019; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 231  
BY APPROPRIATIONS COMMITTEE  
AN ACT**

RELATING TO THE APPROPRIATION TO THE LIEUTENANT GOVERNOR FOR FISCAL YEAR 2020; APPROPRIATING MONEYS TO THE LIEUTENANT GOVERNOR FOR FISCAL YEAR 2020; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AND EXEMPTING THE APPROPRIATION FROM OBJECT TRANSFER LIMITATIONS.

**HOUSE BILL NO. 232  
BY APPROPRIATIONS COMMITTEE  
AN ACT**

RELATING TO THE APPROPRIATION TO THE SUPERINTENDENT OF PUBLIC INSTRUCTION FOR FISCAL YEAR 2020; APPROPRIATING MONEYS TO THE

SUPERINTENDENT OF PUBLIC INSTRUCTION FOR FISCAL YEAR 2020; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

**HOUSE BILL NO. 233  
BY APPROPRIATIONS COMMITTEE  
AN ACT**

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF LANDS FOR FISCAL YEAR 2020; APPROPRIATING MONEYS TO THE DEPARTMENT OF LANDS FOR FISCAL YEAR 2020; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; EXEMPTING THE APPROPRIATION FROM OBJECT TRANSFER LIMITATIONS; PROVIDING AN APPROPRIATION AND A TRANSFER OF FUNDS TO THE FIRE SUPPRESSION DEFICIENCY FUND; PROVIDING REAPPROPRIATION AUTHORITY FOR THE LAND INFORMATION MANAGEMENT SYSTEM; AND PROVIDING REAPPROPRIATION AUTHORITY FOR THE PRIVATE FIRE SYSTEM.

**HOUSE BILL NO. 234  
BY APPROPRIATIONS COMMITTEE  
AN ACT**

RELATING TO THE APPROPRIATION TO THE MEDICAL BOARDS FOR FISCAL YEAR 2020; APPROPRIATING MONEYS TO THE MEDICAL BOARDS FOR FISCAL YEAR 2020; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

**HOUSE BILL NO. 235  
BY APPROPRIATIONS COMMITTEE  
AN ACT**

RELATING TO THE APPROPRIATION TO THE INDUSTRIAL COMMISSION FOR FISCAL YEAR 2020; APPROPRIATING MONEYS TO THE INDUSTRIAL COMMISSION FOR FISCAL YEAR 2020; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AND AMENDING SECTION 72-503, IDAHO CODE, TO INCREASE THE SALARIES OF THE INDUSTRIAL COMMISSIONERS.

**HOUSE BILL NO. 236  
BY APPROPRIATIONS COMMITTEE  
AN ACT**

RELATING TO THE APPROPRIATION TO THE DIVISION OF BUILDING SAFETY FOR FISCAL YEAR 2020; APPROPRIATING MONEYS TO THE DIVISION OF BUILDING SAFETY FOR FISCAL YEAR 2020; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AND PROVIDING REAPPROPRIATION AUTHORITY.

**HOUSE BILL NO. 237  
BY APPROPRIATIONS COMMITTEE  
AN ACT**

RELATING TO THE APPROPRIATION TO THE DIVISION OF VOCATIONAL REHABILITATION FOR FISCAL YEAR 2020; APPROPRIATING MONEYS TO THE DIVISION OF VOCATIONAL REHABILITATION FOR FISCAL YEAR 2020; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS;

AND PROVIDING REQUIREMENTS FOR A PROVIDER RATE INCREASE.

**HOUSE BILL NO. 238**  
**BY APPROPRIATIONS COMMITTEE**  
AN ACT

RELATING TO THE APPROPRIATION TO THE REGULATORY BOARDS FOR FISCAL YEAR 2020; APPROPRIATING MONEYS TO THE REGULATORY BOARDS FOR FISCAL YEAR 2020; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AND PROVIDING REAPPROPRIATION AUTHORITY.

**HOUSE BILL NO. 239**  
**BY REVENUE AND TAXATION COMMITTEE**  
AN ACT

RELATING TO SALES AND USE TAX; AMENDING CHAPTER 36, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3605E, IDAHO CODE, TO DEFINE A TERM; AMENDING SECTION 63-3611, IDAHO CODE, TO REVISE A DEFINITION AND TO CLARIFY A DUTY; AMENDING CHAPTER 36, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3620E, IDAHO CODE, TO PROVIDE FOR THE COLLECTION OF THE STATE SALES OR USE TAX BY A MARKETPLACE FACILITATOR; AMENDING CHAPTER 36, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3620F, IDAHO CODE, TO PROVIDE FOR THE DISTRIBUTION OF TAX COLLECTED BY CERTAIN OUT-OF-STATE MARKETPLACE FACILITATORS AND OUT-OF-STATE RETAILERS; AMENDING SECTION 57-811, IDAHO CODE, TO PROVIDE FOR THE DISTRIBUTION OF CERTAIN REVENUES TO THE TAX RELIEF FUND AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 63-3638, IDAHO CODE, TO EXEMPT CERTAIN TAXES FROM A CERTAIN DISTRIBUTION FORMULA AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 63-3605, IDAHO CODE, TO REDESIGNATE THE SECTION; AMENDING SECTION 63-3605A, IDAHO CODE, TO REDESIGNATE THE SECTION; AMENDING SECTION 63-3605B, IDAHO CODE, TO REDESIGNATE THE SECTION; AMENDING SECTION 63-3606A, IDAHO CODE, TO REDESIGNATE THE SECTION; AMENDING SECTION 63-3606B, IDAHO CODE, TO REDESIGNATE THE SECTION; AND PROVIDING AN EFFECTIVE DATE.

**HOUSE BILL NO. 240**  
**BY REVENUE AND TAXATION COMMITTEE**  
AN ACT

RELATING TO AMBULANCE SERVICE DISTRICTS; AMENDING SECTION 31-3908, IDAHO CODE, TO REVISE THE MAXIMUM PROPERTY TAX LEVY RATE FOR AN AMBULANCE SERVICE DISTRICT; AND AMENDING SECTION 63-802, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE MAXIMUM PROPERTY TAX LEVY RATE FOR AN AMBULANCE SERVICE DISTRICT BUDGET AND TO MAKE A TECHNICAL CORRECTION.

**HOUSE BILL NO. 241**  
**BY REVENUE AND TAXATION COMMITTEE**  
AN ACT

RELATING TO COUNTY FAIR DISTRICTS; AMENDING TITLE 22, IDAHO CODE, BY THE ADDITION

OF A NEW CHAPTER 10, TITLE 22, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO PROVIDE DEFINITIONS, TO PROVIDE FOR THE CREATION OF COUNTY FAIR DISTRICTS, TO PROVIDE FOR QUALIFICATIONS, COMPENSATION, AND TERMS OF A BOARD OF DIRECTORS, TO PROVIDE FOR THE ELECTION OF DIRECTORS, TO PROVIDE FOR PERSONS WHO MAY VOTE IN THE ELECTION, TO PROVIDE FOR THE ORGANIZATION OF THE BOARD, BOARD MEETINGS, AND THE INSPECTION OF RECORDS, TO PROVIDE FOR THE OFFICERS OF THE BOARD, TO PROVIDE FOR THE DUTIES OF THE PRESIDENT, SECRETARY, AND TREASURER OF THE BOARD, TO PROVIDE FOR THE FISCAL YEAR OF THE DISTRICT AND AUDITS, TO LIMIT THE POWER OF THE BOARD TO INCUR DEBT, TO PROVIDE FOR CLAIMS AGAINST THE DISTRICT, TO PROVIDE FOR THE PURPOSE OF THE DISTRICT, TO PROVIDE FOR THE POWERS OF THE DISTRICT, TO AUTHORIZE THE LEVY OF A TAX OR A FEE IN LIEU OF TAXES, TO PROVIDE FOR THE ANNEXATION OF ADDITIONAL TERRITORY, TO PROVIDE A PROCEDURE FOR THE DISSOLUTION OF A DISTRICT, TO PROVIDE A DISSOLUTION PROCEDURE FOR AN INACTIVE DISTRICT, TO PROVIDE FOR THE LIBERAL CONSTRUCTION OF THE ACT, TO PROVIDE FOR THE AUTHORIZATION, FORM, AND TERMS OF BOND ISSUES, TO PROVIDE FOR AN ELECTION FOR THE CREATION OF INDEBTEDNESS FOR WORKS OR IMPROVEMENTS, TO PROVIDE FOR NOTICES OF ELECTION ON PROPOSED INDEBTEDNESS, TO PROVIDE FOR THE CONDUCT OF AN ELECTION FOR PROPOSED INDEBTEDNESS, TO PROVIDE FOR THE CONSEQUENCES OF A FAVORABLE OR UNFAVORABLE VOTE, TO PROVIDE FOR BOND SECURITY IN THE FORM OF TAX LEVIES AND A SINKING FUND, TO AUTHORIZE A COUNTY FAIR DISTRICT RESERVE FUND, TO PROVIDE FOR AN ELECTION FOR A COUNTY FAIR FACILITIES RESERVE FUND, TO PROVIDE FOR THE ADOPTION OF A BUDGET AND A PUBLIC HEARING, TO PROVIDE NOTICE OF THE PUBLIC HEARING, TO PROVIDE FOR THE PUBLIC INSPECTION OF THE BUDGET, TO PROVIDE FOR THE DUTIES OF THE BOARD AT A PUBLIC BUDGET HEARING, AND TO CLARIFY THE APPLICATION OF THE LAW TO OTHER COUNTY FAIR BOARDS OR DISTRICTS.

**HOUSE BILL NO. 242**  
**BY REVENUE AND TAXATION COMMITTEE**  
AN ACT

RELATING TO HOSPITALS; AMENDING SECTION 63-602D, IDAHO CODE, TO REVISE PROVISIONS REGARDING HOSPITAL PROPERTY TAX EXEMPTIONS; AND PROVIDING AN EFFECTIVE DATE.

**HOUSE BILL NO. 243**  
**BY REVENUE AND TAXATION COMMITTEE**  
AN ACT

RELATING TO THE PROPERTY TAX EXEMPTION FOR HOMEOWNERS; AMENDING SECTION 63-602G, IDAHO CODE, TO REVISE THE MAXIMUM AMOUNT SUBJECT TO PROPERTY TAX EXEMPTION FOR HOMEOWNERS AND TO MAKE TECHNICAL CORRECTIONS.

**HOUSE BILL NO. 244**  
**BY HEALTH AND WELFARE COMMITTEE**  
**AN ACT**

RELATING TO NATUROPATHIC MEDICINE LICENSING; AMENDING TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 51, TITLE 54, IDAHO CODE, TO DEFINE TERMS, TO PROVIDE FOR SCOPE OF PRACTICE, TO PROVIDE EXEMPTIONS FROM LICENSURE, TO ESTABLISH A NATUROPATHIC MEDICAL BOARD, TO PROVIDE FOR THE POWERS AND DUTIES OF THE NATUROPATHIC MEDICAL BOARD, TO ESTABLISH PROVISIONS REGARDING QUALIFICATIONS FOR LICENSURE, TO PROVIDE FOR LICENSURE BY ENDORSEMENT, TO PROVIDE FOR LICENSE EXPIRATION AND RENEWAL, TO PROVIDE GROUNDS FOR DISCIPLINE OR DENIAL OF A LICENSE, TO SPECIFY CERTAIN PROHIBITED ACTS, AND TO PROVIDE FOR PREEMPTION OF LOCAL REGULATIONS.

[H 229](#), [H 230](#), [H 231](#), [H 232](#), [H 233](#), [H 234](#), [H 235](#), [H 236](#), [H 237](#), [H 238](#), [H 239](#), [H 240](#), [H 241](#), [H 242](#), [H 243](#), and [H 244](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

[S 1134](#) and [S 1133](#), by Judiciary and Rules Committee, were introduced, read the first time by title, and referred to the Judiciary, Rules and Administration Committee.

[S 1037](#), as amended, by Commerce and Human Resources Committee, was introduced, read the first time by title, and referred to the Business Committee.

[S 1088](#), as amended, by Resources and Environment Committee, was introduced, read the first time by title, and referred to the Resources and Conservation Committee.

There being no objection, the House returned to the Fifth Order of Business.

**5TH ORDER**  
**Report of Standing Committees**

March 5, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have printed [H 244](#).

DAYLEY, Chairman

[H 244](#) was filed for second reading.

There being no objection, the House advanced to the Ninth Order of Business.

**9TH ORDER**  
**First Reading of Engrossed Bills**

[H 42](#), as amended in the Senate, by State Affairs Committee, was introduced, read the first time by title, and filed for second reading.

**10TH ORDER**  
**Second Reading of Bills and Joint Resolutions**

[H 120](#) and [H 194](#), by Education Committee, were read the second time by title and filed for third reading.

[H 207](#), [H 209](#), [HR 3](#), and [HR 4](#), by Ways and Means Committee, were read the second time by title and filed for third reading.

**11TH ORDER**  
**Third Reading of Bills and Joint Resolutions**

Mr. Moyle asked unanimous consent that [H 121](#) and [H 70](#) be placed at the bottom of the Third Reading Calendar. There being no objection, it was so ordered.

Mr. Wood asked unanimous consent that [H 196](#) be returned to the Health and Welfare Committee. There being no objection, it was so ordered.

Mr. Mendive asked unanimous consent that [H 127](#), as amended, be placed on General Orders for consideration. There being no objection it was so ordered.

**[H 145](#), as amended - SELF-SERVICE STORAGE FACILITIES**

[H 145](#), as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Vander Woude to open debate.

Pursuant to Rule 38(3), Mr. Syme disclosed a conflict of interest regarding [H 145](#), as amended.

Pursuant to Rule 38(3), Mr. Gibbs disclosed a conflict of interest regarding [H 145](#), as amended.

Pursuant to Rule 38(3), Mr. Anderson disclosed a conflict of interest regarding [H 145](#), as amended.

Pursuant to Rule 38(3), Mr. Moyle disclosed a conflict of interest regarding [H 145](#), as amended.

The question being, "Shall [H 145](#), as amended, pass?"

Roll call resulted as follows:

AYES—Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Blanksma, Chaney, Christensen, Clow, Collins, Crane, Davis, DeMordaunt, Dixon, Ehardt, Furniss, Giddings, Goesling, Green(2), Harris, Hartgen, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mendive, Monks, Moon, Nichols, Palmer, Raybould, Raymond, Ricks, Scott, Shepherd, Smith, Stevenson, Troy(Maurin), Vander Woude, Wagoner, Wisniewski, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 50.

NAYS—Abernathy, Berch, Boyle, Chew, Dayley, Ellis, Erpelding, Gannon, Gestrin, Gibbs, Green(18), Holtzclaw, Mason, McCrostie, Moyle, Rubel, Syme, Toone, Wintrow, Wood. Total - 20.

Total - 70.

Whereupon the Speaker declared that [H 145](#), as amended, passed the House. Title was approved and the bill ordered transmitted to the Senate.

### **H 200 - APPROPRIATIONS - PUBLIC HEALTH DISTRICTS**

**H 200** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Wintrow to open debate.

The question being, "Shall **H 200** pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Anderson, Anderst, Berch, Blanksma, Chew, Clow, Collins, Crane, Davis, Dayley, Ellis, Erpelding, Furniss, Gannon, Gibbs, Goesling, Green(18), Hartgen, Holtzclaw, Kauffman, Kerby, Lickley, Marshall, Mason, McCrostie, Raybould, Raymond, Ricks, Rubel, Smith, Syme, Toone, Troy(Maurin), Wagoner, Wintrow, Wood, Youngblood, Mr. Speaker. Total - 40.

NAYS—Amador, Andrus, Armstrong, Barbieri, Boyle, Chaney, Christensen, DeMordaunt, Dixon, Ehardt, Gestrin, Giddings, Green(2), Harris, Horman, Kingsley, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Scott, Shepherd, Stevenson, Vander Woude, Wisniewski, Young, Zito, Zollinger. Total - 30.  
Total - 70.

Whereupon the Speaker declared that **H 200** passed the House. Title was approved and the bill ordered transmitted to the Senate.

### **H 215 - APPROPRIATIONS - STEM ACTION CENTER**

**H 215** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Wintrow to open debate.

The question being, "Shall **H 215** pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Berch, Blanksma, Boyle, Chaney, Chew, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Goesling, Green(18), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moyle, Palmer, Raybould, Raymond, Ricks, Rubel, Shepherd, Smith, Stevenson, Syme, Toone, Troy(Maurin), Vander Woude, Wagoner, Wintrow, Wood, Young, Youngblood, Mr. Speaker. Total - 59.

NAYS—Barbieri, Christensen, Ehardt, Giddings, Green(2), Moon, Nichols, Scott, Wisniewski, Zito, Zollinger. Total - 11.  
Total - 70.

Whereupon the Speaker declared that **H 215** passed the House. Title was approved and the bill ordered transmitted to the Senate.

### **H 219 - APPROPRIATIONS - PUBLIC SCHOOLS - ADMINISTRATORS DIVISION**

**H 219** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Horman to open debate.

Mrs. Horman asked unanimous consent that, pursuant to Rule 22, discussion of other pending legislation be allowed in debate of **H 219**. There being no objection it was so ordered.

The question being, "Shall **H 219** pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Berch, Blanksma, Boyle, Chaney, Chew, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moyle, Palmer, Raybould, Raymond, Ricks, Rubel, Shepherd, Smith, Stevenson, Syme, Toone, Troy(Maurin), Vander Woude, Wagoner, Wintrow, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 64.

NAYS—Barbieri, Christensen, Moon, Nichols, Scott, Wisniewski. Total - 6.  
Total - 70.

Whereupon the Speaker declared that **H 219** passed the House. Title was approved and the bill ordered transmitted to the Senate.

### **H 220 - APPROPRIATIONS - PUBLIC SCHOOLS - TEACHERS DIVISION**

**H 220** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Amador to open debate.

The question being, "Shall **H 220** pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Berch, Blanksma, Boyle, Chaney, Chew, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Goesling, Green(18), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moyle, Palmer, Raybould, Raymond, Ricks, Rubel, Shepherd, Smith, Stevenson, Syme, Toone, Troy(Maurin), Vander Woude, Wagoner, Wintrow, Wood, Young, Youngblood, Zollinger, Mr. Speaker. Total - 61.

NAYS—Barbieri, Christensen, Giddings, Green(2), Moon, Nichols, Scott, Wisniewski, Zito. Total - 9.  
Total - 70.

Whereupon the Speaker declared that **H 220** passed the House. Title was approved and the bill ordered transmitted to the Senate.

### **H 221 - APPROPRIATIONS - PUBLIC SCHOOLS - OPERATIONS DIVISION**

**H 221** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Horman to open debate.

The question being, "Shall **H 221** pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Berch, Blanksma, Boyle, Chaney, Chew, Clow, Collins, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Goesling, Green(18), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moyle, Palmer, Raybould, Raymond, Ricks, Rubel, Shepherd, Smith, Stevenson, Syme, Toone, Troy(Maurin), Vander Woude, Wagoner, Wintrow, Wood, Young, Youngblood, Zollinger, Mr. Speaker. Total - 59.

NAYS—Barbieri, Christensen, Giddings, Green(2), Moon, Nichols, Scott, Wisniewski, Zito. Total - 9.

Absent—Crane, Kingsley. Total - 2.  
Total - 70.

Whereupon the Speaker declared that [H 221](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

#### [H 222](#) - APPROPRIATIONS - PUBLIC SCHOOLS - CHILDREN'S PROGRAMS DIVISION

[H 222](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Raybould to open debate.

The question being, "Shall [H 222](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Berch, Blanksma, Boyle, Chaney, Chew, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Goesling, Green(18), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moyle, Palmer, Raybould, Raymond, Ricks, Rubel, Shepherd, Smith, Stevenson, Syme, Toone, Troy(Maurin), Vander Woude, Wagoner, Wintrow, Wood, Young, Youngblood, Zollinger, Mr. Speaker. Total - 61.

NAYS—Barbieri, Christensen, Giddings, Green(2), Moon, Nichols, Scott, Wisniewski, Zito. Total - 9.  
Total - 70.

Whereupon the Speaker declared that [H 222](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

#### [H 223](#) - APPROPRIATIONS - PUBLIC SCHOOLS - FACILITIES DIVISION

[H 223](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Amador to open debate.

Pursuant to Rule 38(3), Mr. Crane disclosed a conflict of interest regarding [H 223](#).

The question being, "Shall [H 223](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Berch, Blanksma, Boyle, Chaney, Chew, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Gannon, Gestrin, Gibbs, Goesling,

Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moyle, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Troy(Maurin), Vander Woude, Wagoner, Wintrow, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 63.

NAYS—Barbieri, Christensen, Furniss, Giddings, Moon, Nichols, Wisniewski. Total - 7.  
Total - 70.

Whereupon the Speaker declared that [H 223](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

#### [H 224](#) - APPROPRIATIONS - PUBLIC SCHOOLS - CENTRAL SERVICES DIVISION

[H 224](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Raybould to open debate.

Pursuant to Rule 38(3), Mr. Amador disclosed a conflict of interest regarding [H 224](#).

The question being, "Shall [H 224](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Troy(Maurin), Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 70.

Whereupon the Speaker declared that [H 224](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

#### [H 225](#) - APPROPRIATIONS - PUBLIC SCHOOLS - EDUCATIONAL SERVICES FOR THE DEAF AND THE BLIND

[H 225](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Toone to open debate.

The question being, "Shall [H 225](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Troy(Maurin), Vander Woude,



Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 68.  
 NAYS—Christensen. Total - 1.  
 Absent—Moyle. Total - 1.  
 Total - 70.

Whereupon the Speaker declared that **H 225** passed the House. Title was approved and the bill ordered transmitted to the Senate.

#### **S 1047 - PURCHASING BY POLITICAL SUBDIVISIONS**

**S 1047** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Anderson to open debate.

The question being, "Shall **S 1047** pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, Dixon, Ehardt, Ellis, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Troy(Maurin), Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 68.  
 NAYS—None.  
 Absent—DeMordaunt, Erpelding. Total - 2.  
 Total - 70.

Whereupon the Speaker declared that **S 1047** passed the House. Title was approved and the bill ordered returned to the Senate.

#### **S 1008 - ELECTRICAL CONTRACTORS AND JOURNEYMEN**

**S 1008** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Nichols to open debate.

The question being, "Shall **S 1008** pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Davis, Dayley, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Troy(Maurin), Vander Woude, Wagoner, Wintrow, Wisniewski, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 67.  
 NAYS—Crane, Wood. Total - 2.  
 Absent—DeMordaunt. Total - 1.  
 Total - 70.

Whereupon the Speaker declared that **S 1008** passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Fifteenth Order of Business.

#### **15TH ORDER Announcements**

Announcements were made to the body.

#### **16TH ORDER Adjournment**

Mr. Moyle moved that the House adjourn until 10:30 a.m., Wednesday, March 6, 2019. Seconded by Mr. Erpelding. Motion carried.

Whereupon the Speaker declared the House adjourned at 12:01 p.m.

SCOTT BEDKE, Speaker

ATTEST:  
 CARRIE MAULIN, Chief Clerk



# HOUSE JOURNAL OF THE IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-FIFTH LEGISLATURE

FIFTY-NINTH LEGISLATIVE DAY  
WEDNESDAY, MARCH 6, 2019

House of Representatives

The House convened at 10:30 a.m., the Speaker in the Chair.

Roll call showed all 70 members present.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Audrie Earle, Page.

### 3RD ORDER Approval of Journal

March 6, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Fifty-eighth Legislative Day and recommend that same be adopted as corrected.

DAYLEY, Chairman

Mr. Dayley moved that the report be adopted. Seconded by Mr. Gannon. Report adopted.

### 4TH ORDER Consideration of Messages from the Governor and the Senate

March 5, 2019

Mr. Speaker:

I transmit herewith enrolled [S 1026](#), [S 1115](#), [S 1128](#), [S 1046](#), [S 1049](#), and [S 1130](#) for the signature of the Speaker.

NOVAK, Secretary

The Speaker announced he was about to sign enrolled [S 1026](#), [S 1115](#), [S 1128](#), [S 1046](#), [S 1049](#), and [S 1130](#) when so signed, ordered them returned to the Senate.

March 5, 2019

Mr. Speaker:

I return herewith enrolled [H 8](#), [H 18](#), [H 37](#), [H 22](#), [H 64](#), [H 132](#), [H 60](#), [H 3](#), [H 4](#), [H 86](#), [H 87](#), [H 67](#), [H 59](#), [H 159](#), [H 7](#), [H 27](#), [H 46](#), and [H 108](#) which have been signed by the President.

NOVAK, Secretary

Enrolled [H 8](#), [H 18](#), [H 37](#), [H 22](#), [H 64](#), [H 132](#), [H 60](#), [H 3](#), [H 4](#), [H 86](#), [H 87](#), [H 67](#), [H 59](#), [H 159](#), [H 7](#), [H 27](#), [H 46](#), and [H 108](#) were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

March 5, 2019

Mr. Speaker:

I transmit herewith [S 1034](#), as amended, [S 1099](#), as amended, [S 1129](#), as amended, [S 1075](#), as amended, [S 1139](#), [S 1140](#), [S 1141](#), [S 1142](#), [S 1143](#), and [S 1144](#) which have passed the Senate.

NOVAK, Secretary

[S 1034](#), as amended, [S 1099](#), as amended, [S 1129](#), as amended, [S 1075](#), as amended, [S 1139](#), [S 1140](#), [S 1141](#), [S 1142](#), [S 1143](#), and [S 1144](#) were filed for first reading.

### 5TH ORDER Report of Standing Committees

March 6, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have printed [H 229](#), [H 230](#), [H 231](#), [H 232](#), [H 233](#), [H 234](#), [H 235](#), [H 236](#), [H 237](#), [H 238](#), [H 239](#), [H 240](#), [H 241](#), [H 242](#), and [H 243](#).

DAYLEY, Chairman

[H 230](#), [H 231](#), [H 232](#), [H 233](#), [H 234](#), [H 235](#), [H 236](#), [H 237](#), and [H 238](#) were filed for second reading.

[H 229](#) was referred to the Business Committee.

[H 239](#), [H 240](#), [H 241](#), [H 242](#), and [H 243](#) were referred to the Revenue and Taxation Committee.

March 6, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have enrolled [H 2](#), as amended in the Senate, and [H 89](#).

DAYLEY, Chairman

The Speaker announced he was about to sign enrolled [H 2](#), as amended in the Senate, and [H 89](#) and, when so signed, ordered them transmitted to the Senate for the signature of the President.

March 5, 2019

Mr. Speaker:

We, your COMMITTEE ON COMMERCE AND HUMAN RESOURCES, report that we have had under consideration [S 1071](#) and recommend that it do pass.

HOLTZCLAW, Chairman

[S 1071](#) was filed for second reading.

March 5, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have had under consideration [S 1018](#), as amended, [S 1019](#), [S 1021](#), [S 1022](#), [S 1042](#), and [S 1043](#) and recommend that they do pass.

DAYLEY, Chairman

[S 1018](#), as amended, [S 1019](#), [S 1021](#), [S 1022](#), [S 1042](#), and [S 1043](#) were filed for second reading.

March 5, 2019

Mr. Speaker:

We, your COMMITTEE ON RESOURCES AND CONSERVATION, report that we have had under consideration [H 192](#) and recommend that it do pass.

GIBBS, Chairman

[H 192](#) was filed for second reading.

March 5, 2019

Mr. Speaker:

We, your COMMITTEE ON BUSINESS, report that we have had under consideration [H 195](#) and recommend that it do pass.

DIXON, Chairman

[H 195](#) was filed for second reading.

March 6, 2019

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration [S 1078](#) and [SCR 103](#) and recommend that they do pass.

HARRIS, Chairman

[S 1078](#) and [SCR 103](#) were filed for second reading.

There being no objection, the House advanced to the Eighth Order of Business.

**8TH ORDER**  
**Introduction, First Reading, and Reference**  
**of Bills and Joint Resolutions**

**HOUSE BILL NO. 245**  
**BY APPROPRIATIONS COMMITTEE**  
AN ACT

RELATING TO THE APPROPRIATION TO THE EXECUTIVE OFFICE OF THE GOVERNOR FOR FISCAL YEAR 2020; APPROPRIATING MONEYS TO THE EXECUTIVE OFFICE OF THE GOVERNOR FOR FISCAL YEAR 2020; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AND EXEMPTING THE APPROPRIATION FROM OBJECT AND PROGRAM TRANSFER LIMITATIONS.

**HOUSE BILL NO. 246**  
**BY APPROPRIATIONS COMMITTEE**  
AN ACT

RELATING TO THE APPROPRIATION TO THE OFFICE OF INFORMATION TECHNOLOGY SERVICES FOR FISCAL YEAR 2020; APPROPRIATING MONEYS TO THE OFFICE OF INFORMATION TECHNOLOGY SERVICES FOR FISCAL YEAR 2020; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

**HOUSE BILL NO. 247**  
**BY WAYS AND MEANS COMMITTEE**  
AN ACT

RELATING TO INSURANCE; AMENDING SECTION 41-2503, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING UNDERINSURED MOTOR VEHICLE COVERAGE; AND PROVIDING EFFECTIVE DATES AND APPLICABILITY.

**HOUSE BILL NO. 248**  
**BY WAYS AND MEANS COMMITTEE**  
AN ACT

RELATING TO OCCUPATIONAL LICENSING REFORM; AMENDING TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 93, TITLE 67, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO PROVIDE A DECLARATION OF POLICY, TO PROVIDE DEFINITIONS, TO PROVIDE FOR MILITARY QUALIFICATIONS FOR LICENSURE, TO PROVIDE FOR CERTAIN EXPEDITED APPLICATIONS, TO

PROVIDE FOR CERTAIN LICENSURE BY ENDORSEMENT AND TO PROVIDE FOR A CERTAIN REPORT TO THE LEGISLATURE; AND REPEALING SECTION 67-2620, IDAHO CODE, REGARDING MILITARY EDUCATION TRAINING AND SERVICE.

**HOUSE BILL NO. 249**  
**BY HEALTH AND WELFARE COMMITTEE**  
AN ACT

RELATING TO MEDICAID; AMENDING SECTION 56-253, IDAHO CODE, TO PROVIDE THAT A HEALTH RISK ASSESSMENT SHALL INCLUDE QUESTIONS RELATING TO SUBSTANCE USE DISORDERS, TO PROVIDE THAT THE DIRECTOR OF THE DEPARTMENT OF HEALTH AND WELFARE SHALL SEEK CERTAIN WAIVERS AND CONDUCT CERTAIN RESEARCH, TO PROVIDE THAT APPROVED WAIVERS SHALL BE IMPLEMENTED AS SOON AS POSSIBLE, AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 56-267, IDAHO CODE, TO PROVIDE THAT THE LEGISLATURE MAY DECLARE THE SECTION TO BE NULL, VOID, AND OF NO FORCE AND EFFECT UNDER CERTAIN CIRCUMSTANCES, TO PROVIDE THAT THE SECTION SHALL BECOME NULL, VOID, AND OF NO FORCE AND EFFECT UNDER CERTAIN CIRCUMSTANCES, TO PROVIDE FOR A REVERSION OF CERTAIN FUNDING, TO PROVIDE FOR A REVIEW OF AND A RECOMMENDATION REGARDING MEDICAID ELIGIBILITY EXPANSION, AND TO MAKE TECHNICAL CORRECTIONS; AND PROVIDING SEVERABILITY.

[H 245](#), [H 246](#), [H 247](#), [H 248](#), and [H 249](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

[S 1034](#), as amended, [S 1099](#), as amended, [S 1129](#), as amended, and [S 1075](#), as amended, by Health and Welfare Committee, were introduced, read the first time by title, and referred to the Health and Welfare Committee.

[S 1139](#), [S 1140](#), [S 1141](#), [S 1142](#), [S 1143](#), and [S 1144](#), by Finance Committee, were introduced, read the first time by title, and filed for second reading.

There being no objection, the House advanced to the Tenth Order of Business.

**10TH ORDER**  
**Second Reading of Bills and Joint Resolutions**

[H 226](#) and [H 227](#), by Appropriations Committee, were read the second time by title and filed for third reading.

[H 210](#), by State Affairs Committee, was read the second time by title and filed for third reading.

[H 208](#), by Ways and Means Committee, was read the second time by title and filed for third reading.

[S 1082](#), by State Affairs Committee, was read the second time by title and filed for third reading.

[H 204](#) and [H 206](#), by State Affairs Committee, were read the second time by title and filed for third reading.

[H 244](#), by Health and Welfare Committee, was read the second time by title and filed for third reading.

[H 42](#), as amended in the Senate, by State Affairs Committee, was read the second time by title and filed for third reading.

**11TH ORDER**  
**Third Reading of Bills and Joint Resolutions**

Mr. Moyle asked unanimous consent that [H 121](#) and [H 70](#) be placed at the bottom of the Third Reading Calendar. There being no objection, it was so ordered.

**[H 120](#) - EDUCATION**

[H 120](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Ehardt to open debate.

Pursuant to Rule 38(3), Mrs. Toone disclosed a conflict of interest regarding [H 120](#).

The question being, "Shall [H 120](#) pass?"

Roll call resulted as follows:

AYES—Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Blanksma, Boyle, Chaney, Christensen, Clow, Collins, Crane, Dayley, DeMordaunt, Dixon, Ehardt, Furniss, Gestrin, Gibbs, Giddings, Goesling, Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Scott, Shepherd, Stevenson, Syme, Troy(Maurin), Vander Woude, Wagoner, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 56.

NAYS—Abernathy, Berch, Chew, Davis, Ellis, Erpelding, Gannon, Green(18), Mason, McCrostie, Rubel, Smith, Toone, Wintrow. Total - 14.

Total - 70.

Whereupon the Speaker declared that [H 120](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

**[H 194](#) - PUBLIC LIBRARIES**

[H 194](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Clow to open debate.

The question being, "Shall [H 194](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zollinger, Mr. Speaker. Total - 67.

NAYS—Giddings, Troy(Maurin), Zito. Total - 3.

Total - 70.

Whereupon the Speaker declared that [H 194](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

**[H 207](#) - WETLANDS**

[H 207](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Mendive to open debate.

The question being, "Shall [H 207](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Troy(Maurin), Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 70.

Whereupon the Speaker declared that [H 207](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

**[H 209](#) - PEACE OFFICERS**

[H 209](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Goesling to open debate.

The question being, "Shall [H 209](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Berch, Boyle, Chaney, Chew, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Ellis, Erpelding, Furniss, Gannon, Gibbs, Goesling, Green(18), Hartgen, Holtzclaw, Horman, Kerby, Lickley, Marshall, Mason, McCrostie, Monks, Moyle, Palmer, Raybould, Raymond, Ricks, Rubel, Smith, Syme, Toone, Troy(Maurin), Vander Woude, Wagoner, Wintrow, Wood, Youngblood, Mr. Speaker. Total - 47.

NAYS—Andrus, Armstrong, Barbieri, Blanksma, Christensen, Dixon, Ehardt, Gestrin, Giddings, Green(2), Harris, Kingsley, Mendive, Moon, Nichols, Scott, Shepherd, Stevenson, Wisniewski, Young, Zito, Zollinger. Total - 22.

Absent—Kauffman. Total - 1.

Total - 70.

Whereupon the Speaker declared that [H 209](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

**[HR 3](#) - HOUSE RULE**

[HR 3](#) was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Moyle to open debate.

The question being, "Shall [HR 3](#) be adopted?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Troy(Maurin), Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 69.

NAYS—None.

Absent—Kauffman. Total - 1.

Total - 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, [HR 3](#) was adopted by the House. Title was approved and the resolution filed in the office of the Chief Clerk.

#### [HR 4](#) - HOUSE RULE

[HR 4](#) was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Moyle to open debate.

The question being, "Shall [HR 4](#) be adopted?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Troy(Maurin), Vander Woude, Wagoner, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 68.

NAYS—Wintrow. Total - 1.

Absent—Kauffman. Total - 1.

Total - 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, [HR 4](#) was adopted by the House. Title was approved and the resolution filed in the office of the Chief Clerk.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Fifteenth Order of Business.

#### **15TH ORDER** **Announcements**

Announcements were made to the body.

#### **16TH ORDER** **Adjournment**

Mr. Moyle moved that the House adjourn until 10:30 a.m., Thursday, March 7, 2019. Seconded by Mr. Erpelding. Motion carried.

Whereupon the Speaker declared the House adjourned at 12:07 p.m.

SCOTT BEDKE, Speaker

ATTEST:

CARRIE MAULIN, Chief Clerk

# HOUSE JOURNAL

OF THE

## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-FIFTH LEGISLATURE

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SIXTIETH LEGISLATIVE DAY  
THURSDAY, MARCH 7, 2019

House of Representatives

The House convened at 10:30 a.m., the Speaker in the Chair.

Roll call showed all 70 members present.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Nathan Henrie, Page.

### 3RD ORDER

#### Approval of Journal

March 7, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Fifty-ninth Legislative Day and recommend that same be adopted as corrected.

DAYLEY, Chairman

Mr. Dayley moved that the report be adopted. Seconded by Mr. Gannon. Report adopted.

### 4TH ORDER

#### Consideration of Messages from the Governor and the Senate

THE OFFICE OF THE GOVERNOR

#### CERTIFICATE OF APPOINTMENT

**KNOW ALL MEN**, that pursuant to the provisions of Section 59-917, Idaho Code, ELAINE SMITH, State Representative, District 29, Seat B, Bannock County, State of Idaho, has nominated, EVA NYE, of P.O. Box N, Pocatello, ID 83205, to perform the duties of this office temporarily as Acting State Representative, District 29, Seat B.

**NOW, THEREFORE, I, BRAD LITTLE**, Governor of the State of Idaho, by virtue of the authority vested in me do hereby appoint Eva Nye of Pocatello, Idaho, to the office of Acting State Representative, District 29, Seat B, for a term commencing March 7, 2019, and continuing until such time as Representative Smith is able to resume her duties.

**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 7th day of March, in the year of our Lord two thousand and nineteen, and of the Independence of the

United States of America, the two hundred and forty-third year and of the Statehood of Idaho the one hundred twenty-ninth.

/s/ BRAD LITTLE  
Governor  
/s/ LAWRENCE DENNEY  
Secretary of State

The Certificate of Appointment was ordered filed in the office of the Chief Clerk.

The Speaker announced the oath of office had previously been administered to Eva Nye.

March 6, 2019

Mr. Speaker:

I return herewith enrolled [H 68](#) which has been signed by the President.

NOVAK, Secretary

Enrolled [H 68](#) was referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

March 6, 2019

Mr. Speaker:

I transmit herewith [S 1145](#) which has passed the Senate.

NOVAK, Secretary

[S 1145](#) was filed for first reading.

March 6, 2019

Mr. Speaker:

I return herewith [H 58](#), [H 73](#), [H 80](#), [H 76](#), [H 105](#), [H 5](#), [H 6](#), [H 71](#), [H 63](#), [H 174](#), [H 91](#), [H 103](#), [H 24](#), [H 75](#), and [H 90](#) which have passed the Senate.

NOVAK, Secretary

[H 58](#), [H 73](#), [H 80](#), [H 76](#), [H 105](#), [H 5](#), [H 6](#), [H 71](#), [H 63](#), [H 174](#), [H 91](#), [H 103](#), [H 24](#), [H 75](#), and [H 90](#) were referred to the Judiciary, Rules, and Administration Committee for enrolling.

March 6, 2019

Mr. Speaker:

I return herewith [H 74](#) which has failed to pass the Senate.

NOVAK, Secretary

[H 74](#) was ordered filed in the office of the Chief Clerk.

### 5TH ORDER

#### Report of Standing Committees

March 7, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have printed [H 245](#), [H 246](#), [H 247](#), [H 248](#), and [H 249](#).

DAYLEY, Chairman

[H 245](#) and [H 246](#) were filed for second reading.

[H 247](#) and [H 248](#) were referred to the Business Committee.

[H 249](#) was referred to the Health and Welfare Committee.



March 7, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have transmitted enrolled [H 8](#), [H 18](#), [H 37](#), [H 22](#), [H 64](#), [H 132](#), [H 60](#), [H 3](#), [H 4](#), [H 86](#), [H 87](#), [H 67](#), [H 59](#), [H 159](#), [H 7](#), [H 27](#), [H 46](#), and [H 108](#) to the Governor at 10:50 a.m., as of this date, March 6, 2019.

DAYLEY, Chairman

March 6, 2019

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration [S 1107](#) and recommend that it do pass.

CLOW, Chairman

[S 1107](#) was filed for second reading.

March 6, 2019

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration [H 217](#) and recommend that it do pass.

COLLINS, Chairman

[H 217](#) was filed for second reading.

March 6, 2019

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration [S 1079](#), [S 1080](#), and [S 1081](#) and recommend that they do pass.

PALMER, Chairman

[S 1079](#), [S 1080](#), and [S 1081](#) were filed for second reading.

March 6, 2019

Mr. Speaker:

We, your COMMITTEE ON AGRICULTURAL AFFAIRS, report that we have had under consideration [S 1125](#) and recommend that it do pass.

BOYLE, Chairman

[S 1125](#) was filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

## 7TH ORDER

### Motions, Memorials, and Resolutions

#### HOUSE CONCURRENT RESOLUTION NO. 18 BY EDUCATION COMMITTEE

##### A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND REJECTING A CERTAIN RULE OF THE DIVISION OF VOCATIONAL REHABILITATION RELATING TO RULES AND MINIMUM STANDARDS GOVERNING EXTENDED EMPLOYMENT SERVICES.

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 Division of Vocational Rehabilitation relating to Rules and Minimum Standards Governing Extended Employment Services 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-fifth Idaho Legislature, the House of Representatives and the Senate concurring therein, that IDAPA 47.01.02, Rules Governing Rules and Minimum Standards Governing Extended Employment Services, Section 500., Subsection 03.c., adopted as a pending rule under Docket Number 47-0102-1801, only, be, and the same is hereby rejected and declared null, void, and of no force and effect.

#### HOUSE CONCURRENT RESOLUTION NO. 19 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 THOROUGHNESS.

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 Thoroughness 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-fifth Idaho Legislature, the House of Representatives and the Senate concurring therein, that IDAPA 08.02.03, Rules Governing Thoroughness, Section 105., Subsection 01.d.ii., 01.d.iii., and 01.d.iv., and Subsection 04., adopted as a pending rule under Docket Number 08-0203-1803, only, be, and the same are hereby rejected and declared null, void, and of no force and effect.

#### HOUSE CONCURRENT RESOLUTION NO. 20 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 UNIFORMITY.

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 Uniformity 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-fifth Idaho Legislature, the House of Representatives and the Senate concurring therein, that IDAPA 08.02.02, Rules Governing Uniformity, Section 028., Subsections 01., 02., and 03., adopted as a pending rule under



Docket Number 08-0202-1804, only, be, and the same are hereby rejected and declared null, void, and of no force and effect.

**HOUSE CONCURRENT RESOLUTION NO. 21**  
**BY EDUCATION COMMITTEE**  
A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND  
REJECTING A CERTAIN RULE OF THE STATE BOARD OF  
AND STATE DEPARTMENT OF EDUCATION RELATING  
TO RULES GOVERNING UNIFORMITY.

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 and State Department of Education relating to Rules Governing Uniformity 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-fifth Idaho Legislature, the House of Representatives and the Senate concurring therein, that IDAPA 08.02.02, Rules Governing Uniformity, Section 007., Subsections 03., 04., 07., 11., 16., and 18., adopted as a pending rule under Docket Number 08-0202-1801, only, be, and the same is hereby rejected and declared null, void, and of no force and effect.

**HOUSE CONCURRENT RESOLUTION NO. 22**  
**BY WAYS AND MEANS COMMITTEE**  
A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND  
AUTHORIZING THE LEGISLATIVE COUNCIL TO  
APPOINT A COMMITTEE TO UNDERTAKE AND  
COMPLETE A STUDY OF THE EFFECTS OF CLIMATE  
VARIABILITY ON IDAHO'S STATE AGENCIES THAT ARE  
RESPONSIBLE FOR RESOURCE MANAGEMENT.

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

WHEREAS, as noted in the 2012 Idaho State Water Plan, evidence suggests that climate variability will likely be an important factor in developing and implementing updated flood-risk assessments, determining environmental impact mitigation strategies, and determining the costs and benefits of additional water storage; and

WHEREAS, the Idaho Department of Lands has expressed that earlier winter snowpack melt contributes to drier landscapes and longer wildfire seasons, allowing wildfires to spread on private, state, and local lands when they start; and

WHEREAS, the occurrence and intensity of storms, floods, droughts, and wildfires have increased, affecting many Idaho communities with documented monetary and social costs; and

WHEREAS, fire seasons are an average of seventy-eight days longer today than they were in the 1970s; and

WHEREAS, climate variability results in more frequent and more extreme weather events than have traditionally occurred in Idaho, including increased periods of drought, leading to less available water for all the beneficial uses to which it has been appropriated as well as beneficial roles water plays in Idaho's watersheds; and

WHEREAS, in Idaho, warmer temperatures for longer periods of time each year translate into more precipitation in the form of rain rather than snow, as well as earlier last frost dates

and later first frost dates, which translate into potential extended irrigation, angling, and river recreation seasons; and

WHEREAS, Idaho's complex system of water management relies on not only the prior appropriation doctrine but also multiple natural flow and storage water systems, both physical and accounting, that have been developed over more than a century's worth of water resource development; and

WHEREAS, seasonal variability affects the customary range of dates of allocation across Idaho, impacting water management and water availability at all times of year; and

WHEREAS, Idaho's forests, rangelands, parks, lava fields, waters, public lands, fish, and wildlife are a part of Idaho's natural heritage and represent critical elements of Idaho's history, development, customs, and culture.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-fifth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the Legislative Council is authorized to appoint a committee to study the effects of climate variability on Idaho's state agencies that are responsible for resource management, including the Department of Water Resources, the Department of Lands, and the Idaho State Department of Agriculture, and to make recommendations on the prevention and mitigation of the effects of climate variability in Idaho. 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 any advisors to the committee who are not legislative members 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 and 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-fifth Idaho Legislature.

[HCR 18](#), [HCR 19](#), [HCR 20](#), [HCR 21](#), and [HCR 22](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

**8TH ORDER**

**Introduction, First Reading, and Reference  
of Bills and Joint Resolutions**

**HOUSE BILL NO. 250**  
**BY REVENUE AND TAXATION COMMITTEE**  
AN ACT

RELATING TO SALES AND USE TAX; AMENDING CHAPTER 36, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3605E, IDAHO CODE, TO DEFINE A TERM; AMENDING SECTION 63-3611, IDAHO CODE, TO REVISE A DEFINITION AND TO CLARIFY A DUTY; AMENDING CHAPTER 36, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3620E, IDAHO CODE, TO PROVIDE FOR THE COLLECTION OF THE STATE SALES OR USE TAX BY A MARKETPLACE FACILITATOR; AMENDING CHAPTER 36, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3620F, IDAHO CODE, TO PROVIDE FOR THE DISTRIBUTION OF TAX COLLECTED BY CERTAIN MARKETPLACE FACILITATORS AND RETAILERS; AMENDING SECTION 57-811, IDAHO CODE, TO PROVIDE FOR THE DISTRIBUTION OF CERTAIN REVENUES TO

THE TAX RELIEF FUND AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 63-3638, IDAHO CODE, TO EXEMPT CERTAIN TAXES FROM A CERTAIN DISTRIBUTION FORMULA AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 63-3605, IDAHO CODE, TO REDESIGNATE THE SECTION; AMENDING SECTION 63-3605A, IDAHO CODE, TO REDESIGNATE THE SECTION; AMENDING SECTION 63-3605B, IDAHO CODE, TO REDESIGNATE THE SECTION; AMENDING SECTION 63-3606A, IDAHO CODE, TO REDESIGNATE THE SECTION; AMENDING SECTION 63-3606B, IDAHO CODE, TO REDESIGNATE THE SECTION; AND PROVIDING AN EFFECTIVE DATE.

**HOUSE BILL NO. 251**  
**BY WAYS AND MEANS COMMITTEE**  
AN ACT

RELATING TO THE STATE TREASURER; AMENDING SECTION 67-1204, IDAHO CODE, TO REVISE PROVISIONS REGARDING CERTAIN MONEYS; AND DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

**HOUSE BILL NO. 252**  
**BY WAYS AND MEANS COMMITTEE**  
AN ACT

RELATING TO FISH AND GAME; AMENDING SECTION 36-1201, IDAHO CODE, TO PROVIDE THAT CHECK STATIONS MUST BE ESTABLISHED PURSUANT TO POLICIES AND PROCEDURES DEFINED IN RULE UNDER SPECIFIED LAW; AND AMENDING SECTION 36-1303, IDAHO CODE, TO PROVIDE LEGISLATIVE INTENT, TO PROVIDE THAT ONLY CERTAIN OFFICERS SHALL BE VESTED WITH SPECIFIED AUTHORITY, TO REVISE PROVISIONS REGARDING CERTAIN INSPECTIONS AND SEARCHES, TO REQUIRE A WARRANT, TO PROVIDE EXCEPTIONS, AND TO PROVIDE FOR STOPS.

[H 250](#), [H 251](#), and [H 252](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

[S 1145](#), by Finance Committee, was introduced, read the first time by title, and filed for second reading.

There being no objection, the House advanced to the Tenth Order of Business.

**10TH ORDER**  
**Second Reading of Bills and Joint Resolutions**

[H 230](#), [H 231](#), [H 232](#), [H 233](#), [H 234](#), [H 235](#), [H 236](#), [H 237](#), and [H 238](#), by Appropriations Committee, were read the second time by title and filed for third reading.

[S 1071](#), by Commerce and Human Resources Committee, was read the second time by title and filed for third reading.

[S 1018](#), as amended, [S 1019](#), [S 1021](#), [S 1022](#), [S 1042](#), and [S 1043](#), by Judiciary and Rules Committee, were read the second time by title and filed for third reading.

[H 192](#), by Ways and Means Committee, was read the second time by title and filed for third reading.

[H 195](#), by Education Committee, was read the second time by title and filed for third reading.

[S 1078](#) and [SCR 103](#), by State Affairs Committee, were read the second time by title and filed for third reading.

[S 1139](#), [S 1140](#), [S 1141](#), [S 1142](#), [S 1143](#), and [S 1144](#), by Finance Committee, were read the second time by title and filed for third reading.

Mrs. Scott asked unanimous consent that the amendments to [H 189](#), on General Orders, be withdrawn. There being no objection, it was so ordered.

There being no objection, the House advanced to the Twelfth Order of Business.

**12TH ORDER**  
**Consideration of General Orders**

Mr. Moyle moved that the House do now resolve itself into a Committee of the Whole House for the consideration of General Orders. Seconded by Mr. Erpelding. Motion carried.

Whereupon the House resolved itself into a Committee of the Whole House for the consideration of General Orders with Mr. Monks in the Chair.

When the Committee of the Whole House rose, the Speaker returned to the Chair and the House was in order.

**Report of the Committee of the Whole House**

March 7, 2019

Mr. Speaker:

We, your COMMITTEE OF THE WHOLE HOUSE, report that we have had under consideration [H 193](#), [H 179](#), [H 130](#), and [H 127](#), as amended, and report them back without recommendation, amended as follows:

**HOUSE AMENDMENT TO H.B. NO. 193**

AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 35, following "submitted" insert: "map and"; in line 39, following "corrected" insert: "map and"; also in line 39, following "description" insert: ". If the corrected map and legal description fail to correctly identify the boundaries or change of boundaries of the taxing district, as was listed in the state tax commission's notification, then the state tax commission may direct that the formation or change not be recognized for property tax purposes".

**HOUSE AMENDMENT TO H.B. NO. 179**

AMENDMENT TO SECTION 1

On page 2 of the printed bill, in line 20, delete "revoke" and insert: "suspend"; in line 29, following "responsibility" insert: "for two (2) consecutive months. Such notice shall provide thirty (30) days for an owner to comply with the financial responsibility requirements or to notify the department of exemption before suspension of an owner's registration will be effective"; delete lines 30 through 32, and insert:

"(d) A final notice of immediate suspension of registration shall be mailed to an owner of a motor vehicle who does not establish financial responsibility after being given thirty (30) days to comply with such requirement;"

in line 33, delete "shall" and insert: "may"; in line 40, following "department." insert: "These fees shall be deposited into the state highway account."; in line 41, delete "fees; and" and insert: "fees;"; and in line 43, delete "." and insert: "; and

(i) That an owner may notify the department when exempt from the requirement to possess proof of vehicle financial responsibility for reasons allowed by Idaho Code or pursuant to rules promulgated by the department. If an exemption applies, the department shall mark the registration record as exempt and such registration shall not be suspended."

#### HOUSE AMENDMENT TO H.B. NO. 130

##### AMENDMENT TO SECTION 1

On page 1 of the printed bill, delete lines 31 through 34, and insert: "highway right-of-way excluding those rights-of-way that are located immediately adjacent to such land, lots, or blocks being proposed for annexation and that are no more than one hundred fifty (150) feet in width."

#### HOUSE AMENDMENT TO H.B. NO. 127, as amended

##### AMENDMENT TO THE BILL

On page 1 of the engrossed bill, delete lines 5 through 8, and insert:

"SECTION 1. That Section 67-6503, Idaho Code, be, and the same is hereby repealed.

SECTION 2. That Chapter 65, Title 67, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 67-6503, Idaho Code, and to read as follows:

67-6503. PARTICIPATION OF LOCAL GOVERNMENTS. (1) If, after a public hearing, a county determines that the development of, or amendment to, a comprehensive plan is in the best interest of the county, it shall exercise one (1) of the options described in section 67-6504(a) or (b), Idaho Code.

(2) If a county determines that the development of a comprehensive plan is not in the best interest of the county, it shall cooperate with any city within that county, or its duly constituted planning commission, zoning commission, or planning and zoning commission with regard to the development of any comprehensive plan for that city. Furthermore, no county is exempt or excused from any mandate or restriction with regard to planning, zoning, or land use otherwise authorized or required by this chapter other than the requirement for a comprehensive plan pursuant to the provisions of this section.

(3) Every city shall exercise one (1) of the options described in section 67-6504(a) or (b), Idaho Code.

SECTION 3. That Section 67-6504, Idaho Code, be, and the same is hereby amended to read as follows:

67-6504. PLANNING AND ZONING COMMISSION – CREATION – MEMBERSHIP – ORGANIZATION – RULES – RECORDS – EXPENDITURES – STAFF. A city council or board of county commissioners, hereafter referred to as a governing board, may exercise all of the powers required and authorized by this chapter in accordance with this chapter. ~~If a governing board chooses to exercise the powers required and authorized by this chapter it need not follow the procedural requirements established hereby solely for planning and zoning commissions. If a governing board does not elect to exercise the powers conferred by this chapter,~~

~~it shall establish by ordinance adopted, amended, or repealed in accordance with the notice and hearing procedures provided in section 67-6509, Idaho Code, a planning commission and a zoning commission or a planning and zoning commission acting in both capacities, which may act with the full authority of the governing board, excluding the authority to adopt ordinances or to finally approve land subdivisions. The powers of the board of county commissioners conferred by this chapter shall apply to the unincorporated area of the county. Legally authorized planning, zoning, or planning and zoning commissions existing prior to enactment of this chapter shall be considered to be duly constituted under this chapter. Within this chapter use of the term "planning and zoning commission" shall include the term "planning commission," "zoning commission" and "planning and zoning commission."~~

(a) If a governing board chooses to exercise the powers required and authorized by this chapter, it need not follow the procedural requirements established hereby solely for planning and zoning commissions.

(b) If a governing board does not elect to exercise the powers conferred by this chapter, it shall establish by ordinance adopted, amended, or repealed in accordance with the notice and hearing procedures provided in section 67-6509, Idaho Code, a planning commission and a zoning commission or a planning and zoning commission acting in both capacities, which may act with the full authority of the governing board, excluding the authority to adopt ordinances or to finally approve land subdivisions.

(c) Membership – Each commission shall consist of not less than three (3) nor more than twelve (12) voting members, all appointed by a mayor or chairman of the county board of commissioners and confirmed by majority vote of the governing board. An appointed member of a commission must have resided in the county for at least two (2) years prior to his appointment, and must remain a resident of the county during his service on the commission.

(1) Not more than one-third (1/3) of the members of any commission appointed by the chairman of the board of county commissioners may reside within an incorporated city of one thousand five hundred (1,500) or more population in the county; provided however, that any appointment from within an incorporated city with a population of one thousand five hundred (1,500) or more must occur on a rotating basis between all the incorporated cities with a population of one thousand five hundred (1,500) or more within the county.

(2) At least one-half (1/2) of the members of any commission appointed by the chairman of the board of county commissioners must reside outside the boundaries of any city's area of impact; provided however, if the requirements of this paragraph cannot be met the following may occur: if a vacancy occurs for a commission member residing outside the boundaries of any city's area of impact, after public notice of such vacancy on the commission and solicitation of applicants to fill the position from outside the boundaries of any city's area of impact, and if the governing board is unable to obtain applicants outside the boundaries of any city's area of impact, then the governing board may appoint from within a city's area of impact; provided however, that any appointment occurring within a city's area of impact must occur on a rotating basis between all the cities' areas of impact in the county.

(3) The ordinance establishing a commission to exercise the powers under this chapter shall set forth the number of members to be appointed. The term of office for members shall be not less than three (3) years, nor more than six (6) years, and the length of term shall be prescribed by

ordinance. No person shall serve more than two (2) full consecutive terms without specific concurrence by two-thirds (2/3) of the governing board adopted by motion and recorded in the minutes. Vacancies occurring otherwise than through the expiration of terms shall be filled in the same manner as the original appointment. Members may be removed for cause by a majority vote of the governing board. Members shall be selected without respect to political affiliation and may receive such mileage and per diem compensation as provided by the governing board. If a governing board exercises these powers, its members shall be entitled to no additional mileage or per diem compensation.

(bd) Organization – Each commission shall elect a chairman and create and fill any other office that it may deem necessary. A commission may establish subcommittees, advisory committees or neighborhood groups to advise and assist in carrying out the responsibilities under this chapter. A commission may appoint nonvoting ex officio advisors as may be deemed necessary.

(ee) Rules, Records, and Meetings – Written organization papers or bylaws consistent with this chapter and other laws of the state for the transaction of business of the commission shall be adopted. A record of meetings, hearings, resolutions, studies, findings, permits and actions taken shall be maintained. All meetings and records shall be open to the public. At least one (1) regular meeting shall be held each month for not less than nine (9) months in a year. A majority of currently appointed voting members of the commission shall constitute a quorum.

(df) Expenditures and Staff – With approval of a governing board through the legally required budgetary process, the commission may receive and expend funds, goods, and services from the federal government or agencies and instrumentalities of state or local governments or from civic and private sources and may contract with these entities and provide information and reports as necessary to secure aid. Expenditures by a commission shall be within the amounts appropriated by a governing board. Within such limits, any commission is authorized to hire or contract with employees and technical advisors, including, but not limited to, planners, engineers, architects and legal assistants.

SECTION 4. That Section 67-6526, Idaho Code, be, and the same is hereby amended to read as follows:

67-6526. AREAS OF CITY IMPACT – NEGOTIATION PROCEDURE. (a) The governing board of each county and each city therein shall adopt by ordinance following the notice and hearing procedures provided in section 67-6509, Idaho Code, a map identifying an area of city impact within the unincorporated area of the county. A separate ordinance providing for application of plans and ordinances for the area of city impact shall be adopted. Subject to the provisions of section 50-222, Idaho Code, an area of city impact must be established before a city may annex adjacent territory. This separate ordinance shall provide for one (1) of the following:

- (1) Application of the city plan and ordinances adopted under this chapter to the area of city impact; or
- (2) Application of the county plan and ordinances adopted under this chapter to the area of city impact; or
- (3) Application of any mutually agreed upon plan and ordinances adopted under this chapter to the area of city impact.

Areas of city impact, together with plan and ordinance requirements, may cross county boundaries by agreement of the city and county concerned if the city is within three (3) miles of the adjoining county.

(b) If the requirements of section 67-6526(a), Idaho Code, have not been met, either the city or the county may demand compliance with this section by providing written notice to the other of said demand for compliance. Once a demand has been made, the city shall select its representative as hereinafter provided, within thirty (30) days of said demand, and the process set forth in this subsection shall commence. The county commissioners for the county concerned, together with three (3) elected city officials designated by the mayor of the city and confirmed by the council, shall, within thirty (30) days after the city officials have been confirmed by the council, select three (3) city or county residents. These nine (9) persons shall, by majority vote, recommend to the city and county governing boards an area of city impact together with plan and ordinance requirements. The recommendations shall be submitted to the governing boards within one hundred eighty (180) days after the selection of the three (3) members at large and shall be acted upon by the governing boards within sixty (60) days of receipt. If the city or county fails to enact ordinances providing for an area of city impact, plan, and ordinance requirements, either the city or county may seek a declaratory judgment from the district court identifying the area of city impact, and plan and ordinance requirements. In defining an area of city impact, the following factors shall be considered: (1) trade area; (2) geographic factors; and (3) areas that can reasonably be expected to be annexed to the city in the future.

(c) If areas of city impact overlap, the cities involved shall negotiate boundary adjustments to be recommended to the respective city councils. If the cities cannot reach agreement, the board of county commissioners shall, upon a request from either city, within thirty (30) days, recommend adjustments to the areas of city impact which shall be adopted by ordinance by the cities following the notice and hearing procedures provided in section 67-6509, Idaho Code. If any city objects to the recommendation of the board of county commissioners, the county shall conduct an election, subject to the provisions of section 34-106, Idaho Code, and establish polling places for the purpose of submitting to the qualified electors residing in the overlapping impact area, the question of which area of city impact the electors wish to reside. The results of the election shall be conclusive and binding, and no further proceedings shall be entertained by the board of county commissioners, and the decision shall not be appealable by either city involved. The clerk of the board of county commissioners shall by abstract of the results of the election, certify that fact, record the same and transmit copies of the original abstract of the result of the election to the clerk of the involved cities.

(d) Areas of city impact, plan, and ordinance requirements shall remain fixed until both governing boards agree to renegotiate. In the event the city and county cannot agree, the judicial review process of subsection (b) of this section shall apply. Renegotiations shall begin within thirty (30) days after written request by the city or county and shall follow the procedures for original negotiation provided in this section.

(e) Prior to negotiation or renegotiation of areas of city impact, plan, and ordinance requirements, the governing boards shall submit the questions to the planning, zoning, or planning and zoning commission for recommendation. Each commission shall have a reasonable time fixed by the governing board to make its recommendations to the governing board. The governing boards shall undertake a review at least every ten (10) years of the city impact plan and ordinance requirements to determine whether renegotiations are in the best interests of the citizenry.

(f) This section shall not preclude growth and development in areas of any county within the state of Idaho which are not within the areas of city impact provided for herein.

(g) If the area of impact has been delimited pursuant to the provisions of subsection (a)(1) of this section, persons living within the delimited area of impact shall be entitled to representation on the planning, zoning, or the planning and zoning commission of the city of impact. Such representation shall as nearly as possible reflect the proportion of population living within the city as opposed to the population living within the areas of impact for that city. To achieve such proportional representation, membership of the planning, zoning or planning and zoning commission, may exceed twelve (12) persons, notwithstanding the provisions of subsection (ac) of section 67-6504, Idaho Code. In instances where a city has combined either or both of its planning and zoning functions with the county, representation on the resulting joint planning, zoning or planning and zoning commission shall as nearly as possible reflect the proportion of population living within the impacted city, the area of city impact outside the city, and the remaining unincorporated area of the county. Membership on such a joint planning, zoning or planning and zoning commission may exceed twelve (12) persons, notwithstanding the provisions of subsection (ac) of section 67-6504, Idaho Code."

#### CORRECTION TO TITLE

On page 1, delete lines 2 and 3, and insert:

"RELATING TO LOCAL LAND USE PLANNING; REPEALING SECTION 67-6503, IDAHO CODE, RELATING TO PARTICIPATION OF LOCAL GOVERNMENTS; AMENDING CHAPTER 65, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-6503, IDAHO CODE, TO PROVIDE CERTAIN REQUIREMENTS FOR COUNTIES AND CITIES; AMENDING SECTION 67-6504, IDAHO CODE, TO REVISE PROVISIONS REGARDING A GOVERNING BOARD EXERCISING CERTAIN POWERS; AND AMENDING SECTION 67-6526, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES."

We have also had under consideration [H 189](#), report progress and beg leave to sit again.

MONKS, Chairman

Mr. Monks moved that the report be adopted. Seconded by Mr. Erpelding.

Whereupon the Speaker declared the report adopted.

[H 193](#), as amended, [H 179](#), as amended, [H 130](#), as amended, and [H 127](#), as amended, as amended, were referred to the Judiciary, Rules, and Administration Committee for engrossing.

[H 189](#) was retained on General Orders.

There being no objection, the House returned to the Eleventh Order of Business.

#### 11TH ORDER

##### Third Reading of Bills and Joint Resolutions

Mr. Moyle asked unanimous consent that [H 121](#) and [H 70](#) be placed at the bottom of the Third Reading Calendar. There being no objection, it was so ordered.

#### [H 226](#) - APPROPRIATIONS - OFFICE OF THE STATE BOARD OF EDUCATION

[H 226](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Amador to open debate.

The question being, "Shall [H 226](#) pass?"

Roll call resulted as follows:

AYES—Addis, Amador, Anderson, Anderst, Blanksma, Clow, Collins, Dayley, Gibbs, Goesling, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Lickley, Marshall, Raybould, Raymond, Ricks, Stevenson, Syme, Toone, Troy, Wagoner, Wintrow, Wood, Youngblood, Mr. Speaker. Total - 29.

NAYS—Abernathy, Andrus, Armstrong, Barbieri, Berch, Boyle, Chaney, Chew, Christensen, Crane, Davis, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Giddings, Green(18), Green(2), Harris, Kingsley, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Rubel, Scott, Shepherd, Smith(Nye), Vander Woude, Wisniewski, Young, Zito, Zollinger. Total - 41.

Total - 70.

Whereupon the Speaker declared that [H 226](#) failed to pass the House and ordered the bill filed in the office of the Chief Clerk.

#### [H 227](#) - APPROPRIATIONS - STATE INDEPENDENT LIVING COUNCIL

[H 227](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Wintrow to open debate.

The question being, "Shall [H 227](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Berch, Blanksma, Boyle, Chaney, Chew, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith(Nye), Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 67.

NAYS—Barbieri, Christensen, Green(2). Total - 3.

Total - 70.

Whereupon the Speaker declared that [H 227](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

#### [H 210](#) - LEGISLATORS

[H 210](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Armstrong to open debate.



The question being, "Shall [H 210](#) pass?"

Roll call resulted as follows:

AYES—Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Blanksma, Chew, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Furniss, Gannon, Gibbs, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moyle, Palmer, Raybould, Raymond, Ricks, Rubel, Shepherd, Smith(Nye), Stevenson, Syme, Toone, Vander Woude, Wagoner, Wisniewski, Wood, Young, Youngblood, Zollinger, Mr. Speaker. Total - 56.

NAYS—Abernathy, Berch, Boyle, Chaney, Christensen, Erpelding, Gestrin, Giddings, Moon, Nichols, Scott, Troy, Zito. Total - 13.

Absent—Wintrow. Total - 1.

Total - 70.

Whereupon the Speaker declared that [H 210](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Fifteenth Order of Business.

#### **15TH ORDER Announcements**

Announcements were made to the body.

#### **16TH ORDER Adjournment**

Mr. Moyle moved that the House adjourn until 10:30 a.m., Friday, March 8, 2019. Seconded by Mr. Erpelding. Motion carried.

Whereupon the Speaker declared the House adjourned at 12:14 p.m.

SCOTT BEDKE, Speaker

ATTEST:

CARRIE MAULIN, Chief Clerk



HOUSE JOURNAL
OF THE
IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FIFTH LEGISLATURE

SIXTY-FIRST LEGISLATIVE DAY
FRIDAY, MARCH 8, 2019

House of Representatives

The House convened at 10:30 a.m., the Speaker in the Chair.

Roll call showed 67 members present.

Absent and excused - Abernathy, Furniss, and Harris.

Total - 3.

Total - 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Elbia Christensen, Page.

3RD ORDER
Approval of Journal

March 8, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND
ADMINISTRATION, report that we have read and approved the
House Journal of the Sixtieth Legislative Day and recommend
that same be adopted as corrected.

DAYLEY, Chairman

Mr. Dayley moved that the report be adopted. Seconded by
Mr. Gannon. Report adopted.

4TH ORDER
Consideration of Messages from the
Governor and the Senate

OFFICE OF THE GOVERNOR
Boise

March 7, 2019

The Honorable Scott Bedke
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am
transmitting to the Secretary of State the following House bills,
to wit:

H 4, H 7, H 8, H 18, H 22, H 27, H 37, H 46, H 59, H 60, H 64,
H 67, H 86, H 87, H 108, H 132, and H 159

Sincerely,
/s/ Brad Little
Governor

OFFICE OF THE GOVERNOR
Boise

March 7, 2019

The Honorable Scott Bedke
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am
transmitting to the Secretary of State the following House bill, to
wit:

H 3

Sincerely,
/s/ Brad Little
Governor

March 7, 2019

Mr. Speaker:

I transmit herewith enrolled S 1047 and S 1008 for the
signature of the Speaker.

NOVAK, Secretary

The Speaker announced he was about to sign enrolled
S 1047 and S 1008 when so signed, ordered them returned to
the Senate.

March 7, 2019

Mr. Speaker:

I return herewith enrolled H 2, as amended in the Senate, and
H 89 which have been signed by the President.

NOVAK, Secretary

Enrolled H 2, as amended in the Senate, and H 89 were
referred to the Judiciary, Rules, and Administration Committee
for delivery to the Governor.

March 7, 2019

Mr. Speaker:

I return herewith HJM 6, H 156, and H 157 which have
passed the Senate.

NOVAK, Secretary

HJM 6, H 156, and H 157 were referred to the Judiciary,
Rules, and Administration Committee for enrolling.

5TH ORDER
Report of Standing Committees

March 8, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND
ADMINISTRATION, report that we have printed House
amendments to H 193, H 179, H 130, and H 127, as amended.

DAYLEY, Chairman

March 8, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND
ADMINISTRATION, report that we have printed HCR 18,
HCR 19, HCR 20, HCR 21, HCR 22, H 250, H 251, and
H 252.

DAYLEY, Chairman

HCR 18, HCR 19, HCR 20, and HCR 21 were filed for
second reading.

[HCR 22](#) was referred to the Environment, Energy and Technology Committee.

[H 250](#) was referred to the Revenue and Taxation Committee.

[H 251](#) was referred to the State Affairs Committee.

[H 252](#) was referred to the Resources and Conservation Committee.

March 8, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have enrolled [H 58](#), [H 73](#), [H 80](#), [H 76](#), [H 105](#), [H 5](#), [H 6](#), [H 71](#), [H 63](#), [H 174](#), [H 91](#), [H 103](#), [H 24](#), [H 75](#), and [H 90](#).

DAYLEY, Chairman

The Speaker announced he was about to sign enrolled [H 58](#), [H 73](#), [H 80](#), [H 76](#), [H 105](#), [H 5](#), [H 6](#), [H 71](#), [H 63](#), [H 174](#), [H 91](#), [H 103](#), [H 24](#), [H 75](#), and [H 90](#) and, when so signed, ordered them transmitted to the Senate for the signature of the President.

March 8, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have engrossed [H 193](#), as amended, [H 179](#), as amended, [H 130](#), as amended, and [H 127](#), as amended, as amended.

DAYLEY, Chairman

[H 193](#), as amended, [H 179](#), as amended, [H 130](#), as amended, and [H 127](#), as amended, as amended, were filed for first reading of engrossed bills.

March 8, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have transmitted enrolled [H 68](#) to the Governor at 10:45 a.m., as of this date, March 7, 2019.

DAYLEY, Chairman

March 7, 2019

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration [SJM 102](#) and recommend that it do pass.

HARRIS, Chairman

[SJM 102](#) was filed for second reading.

March 7, 2019

Mr. Speaker:

We, your COMMITTEE ON BUSINESS, report that we have had under consideration [H 248](#), [S 1048](#), and [S 1053](#) and recommend that they do pass.

DIXON, Chairman

[H 248](#), [S 1048](#), and [S 1053](#) were filed for second reading.

March 7, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have had under consideration [S 1004](#), [S 1005](#), as amended, and [S 1044](#) and recommend that they do pass.

DAYLEY, Chairman

[S 1004](#), [S 1005](#), as amended, and [S 1044](#) were filed for second reading.

March 7, 2019

Mr. Speaker:

We, your COMMITTEE ON RESOURCES AND CONSERVATION, report that we have had under consideration [S 1083](#) and [S 1085](#) and recommend that they do pass.

GIBBS, Chairman

[S 1083](#) and [S 1085](#) were filed for second reading.

March 8, 2019

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration [H 199](#), [H 205](#), [S 1072](#), and [S 1112](#) and recommend that they do pass.

HARRIS, Chairman

[H 199](#), [H 205](#), [S 1072](#), and [S 1112](#) were filed for second reading.

March 8, 2019

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration [S 1113](#) and report it back to be placed on General Orders.

HARRIS, Chairman

[S 1113](#) was placed on General Orders for consideration.

There being no objection, the House advanced to the Ninth Order of Business.

#### 9TH ORDER

##### First Reading of Engrossed Bills

[H 193](#), as amended, by Revenue and Taxation Committee, was introduced, read the first time by title, and filed for second reading.

[H 179](#), as amended, by Ways and Means Committee, was introduced, read the first time by title, and filed for second reading.

[H 130](#), as amended, and [H 127](#), as amended, as amended, by Local Government Committee, were introduced, read the first time by title, and filed for second reading.

#### 10TH ORDER

##### Second Reading of Bills and Joint Resolutions

[H 245](#) and [H 246](#), by Appropriations Committee, were read the second time by title and filed for third reading.

[S 1107](#), by Education Committee, was read the second time by title and filed for third reading.

[H 217](#), by Revenue and Taxation Committee, was read the second time by title and filed for third reading.

[S 1079](#), [S 1080](#), [S 1081](#), and [S 1125](#), by State Affairs Committee, were read the second time by title and filed for third reading.

[S 1145](#), by Finance Committee, was read the second time by title and filed for third reading.

**11TH ORDER****Third Reading of Bills and Joint Resolutions**

Mr. Moyle asked unanimous consent that [H 206](#), [H 42](#), as amended in the Senate, and [H 70](#) be placed at the bottom of the Third Reading Calendar. There being no objection, it was so ordered.

Mr. Moyle asked unanimous consent that [H 121](#) be placed at the bottom of the Third Reading Calendar until Tuesday, March 12, 2019. There being no objection, it was so ordered.

**[H 208](#) - IDAHO TRANSPORTATION DEPARTMENT**

[H 208](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Monks to open debate.

Pursuant to Rule 38(3), Mrs. Green(18) disclosed a conflict of interest regarding [H 208](#).

The question being, "Shall [H 208](#) pass?"

Roll call resulted as follows:

AYES—Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 65.

NAYS—Berch, Smith(Nye). Total - 2.

Absent—Abernathy, Furniss, Harris. Total - 3.

Total - 70.

Whereupon the Speaker declared that [H 208](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

**[H 204](#) - PROPERTY**

[H 204](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Green(2) to open debate.

The question being, "Shall [H 204](#) pass?"

Roll call resulted as follows:

AYES—Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Blanksma, Boyle, Chaney, Christensen, Clow, Collins, Crane, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Stevenson, Syme, Troy, Vander Woude, Wagoner, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 58.

NAYS—Berch, Chew, Davis, Erpelding, Gannon, McCrostie, Smith(Nye), Toone, Wintrow. Total - 9.

Absent—Abernathy, Furniss, Harris. Total - 3.  
Total - 70.

Whereupon the Speaker declared that [H 204](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

**[H 244](#) - NATUROPATHIC MEDICINE**

[H 244](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Gestrin to open debate.

The question being, "Shall [H 244](#) pass?"

Roll call resulted as follows:

AYES—Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Gannon, Gestrin, Gibbs, Goesling, Green(18), Green(2), Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith(Nye), Stevenson, Syme, Toone, Troy, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 64.

NAYS—Giddings, Monks, Vander Woude. Total - 3.

Absent—Abernathy, Furniss, Harris. Total - 3.

Total - 70.

Whereupon the Speaker declared that [H 244](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

**[H 230](#) - APPROPRIATIONS - IDAHO COMMISSION FOR LIBRARIES**

[H 230](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Horman to open debate.

Mr. McCrostie asked unanimous consent that, pursuant to Rule 22, discussion of [H 194](#) be allowed in debate of [H 230](#). There being no objection it was so ordered.

The question being, "Shall [H 230](#) pass?"

Roll call resulted as follows:

AYES—Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith(Nye), Stevenson, Syme, Toone, Troy, Vander Woude, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 66.

NAYS—None.

Absent—Abernathy, Furniss, Harris, Wagoner. Total - 4.

Total - 70.

Whereupon the Speaker declared that [H 230](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

### [H 231](#) - APPROPRIATIONS - LIEUTENANT GOVERNOR

[H 231](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Horman to open debate.

The question being, "Shall [H 231](#) pass?"

Roll call resulted as follows:

AYES—Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 63.

NAYS—Berch, Erpelding, Smith(Nye), Wintrow. Total - 4.

Absent—Abernathy, Furniss, Harris. Total - 3.

Total - 70.

Whereupon the Speaker declared that [H 231](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

### [H 232](#) - APPROPRIATIONS - SUPERINTENDENT OF PUBLIC INSTRUCTION

[H 232](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Amador to open debate.

The question being, "Shall [H 232](#) pass?"

Roll call resulted as follows:

AYES—Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Berch, Blanksma, Chaney, Chew, Clow, Collins, Crane, Davis, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Gannon, Gestrin, Gibbs, Green(18), Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moyle, Palmer, Raybould, Raymond, Ricks, Rubel, Shepherd, Smith(Nye), Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Youngblood, Zollinger, Mr. Speaker. Total - 55.

NAYS—Barbieri, Boyle, Christensen, Dayley, Giddings, Goesling, Green(2), Moon, Nichols, Scott, Young, Zito. Total - 12.

Absent—Abernathy, Furniss, Harris. Total - 3.

Total - 70.

Whereupon the Speaker declared that [H 232](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

### [H 233](#) - APPROPRIATIONS - DEPARTMENT OF LANDS

[H 233](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Raybould to open debate.

Ms. Raybould asked unanimous consent that, pursuant to Rule 22, discussion of other pending legislation be allowed in debate of [H 233](#). There being no objection it was so ordered.

The question being, "Shall [H 233](#) pass?"

Roll call resulted as follows:

AYES—Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Gannon, Gestrin, Gibbs, Goesling, Green(18), Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Smith(Nye), Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zollinger, Mr. Speaker. Total - 61.

NAYS—Christensen, Giddings, Green(2), Scott, Shepherd, Zito. Total - 6.

Absent—Abernathy, Furniss, Harris. Total - 3.

Total - 70.

Whereupon the Speaker declared that [H 233](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

### [H 234](#) - APPROPRIATIONS - MEDICAL BOARDS

[H 234](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Horman to open debate.

The question being, "Shall [H 234](#) pass?"

Roll call resulted as follows:

AYES—Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Clow, Collins, Crane, Davis, Dayley, Dixon, Ehardt, Ellis, Erpelding, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moyle, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith(Nye), Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 62.

NAYS—Christensen, Moon, Nichols, Wisniewski. Total - 4.

Absent—Abernathy, DeMordaunt, Furniss, Harris. Total - 4.

Total - 70.

Whereupon the Speaker declared that [H 234](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

### [H 235](#) - APPROPRIATIONS - INDUSTRIAL COMMISSION

[H 235](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Syme to open debate.

The question being, "Shall [H 235](#) pass?"

Roll call resulted as follows:

AYES—Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Berch, Blanksma, Chaney, Chew, Clow, Collins, Crane, Davis, Dayley, Dixon, Ellis, Erpelding, Gannon, Gestrin, Gibbs, Goesling, Green(18), Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moyle, Raybould, Raymond, Ricks, Rubel, Shepherd, Smith(Nye), Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Mr. Speaker. Total - 54.

NAYS—Barbieri, Boyle, Christensen, Ehardt, Giddings, Green(2), Moon, Nichols, Palmer, Scott, Zito, Zollinger. Total - 12.

Absent—Abernathy, DeMordaunt, Furniss, Harris. Total - 4.  
Total - 70.

Whereupon the Speaker declared that [H 235](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

#### [H 236](#) - APPROPRIATIONS - DIVISION OF BUILDING SAFETY

[H 236](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Syme to open debate.

The question being, "Shall [H 236](#) pass?"

Roll call resulted as follows:

AYES—Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, Dixon, Ehardt, Ellis, Erpelding, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith(Nye), Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 66.

NAYS—None.

Absent—Abernathy, DeMordaunt, Furniss, Harris. Total - 4.  
Total - 70.

Whereupon the Speaker declared that [H 236](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

#### [H 237](#) - APPROPRIATIONS - VOCATIONAL REHABILITATION

[H 237](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Wintrow to open debate.

The question being, "Shall [H 237](#) pass?"

Roll call resulted as follows:

AYES—Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Berch, Blanksma, Boyle, Chaney, Chew, Clow, Collins, Davis, Dayley, Ehardt, Ellis, Erpelding, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moyle, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith(Nye), Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 60.

NAYS—Barbieri, Christensen, Crane, Dixon, Moon, Nichols. Total - 6.

Absent—Abernathy, DeMordaunt, Furniss, Harris. Total - 4.  
Total - 70.

Whereupon the Speaker declared that [H 237](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

#### [H 238](#) - APPROPRIATIONS - REGULATORY BOARDS

[H 238](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Horman to open debate.

The question being, "Shall [H 238](#) pass?"

Roll call resulted as follows:

AYES—Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Clow, Collins, Crane, Davis, Dayley, Dixon, Ehardt, Ellis, Erpelding, Gannon, Gestrin, Gibbs, Goesling, Green(18), Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Shepherd, Smith(Nye), Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 61.

NAYS—Christensen, Giddings, Green(2), Moon, Scott. Total - 5.

Absent—Abernathy, DeMordaunt, Furniss, Harris. Total - 4.  
Total - 70.

Whereupon the Speaker declared that [H 238](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

#### [H 192](#) - OUTFITTERS AND GUIDES

[H 192](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Gestrin to open debate.

The question being, "Shall [H 192](#) pass?"

Roll call resulted as follows:

AYES—Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, Ehardt, Ellis, Erpelding, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive,







# HOUSE JOURNAL

OF THE

## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-FIFTH LEGISLATURE

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**SIXTY-FOURTH LEGISLATIVE DAY**  
**MONDAY, MARCH 11, 2019**

House of Representatives

The House convened at 10:30 a.m., the Speaker in the Chair.

Roll call showed all 70 members present.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Nathan Henrie, Page.

### 3RD ORDER

#### Approval of Journal

March 11, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Sixty-first Legislative Day and recommend that same be adopted as corrected.

DAYLEY, Chairman

Mr. Dayley moved that the report be adopted. Seconded by Mr. Gannon. Report adopted.

### 4TH ORDER

#### Consideration of Messages from the Governor and the Senate

THE OFFICE OF THE GOVERNOR

#### CERTIFICATE OF APPOINTMENT

**KNOW ALL MEN**, that pursuant to the provisions of Section 59-917, Idaho Code, MUFFY DAVIS, State Representative, District 26, Seat A, Blaine, Camas, Gooding, and Lincoln Counties, State of Idaho, has nominated, KATHRYN CATE GOLDMAN, of 1267 Glen Aspen Drive Bellevue, ID 83313, to perform the duties of this office temporarily as Acting State Representative, District 26, Seat A.

**NOW, THEREFORE, I, BRAD LITTLE**, Governor of the State of Idaho, by virtue of the authority vested in me do hereby appoint Kathryn Cate Goldman of Bellevue, Idaho, to the office of Acting State Representative, District 26, Seat A, for a term commencing March 11, 2019 through Friday, March 15, 2019.

**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 7th day of February, in the year of our Lord two thousand and nineteen, and of the Independence of the

United States of America, the two hundred and forty-third year and of the Statehood of Idaho the one hundred twenty-ninth.

/s/ BRAD LITTLE  
Governor  
/s/ LAWRENCE DENNEY  
Secretary of State

The Certificate of Appointment was ordered filed in the office of the Chief Clerk.

The Speaker announced the oath of office had previously been administered to Kathryn Cate Goldman.

March 8, 2019

Mr. Speaker:

I transmit herewith [SJM 104](#), [S 1147](#), [S 1148](#), [S 1149](#), [S 1150](#), [S 1146](#), [S 1050](#), [S 1087](#), [S 1155](#), [S 1156](#), [S 1157](#), and [S 1158](#) which have passed the Senate.

NOVAK, Secretary

[SJM 104](#), [S 1147](#), [S 1148](#), [S 1149](#), [S 1150](#), [S 1146](#), [S 1050](#), [S 1087](#), [S 1155](#), [S 1156](#), [S 1157](#), and [S 1158](#) were filed for first reading.

March 8, 2019

Mr. Speaker:

I return herewith [H 134](#) which has passed the Senate.

NOVAK, Secretary

[H 134](#) was referred to the Judiciary, Rules, and Administration Committee for enrolling.

### 5TH ORDER

#### Report of Standing Committees

March 11, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have enrolled [HJM 6](#), [H 156](#), and [H 157](#).

DAYLEY, Chairman

The Speaker announced he was about to sign enrolled [HJM 6](#), [H 156](#), and [H 157](#) and, when so signed, ordered them transmitted to the Senate for the signature of the President.

March 11, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have transmitted enrolled [H 2](#), as amended in the Senate, and [H 89](#) to the Governor at 10:45 a.m., as of this date, March 8, 2019.

DAYLEY, Chairman

March 8, 2019

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration [S 1060](#), as amended, and report it back to be placed on General Orders.

CLOW, Chairman

[S 1060](#), as amended, was placed on General Orders for consideration.

March 11, 2019

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration [S 1111](#) and [S 1127](#) and recommend that they do pass.

HARRIS, Chairman

[S 1111](#) and [S 1127](#) were filed for second reading.

There being no objection, the House returned to the Fourth Order of Business.

**4TH ORDER**  
**Consideration of Messages from the**  
**Governor and the Senate**

OFFICE OF THE GOVERNOR  
Boise

March 8, 2019

The Honorable Scott Bedke  
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House bills, to wit:

[H 2](#), as amended in the Senate, and [H 89](#)

Sincerely,  
/s/ Brad Little  
Governor

There being no objection, the House advanced to the Seventh Order of Business.

**7TH ORDER**  
**Motions, Memorials, and Resolutions**

[SJM 104](#), by State Affairs Committee, was introduced, read the first time by title, and referred to the Transportation and Defense Committee.

**8TH ORDER**  
**Introduction, First Reading, and Reference**  
**of Bills and Joint Resolutions**

**HOUSE BILL NO. 253**  
**BY EDUCATION COMMITTEE**  
AN ACT

RELATING TO THE EDUCATION SAVINGS ACCOUNT ACT; AMENDING TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 61, TITLE 33, IDAHO CODE, TO PROVIDE A SHORT TITLE AND TO ESTABLISH THE EDUCATION SAVINGS ACCOUNT PROGRAM, TO DEFINE TERMS, TO ESTABLISH PROVISIONS REGARDING THE EDUCATION SAVINGS ACCOUNT PROGRAM, TO ESTABLISH PROVISIONS REGARDING PROGRAM APPLICATIONS, TO ESTABLISH PROVISIONS REGARDING CERTAIN AUTHORITY AND RESPONSIBILITIES, TO PROVIDE FOR A PARENT REVIEW COMMITTEE, TO ESTABLISH PROVISIONS REGARDING EDUCATION SERVICE PROVIDERS, TO PROVIDE FOR RELEASE OF CERTAIN STUDENT

RECORDS, TO ESTABLISH PROVISIONS REGARDING LEGAL PROCEEDINGS AND SEVERABILITY, TO ESTABLISH PROVISIONS REGARDING THE INDEPENDENCE OF EDUCATION SERVICE PROVIDERS, AND TO ESTABLISH PROVISIONS REGARDING PROGRAM ENROLLMENT RESTRICTIONS.

**HOUSE BILL NO. 254**  
**BY APPROPRIATIONS COMMITTEE**  
AN ACT

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF PARKS AND RECREATION FOR FISCAL YEAR 2020; APPROPRIATING MONEYS TO THE DEPARTMENT OF PARKS AND RECREATION FOR FISCAL YEAR 2020; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; EXEMPTING THE APPROPRIATION FROM PROGRAM TRANSFER LIMITATIONS; AND PROVIDING REAPPROPRIATION AUTHORITY.

**HOUSE BILL NO. 255**  
**BY APPROPRIATIONS COMMITTEE**  
AN ACT

RELATING TO THE APPROPRIATION TO THE LEGISLATIVE BRANCH FOR FISCAL YEAR 2020; APPROPRIATING MONEYS TO THE LEGISLATIVE BRANCH FOR THE LEGISLATIVE SERVICES OFFICE AND THE OFFICE OF PERFORMANCE EVALUATIONS FOR FISCAL YEAR 2020; PROVIDING REAPPROPRIATION AUTHORITY FOR THE PROFESSIONAL SERVICES FUND; PROVIDING REAPPROPRIATION AUTHORITY FOR THE TECHNOLOGY INFRASTRUCTURE STABILIZATION FUND; PROVIDING REAPPROPRIATION AUTHORITY FOR THE REDISTRICTING COMMISSION; EXEMPTING THE APPROPRIATION TO THE LEGISLATIVE SERVICES OFFICE FROM OBJECT TRANSFER LIMITATIONS; AND EXEMPTING THE APPROPRIATION TO THE OFFICE OF PERFORMANCE EVALUATIONS FROM OBJECT TRANSFER LIMITATIONS.

**HOUSE BILL NO. 256**  
**BY APPROPRIATIONS COMMITTEE**  
AN ACT

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF WATER RESOURCES FOR FISCAL YEAR 2020; APPROPRIATING MONEYS TO THE DEPARTMENT OF WATER RESOURCES FOR FISCAL YEAR 2020; 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; AND TRANSFERRING MONEYS FROM THE GENERAL FUND TO THE SECONDARY AQUIFER PLANNING, MANAGEMENT AND IMPLEMENTATION FUND.

**HOUSE BILL NO. 257**  
**BY APPROPRIATIONS COMMITTEE**  
AN ACT

RELATING TO THE APPROPRIATION TO THE DIVISION OF CAREER TECHNICAL EDUCATION FOR FISCAL YEAR 2020; APPROPRIATING MONEYS TO THE DIVISION OF CAREER TECHNICAL EDUCATION FOR FISCAL YEAR 2020; EXEMPTING THE APPROPRIATION FROM OBJECT TRANSFER LIMITATIONS FOR THE POSTSECONDARY PROGRAM; PROVIDING

REAPPROPRIATION AUTHORITY; AND PROVIDING REPORTING REQUIREMENTS.

**HOUSE BILL NO. 258**  
**BY APPROPRIATIONS COMMITTEE**  
AN ACT

RELATING TO THE APPROPRIATION TO THE IDAHO STATE POLICE FOR FISCAL YEAR 2020; APPROPRIATING MONEYS TO THE IDAHO STATE POLICE FOR FISCAL YEAR 2020; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING REAPPROPRIATION AUTHORITY; AND PROVIDING FOR AN APPROPRIATION AND TRANSFER OF FUNDS.

[H 253](#), [H 254](#), [H 255](#), [H 256](#), [H 257](#), and [H 258](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

[S 1146](#), by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the Judiciary, Rules and Administration Committee.

[S 1050](#) and [S 1087](#), by Resources and Environment Committee, were introduced, read the first time by title, and referred to the Resources and Conservation Committee.

[S 1147](#), [S 1148](#), [S 1149](#), [S 1150](#), [S 1155](#), [S 1156](#), [S 1157](#), and [S 1158](#), by Finance Committee, were introduced, read the first time by title, and filed for second reading.

There being no objection, the House advanced to the Tenth Order of Business.

**10TH ORDER**  
**Second Reading of Bills and Joint Resolutions**

[HCR 18](#), [HCR 19](#), [HCR 20](#), and [HCR 21](#), by Education Committee, were read the second time by title and filed for third reading.

[SJM 102](#), by State Affairs Committee, was read the second time by title and filed for third reading.

[H 248](#), by Ways and Means Committee, was read the second time by title and filed for third reading.

[S 1048](#) and [S 1053](#), by Commerce and Human Resources Committee, were read the second time by title and filed for third reading.

[S 1004](#), [S 1005](#), as amended, and [S 1044](#), by Judiciary and Rules Committee, were read the second time by title and filed for third reading.

[S 1083](#) and [S 1085](#), by Resources and Environment Committee, were read the second time by title and filed for third reading.

[H 199](#) and [H 205](#), by State Affairs Committee, were read the second time by title and filed for third reading.

[S 1072](#), by Commerce and Human Resources Committee, was read the second time by title and filed for third reading.

[S 1112](#), by State Affairs Committee, was read the second time by title and filed for third reading.

[H 193](#), as amended, by Revenue and Taxation Committee, was read the second time by title and filed for third reading.

[H 179](#), as amended, by Ways and Means Committee, was read the second time by title and filed for third reading.

[H 130](#), as amended, and [H 127](#), as amended, as amended, by Local Government Committee, were read the second time by title and filed for third reading.

**11TH ORDER**  
**Third Reading of Bills and Joint Resolutions**

Mr. Moyle asked unanimous consent that [H 206](#) and [H 70](#) retain their places on the Third Reading Calendar until Wednesday, March 13, 2019. There being no objection, it was so ordered.

**[H 42](#), as amended in the Senate - LABOR**

[H 42](#), as amended in the Senate, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Harris to open debate.

The question being, "Shall [H 42](#), as amended in the Senate, pass?"

Roll call resulted as follows:

AYES--Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis(Goldman), Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith(Nye), Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 70.

Whereupon the Speaker declared [H 42](#), as amended in the Senate, passed the House. Title was approved and the bill referred to the Judiciary, Rules, and Administration Committee for enrolling.

**[H 245](#) - APPROPRIATIONS - EXECUTIVE OFFICE OF THE GOVERNOR**

[H 245](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Troy to open debate.

The question being, "Shall [H 245](#) pass?"

Roll call resulted as follows:

AYES--Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis(Goldman), Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith(Nye), Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 70.

Whereupon the Speaker declared that [H 245](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

#### [H 246](#) - APPROPRIATIONS - OITS

[H 246](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Raybould to open debate.

The question being, "Shall [H 246](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis(Goldman), Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith(Nye), Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 70.

Whereupon the Speaker declared that [H 246](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

#### [H 217](#) - LOCAL ECONOMIC DEVELOPMENT ACT

[H 217](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Anderst to open debate.

The question being, "Shall [H 217](#) pass?"

Roll call resulted as follows:

AYES—Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Collins, Crane, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(2), Harris, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Marshall, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Scott, Shepherd, Stevenson, Syme, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 59.

NAYS—Abernathy, Clow, Davis(Goldman), Erpelding, Green(18), Hartgen, Lickley, Mason, Rubel, Smith(Nye), Toone. Total - 11.

Total - 70.

Whereupon the Speaker declared that [H 217](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Fifteenth Order of Business.

#### 15TH ORDER Announcements

Announcements were made to the body.

#### 16TH ORDER Adjournment

Mr. Moyle moved that the House adjourn until 10:30 a.m., Tuesday, March 12, 2019. Seconded by Mr. Erpelding. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:55 a.m.

SCOTT BEDKE, Speaker

ATTEST:

CARRIE MAULIN, Chief Clerk

# HOUSE JOURNAL

OF THE

## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-FIFTH LEGISLATURE

---

SIXTY-FIFTH LEGISLATIVE DAY  
TUESDAY, MARCH 12, 2019

House of Representatives

The House convened at 10:30 a.m., the Speaker in the Chair.

Roll call showed 69 members present.  
Absent and excused - Furniss. Total - 1.  
Total - 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Cathleen Wonacott, Page.

### 3RD ORDER

#### Approval of Journal

March 12, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Sixty-fourth Legislative Day and recommend that same be adopted as corrected.

DAYLEY, Chairman

Mr. Dayley moved that the report be adopted. Seconded by Mr. Gannon. Report adopted.

### 4TH ORDER

#### Consideration of Messages from the Governor and the Senate

March 11, 2019

Mr. Speaker:

I return herewith enrolled [H 58](#), [H 73](#), [H 80](#), [H 76](#), [H 105](#), [H 5](#), [H 6](#), [H 71](#), [H 63](#), [H 174](#), [H 91](#), [H 103](#), [H 24](#), [H 75](#), and [H 90](#) which have been signed by the President.

NOVAK, Secretary

Enrolled [H 58](#), [H 73](#), [H 80](#), [H 76](#), [H 105](#), [H 5](#), [H 6](#), [H 71](#), [H 63](#), [H 174](#), [H 91](#), [H 103](#), [H 24](#), [H 75](#), and [H 90](#) were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

March 11, 2019

Mr. Speaker:

I transmit herewith [SJM 105](#), [S 1162](#), [S 1163](#), [S 1164](#), [S 1165](#), [S 1166](#), [S 1167](#), [S 1168](#), [S 1169](#), [S 1152](#), [S 1171](#), [S 1172](#), [S 1173](#), and [S 1174](#) which have passed the Senate.

NOVAK, Secretary

[SJM 105](#), [S 1162](#), [S 1163](#), [S 1164](#), [S 1165](#), [S 1166](#), [S 1167](#), [S 1168](#), [S 1169](#), [S 1152](#), [S 1171](#), [S 1172](#), [S 1173](#), and [S 1174](#) were filed for first reading.

March 11, 2019

Mr. Speaker:

I return herewith [H 155](#), [HCR 10](#), [HCR 12](#), [HCR 15](#), [HJM 4](#), [HJM 8](#), [HJM 9](#), and [HJM 7](#) which have passed the Senate.

NOVAK, Secretary

[H 155](#), [HCR 10](#), [HCR 12](#), [HCR 15](#), [HJM 4](#), [HJM 8](#), [HJM 9](#), and [HJM 7](#) were referred to the Judiciary, Rules, and Administration Committee for enrolling.

### 5TH ORDER

#### Report of Standing Committees

March 12, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have printed [H 253](#), [H 254](#), [H 255](#), [H 256](#), [H 257](#), and [H 258](#).

DAYLEY, Chairman

[H 253](#) was referred to the Education Committee.

[H 254](#), [H 255](#), [H 256](#), [H 257](#), and [H 258](#) were filed for second reading.

March 12, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have enrolled [H 134](#) and [H 42](#), as amended in the Senate.

DAYLEY, Chairman

The Speaker announced he was about to sign enrolled [H 134](#) and [H 42](#), as amended in the Senate, and, when so signed, ordered them transmitted to the Senate for the signature of the President.

March 11, 2019

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration [H 202](#) and report it back to be placed on General Orders.

COLLINS, Chairman

[H 202](#) was placed on General Orders for consideration.

March 11, 2019

Mr. Speaker:

We, your COMMITTEE ON RESOURCES AND CONSERVATION, report that we have had under consideration [S 1084](#) and [S 1086](#) and recommend that they do pass.

GIBBS, Chairman

[S 1084](#) and [S 1086](#) were filed for second reading.

March 12, 2019

Mr. Speaker:

We, your COMMITTEE ON BUSINESS, report that we have had under consideration [S 1037](#), as amended, and recommend that it do pass.

DIXON, Chairman



[S 1037](#), as amended, was filed for second reading.

March 12, 2019

Mr. Speaker:

We, your COMMITTEE ON BUSINESS, report that we have had under consideration [H 229](#) and report it back to be placed on General Orders.

DIXON, Chairman

[H 229](#) was placed on General Orders for consideration.

Mr. Dixon asked unanimous consent that [H 229](#) be returned to the Business Committee. There being no objection, it was so ordered.

March 12, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have had under consideration [S 1117](#) and [S 1119](#) and recommend that they do pass.

DAYLEY, Chairman

[S 1117](#) and [S 1119](#) were filed for second reading.

Ms. Boyle asked unanimous consent that [H 121](#) be returned to the Agricultural Affairs Committee. There being no objection, it was so ordered.

There being no objection, the House advanced to the Seventh Order of Business.

#### 7TH ORDER

##### Motions, Memorials, and Resolutions

[SJM 105](#), by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the Resources and Conservation Committee.

#### 8TH ORDER

##### Introduction, First Reading, and Reference of Bills and Joint Resolutions

#### HOUSE BILL NO. 259

##### BY REVENUE AND TAXATION COMMITTEE

AN ACT

RELATING TO SALES AND USE TAX; AMENDING CHAPTER 36, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3605E, IDAHO CODE, TO DEFINE A TERM; AMENDING SECTION 63-3611, IDAHO CODE, TO REVISE A DEFINITION AND TO CLARIFY A DUTY; AMENDING CHAPTER 36, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3620E, IDAHO CODE, TO PROVIDE FOR THE COLLECTION OF THE STATE SALES OR USE TAX BY A MARKETPLACE FACILITATOR; AMENDING CHAPTER 36, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3620F, IDAHO CODE, TO PROVIDE FOR THE DISTRIBUTION OF TAX COLLECTED BY CERTAIN MARKETPLACE FACILITATORS AND RETAILERS; AMENDING SECTION 57-811, IDAHO CODE, TO PROVIDE FOR THE DISTRIBUTION OF CERTAIN REVENUES TO THE TAX RELIEF FUND AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 63-3638, IDAHO CODE, TO EXEMPT CERTAIN TAXES FROM A CERTAIN DISTRIBUTION FORMULA AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 63-3605, IDAHO CODE, TO REDESIGNATE THE SECTION; AMENDING

SECTION 63-3605A, IDAHO CODE, TO REDESIGNATE THE SECTION; AMENDING SECTION 63-3605B, IDAHO CODE, TO REDESIGNATE THE SECTION; AMENDING SECTION 63-3606A, IDAHO CODE, TO REDESIGNATE THE SECTION; AMENDING SECTION 63-3606B, IDAHO CODE, TO REDESIGNATE THE SECTION; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

#### HOUSE BILL NO. 260

##### BY APPROPRIATIONS COMMITTEE

AN ACT

RELATING TO THE APPROPRIATION TO THE WOLF DEPREDACTION CONTROL BOARD FOR FISCAL YEAR 2020; APPROPRIATING AND TRANSFERRING MONEYS TO THE WOLF CONTROL FUND FOR FISCAL YEAR 2020.

#### HOUSE BILL NO. 261

##### BY APPROPRIATIONS COMMITTEE

AN ACT

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF ADMINISTRATION FOR THE IDAHO STATE CAPITOL COMMISSION FOR FISCAL YEAR 2020; APPROPRIATING MONEYS TO THE DEPARTMENT OF ADMINISTRATION FOR THE IDAHO STATE CAPITOL COMMISSION FOR FISCAL YEAR 2020; PROVIDING FOR A CASH TRANSFER; AND PROVIDING REAPPROPRIATION AUTHORITY.

#### HOUSE BILL NO. 262

##### BY APPROPRIATIONS COMMITTEE

AN ACT

RELATING TO THE APPROPRIATION TO THE IDAHO STATE HISTORICAL SOCIETY FOR FISCAL YEAR 2020; APPROPRIATING MONEYS TO THE IDAHO STATE HISTORICAL SOCIETY FOR FISCAL YEAR 2020; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

#### HOUSE BILL NO. 263

##### BY APPROPRIATIONS COMMITTEE

AN ACT

RELATING TO THE APPROPRIATION TO THE PUBLIC EMPLOYEE RETIREMENT SYSTEM OF IDAHO FOR FISCAL YEAR 2020; APPROPRIATING MONEYS TO THE PUBLIC EMPLOYEE RETIREMENT SYSTEM OF IDAHO FOR FISCAL YEAR 2020; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AND PROVIDING CONTINUOUS APPROPRIATION AUTHORITY.

#### HOUSE BILL NO. 264

##### BY APPROPRIATIONS COMMITTEE

AN ACT

RELATING TO THE APPROPRIATION TO THE STATE LIQUOR DIVISION FOR FISCAL YEAR 2020; APPROPRIATING MONEYS TO THE STATE LIQUOR DIVISION FOR FISCAL YEAR 2020; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

#### HOUSE BILL NO. 265

##### BY APPROPRIATIONS COMMITTEE

AN ACT

RELATING TO THE APPROPRIATION TO THE STATE TREASURER FOR FISCAL YEAR 2020; APPROPRIATING MONEYS TO THE STATE TREASURER FOR FISCAL



YEAR 2020; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AND PROVIDING REQUIREMENTS REGARDING PAYMENT OF BANK SERVICE FEES.

**HOUSE BILL NO. 266**  
**BY WAYS AND MEANS COMMITTEE**  
AN ACT

RELATING TO SEXUAL ASSAULT EVIDENCE KITS; AMENDING SECTION 39-1390, IDAHO CODE, TO PROVIDE THAT CERTAIN INFORMATION SHALL BE EXCLUDED IN A REPORT TO LAW ENFORCEMENT IN CERTAIN INSTANCES AND TO MAKE TECHNICAL CORRECTIONS.

[H 259](#), [H 260](#), [H 261](#), [H 262](#), [H 263](#), [H 264](#), [H 265](#), and [H 266](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

[S 1152](#), by State Affairs Committee, was introduced, read the first time by title, and referred to the Business Committee.

[S 1162](#), [S 1163](#), [S 1164](#), [S 1165](#), [S 1166](#), [S 1167](#), [S 1168](#), [S 1169](#), [S 1171](#), [S 1172](#), [S 1173](#), and [S 1174](#), by Finance Committee, were introduced, read the first time by title, and filed for second reading.

There being no objection, the House advanced to the Tenth Order of Business.

**10TH ORDER**  
**Second Reading of Bills and Joint Resolutions**

[S 1111](#) and [S 1127](#), by State Affairs Committee, were read the second time by title and filed for third reading.

[S 1147](#), [S 1148](#), [S 1149](#), [S 1150](#), [S 1155](#), [S 1156](#), [S 1157](#), and [S 1158](#), by Finance Committee, were read the second time by title and filed for third reading.

**11TH ORDER**  
**Third Reading of Bills and Joint Resolutions**

Mr. Moyle asked unanimous consent that [H 199](#) be placed at the bottom of the Third Reading Calendar. There being no objection, it was so ordered.

Mr. Moyle asked unanimous consent that [H 179](#), as amended, retain its place on the Third Reading Calendar for one legislative day. There being no objection, it was so ordered.

**H 248 - OCCUPATIONAL LICENSING**

[H 248](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. DeMordaunt to open debate.

The question being, "Shall [H 248](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis(Goldman), Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel,

Scott, Shepherd, Smith(Nye), Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 69.

NAYS—None.

Absent—Furniss. Total - 1.

Total - 70.

Whereupon the Speaker declared that [H 248](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

**H 205 - PATERNITY**

[H 205](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Green(2) to open debate.

The question being, "Shall [H 205](#) pass?"

Roll call resulted as follows:

AYES—Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Blanksma, Boyle, Chaney, Christensen, Clow, Collins, Crane, Dayley, DeMordaunt, Dixon, Ehardt, Gestrin, Gibbs, Giddings, Goesling, Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Scott, Shepherd, Stevenson, Syme, Troy, Vander Woude, Wagoner, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 55.

NAYS—Abernathy, Berch, Chew, Davis(Goldman), Ellis, Erpelding, Gannon, Green(18), Mason, McCrostie, Rubel, Smith(Nye), Toone, Wintrow. Total - 14.

Absent—Furniss. Total - 1.

Total - 70.

Whereupon the Speaker declared that [H 205](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

**H 193, as amended - STATE TAX COMMISSION**

[H 193](#), as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Wagoner to open debate.

Pursuant to Rule 38(3), Mr. Wagoner disclosed a conflict of interest regarding [H 193](#), as amended.

The question being, "Shall [H 193](#), as amended, pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis(Goldman), Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith(Nye), Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 69.

NAYS—None.

Absent—Furniss. Total - 1.

Total - 70.

Whereupon the Speaker declared that [H 193](#), as amended, passed the House. Title was approved and the bill ordered transmitted to the Senate.

**[H 130](#), as amended - ANNEXATION**

[H 130](#), as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Wagoner to open debate.

The question being, "Shall [H 130](#), as amended, pass?"

Roll call resulted as follows:

AYES—Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Blanksma, Boyle, Chaney, Christensen, Clow, Collins, Crane, Dayley, DeMordaunt, Dixon, Ehardt, Gestrin, Gibbs, Giddings, Goesling, Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Scott, Shepherd, Stevenson, Syme, Troy, Vander Woude, Wagoner, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 55.

NAYS—Abernathy, Berch, Chew, Davis(Goldman), Ellis, Erpelding, Gannon, Green(18), Mason, McCrostie, Rubel, Smith(Nye), Toone, Wintrow. Total - 14.

Absent—Furniss. Total - 1.  
Total - 70.

Whereupon the Speaker declared that [H 130](#), as amended, passed the House. Title was approved and the bill ordered transmitted to the Senate.

**[H 127](#), as amended, as amended - LOCAL LAND USE PLANNING**

[H 127](#), as amended, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Green(2) to open debate.

Pursuant to Rule 38(3), Mrs. Moon disclosed a conflict of interest regarding [H 127](#), as amended, as amended.

Pursuant to Rule 38(3), Mrs. Green(18) disclosed a conflict of interest regarding [H 127](#), as amended, as amended.

Pursuant to Rule 38(3), Mrs. Blanksma disclosed a conflict of interest regarding [H 127](#), as amended, as amended.

Pursuant to Rule 38(3), Mr. Wagoner disclosed a conflict of interest regarding [H 127](#), as amended, as amended.

The question being, "Shall [H 127](#), as amended, as amended, pass?"

Roll call resulted as follows:

AYES—Andrus, Armstrong, Barbieri, Boyle, Chaney, Christensen, Dayley, Dixon, Ehardt, Gestrin, Giddings, Green(2), Harris, Holtzclaw, Horman, Kingsley, Marshall, Mendive, Monks, Moon, Nichols, Palmer, Scott, Shepherd, Stevenson, Vander Woude, Wisniewski, Young, Zito, Zollinger. Total - 30.

NAYS—Abernathy, Addis, Amador, Anderson, Anderst, Berch, Blanksma, Chew, Clow, Collins, Davis(Goldman), DeMordaunt, Ellis, Erpelding, Gannon, Gibbs, Goesling, Green(18), Hartgen, Kauffman, Kerby, Lickley, Mason, McCrostie, Moyle, Raybould, Raymond, Ricks, Rubel,

Smith(Nye), Syme, Toone, Troy, Wagoner, Wintrow, Wood, Youngblood, Mr. Speaker. Total - 38.

Absent—Crane, Furniss. Total - 2.

Paired Votes:

AYE - Vander Woude                      NAY - Rubel

(Pairs enumerated in roll call above.)

Total - 70.

Whereupon the Speaker declared that [H 127](#), as amended, as amended, failed to pass the House and ordered the bill filed in the office of the Chief Clerk.

**[HCR 18](#) - DIVISION OF VOCATIONAL REHABILITATION - RULE REJECTION**

[HCR 18](#) was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Kerby to open debate.

The question being, "Shall [HCR 18](#) be adopted?"

Roll call resulted as follows:

AYES—Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Blanksma, Boyle, Chaney, Christensen, Clow, Collins, Dayley, DeMordaunt, Dixon, Ehardt, Gestrin, Gibbs, Giddings, Goesling, Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Scott, Shepherd, Stevenson, Syme, Troy, Vander Woude, Wagoner, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 53.

NAYS—Abernathy, Berch, Chew, Davis(Goldman), Ellis, Erpelding, Gannon, Green(18), Mason, McCrostie, Smith(Nye), Toone, Wintrow. Total - 13.

Absent—Crane, Furniss, Green(2), Rubel. Total - 4.  
Total - 70.

Whereupon the Speaker declared [HCR 18](#) adopted and ordered the resolution transmitted to the Senate.

At this time, Mr. Moyle took the Chair.

Mr. Monks asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Fifteenth Order of Business.

**15TH ORDER  
Announcements**

Announcements were made to the body.

**16TH ORDER  
Adjournment**

Mr. Monks moved that the House adjourn until 10 a.m., Wednesday, March 13, 2019. Seconded by Mr. Harris. Motion carried.

Whereupon the Speaker Pro Tem declared the House adjourned at 12:14 p.m.

SCOTT BEDKE, Speaker

ATTEST:

CARRIE MAULIN, Chief Clerk

# HOUSE JOURNAL

OF THE

## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-FIFTH LEGISLATURE

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**SIXTY-SIXTH LEGISLATIVE DAY  
WEDNESDAY, MARCH 13, 2019**

House of Representatives

The House convened at 10 a.m., the Speaker in the Chair.

Roll call showed 69 members present.  
Absent and excused - Palmer. Total - 1.  
Total - 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Jack Marchant, Page.

### 3RD ORDER Approval of Journal

March 13, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Sixty-fifth Legislative Day and recommend that same be adopted as corrected.

DAYLEY, Chairman

Mr. Dayley moved that the report be adopted. Seconded by Mr. Gannon. Report adopted.

### 4TH ORDER Consideration of Messages from the Governor and the Senate

THE OFFICE OF THE GOVERNOR

#### CERTIFICATE OF APPOINTMENT

**KNOW ALL MEN**, that pursuant to the provisions of Section 59-917, Idaho Code, HEATHER SCOTT, State Representative, District 1, Seat A, Bonner and Boundary County, State of Idaho, has nominated, DOUGLAS F. PATERSON, of 360 Northwoods Drive, Priest River, Idaho 83856, to perform the duties of this office temporarily as Acting State Representative, District 1, Seat A.

**NOW, THEREFORE, I, BRAD LITTLE**, Governor of the State of Idaho, by virtue of the authority vested in me do hereby appoint Douglas F. Paterson of Priest River, Idaho, to the office of Acting State Representative, District 1, Seat A, for a term commencing March 13, 2019, and continuing until such time as Representative Scott is able to resume her duties.

**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 12th day of February, in the year of our

Lord two thousand and nineteen, and of the Independence of the United States of America, the two hundred and forty-third year and of the Statehood of Idaho the one hundred twenty-ninth.

/s/ BRAD LITTLE  
Governor  
/s/ LAWRENCE DENNEY  
Secretary of State

The Certificate of Appointment was ordered filed in the office of the Chief Clerk.

The Speaker announced the oath of office had previously been administered to Douglas F. Paterson.

March 12, 2019

Mr. Speaker:

I return herewith enrolled [HJM 6](#), [H 156](#), and [H 157](#) which have been signed by the President.

NOVAK, Secretary

Enrolled [H 156](#) and [H 157](#) were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

Enrolled [HJM 6](#) was referred to the Judiciary, Rules, and Administration Committee for delivery to the Secretary of State.

March 12, 2019

Mr. Speaker:

I transmit herewith [S 1170](#), [S 1153](#), [S 1073](#), [S 1003](#), as amended, [S 1104](#), as amended, [S 1110](#), as amended, [S 1061](#), as amended, [S 1091](#), as amended, [S 1068](#), as amended, [S 1056](#), as amended, [S 1131](#), as amended, and [S 1074](#), as amended, which have passed the Senate.

NOVAK, Secretary

[S 1170](#), [S 1153](#), [S 1073](#), [S 1003](#), as amended, [S 1104](#), as amended, [S 1110](#), as amended, [S 1061](#), as amended, [S 1091](#), as amended, [S 1068](#), as amended, [S 1056](#), as amended, [S 1131](#), as amended, and [S 1074](#), as amended, were filed for first reading.

March 12, 2019

Mr. Speaker:

I return herewith [HCR 9](#), [H 171](#), [H 173](#), [H 186](#), [H 187](#), [H 113](#), [H 153](#), [H 109](#), [H 151](#), [H 211](#), [H 213](#), [H 214](#), [H 216](#), [H 126](#), [H 84](#), [H 94](#), and [H 182](#) which have passed the Senate.

NOVAK, Secretary

[HCR 9](#), [H 171](#), [H 173](#), [H 186](#), [H 187](#), [H 113](#), [H 153](#), [H 109](#), [H 151](#), [H 211](#), [H 213](#), [H 214](#), [H 216](#), [H 126](#), [H 84](#), [H 94](#), and [H 182](#) were referred to the Judiciary, Rules, and Administration Committee for enrolling.

March 12, 2019

Mr. Speaker:

I return herewith [H 88](#), as amended in the Senate, which has failed to pass the Senate.

NOVAK, Secretary

[H 88](#), as amended in the Senate, was ordered filed in the office of the Chief Clerk.

March 12, 2019

Mr. Speaker:

I return herewith [H 106](#), as amended in the Senate, which has passed the Senate.

NOVAK, Secretary

Pursuant to House Rule 73, [H 106](#), as amended in the Senate, was referred to Transportation and Defense Committee for concurrence recommendation.

**5TH ORDER**  
**Report of Standing Committees**

March 13, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have printed [H 259](#), [H 260](#), [H 261](#), [H 262](#), [H 263](#), [H 264](#), [H 265](#), and [H 266](#).

DAYLEY, Chairman

[H 259](#), [H 260](#), [H 261](#), [H 262](#), [H 263](#), [H 264](#), and [H 265](#) were filed for second reading.

[H 266](#) was referred to the Judiciary, Rules and Administration Committee.

March 13, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have enrolled [H 155](#), [HCR 10](#), [HCR 12](#), [HCR 15](#), [HJM 4](#), [HJM 8](#), [HJM 9](#), and [HJM 7](#).

DAYLEY, Chairman

The Speaker announced he was about to sign enrolled [H 155](#), [HCR 10](#), [HCR 12](#), [HCR 15](#), [HJM 4](#), [HJM 8](#), [HJM 9](#), and [HJM 7](#) and, when so signed, ordered them transmitted to the Senate for the signature of the President.

March 13, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have transmitted enrolled [H 58](#), [H 73](#), [H 80](#), [H 76](#), [H 105](#), [H 5](#), [H 6](#), [H 71](#), [H 63](#), [H 174](#), [H 91](#), [H 103](#), [H 24](#), [H 75](#), and [H 90](#) to the Governor at 10:40 a.m., as of this date, March 12, 2019.

DAYLEY, Chairman

March 12, 2019

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration [S 1054](#), [S 1055](#), [S 1069](#), [S 1096](#), and [S 1097](#) and recommend that they do pass.

WOOD, Chairman

[S 1054](#), [S 1055](#), [S 1069](#), [S 1096](#), and [S 1097](#) were filed for second reading.

March 12, 2019

Mr. Speaker:

We, your COMMITTEE ON ENVIRONMENT, ENERGY AND TECHNOLOGY, report that we have had under consideration [S 1011](#) and recommend that it do pass.

VANDER WOUDE, Chairman

[S 1011](#) was filed for second reading.

There being no objection, the House returned to the Fourth Order of Business.

**4TH ORDER**

**Consideration of Messages from the Governor and the Senate**

OFFICE OF THE GOVERNOR  
Boise

March 12, 2019

The Honorable Scott Bedke  
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House bills, to wit:

[H 5](#), [H 6](#), [H 24](#), [H 63](#), [H 68](#), [H 73](#), [H 75](#), [H 80](#), [H 90](#), [H 91](#), and [H 174](#)

Sincerely,  
/s/ Brad Little  
Governor

There being no objection, the House advanced to the Eighth Order of Business.

**8TH ORDER**

**Introduction, First Reading, and Reference of Bills and Joint Resolutions**

**HOUSE BILL NO. 267**  
**BY APPROPRIATIONS COMMITTEE**  
AN ACT

RELATING TO THE APPROPRIATION TO THE STATE BOARD OF EDUCATION AND THE BOARD OF REGENTS OF THE UNIVERSITY OF IDAHO FOR FISCAL YEAR 2020; 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 2020; PROVIDING REAPPROPRIATION AUTHORITY; EXEMPTING THE APPROPRIATION FROM OBJECT AND PROGRAM TRANSFER LIMITATIONS; PROVIDING REQUIREMENTS FOR SYSTEMWIDE NEEDS; PROVIDING REQUIREMENTS FOR AN OPEN EDUCATION RESOURCES PILOT; DIRECTING AN ADJUSTMENT FOR STUDENT TUITION AND FEES FOR FISCAL YEAR 2020; DIRECTING AN ADJUSTMENT FOR STUDENT TUITION AND FEES FOR FISCAL YEAR 2019; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 268**  
**BY APPROPRIATIONS COMMITTEE**  
AN ACT

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY FOR FISCAL YEAR 2020; APPROPRIATING MONEYS TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY FOR FISCAL YEAR 2020; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; APPROPRIATING AND TRANSFERRING MONEYS TO THE ENVIRONMENTAL REMEDIATION TRIUMPH MINE FUND; PROVIDING REQUIREMENTS FOR THE ENVIRONMENTAL REMEDIATION BASIN FUND; PROVIDING REQUIREMENTS FOR THE WATER POLLUTION CONTROL FUND; PROVIDING



REQUIREMENTS FOR THE USE OF CERTAIN MONEYS FOR AGRICULTURAL BEST MANAGEMENT PRACTICES; AND PROVIDING REAPPROPRIATION AUTHORITY.

**HOUSE BILL NO. 269**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO TOWING AND STORAGE OF MOTOR VEHICLES; AMENDING SECTION 49-1803, IDAHO CODE, TO PROVIDE FOR LIENHOLDER NOTICE AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 49-1804, IDAHO CODE, TO REVISE PROVISIONS REGARDING NOTICE AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 49-1806, IDAHO CODE, TO REQUIRE CERTAIN NOTICE.

**HOUSE BILL NO. 270**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO ELECTIONS; AMENDING SECTION 34-302, IDAHO CODE, TO PROVIDE THAT PUBLIC SCHOOL FACILITIES SHALL BE MADE AVAILABLE AS PRECINCT POLLING PLACES AND TO MAKE TECHNICAL CORRECTIONS; AND PROVIDING AN EFFECTIVE DATE.

**HOUSE BILL NO. 271**  
**BY REVENUE AND TAXATION COMMITTEE**  
AN ACT

RELATING TO FIRST-TIME HOME BUYERS; AMENDING CHAPTER 30, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3022V, IDAHO CODE, TO PROVIDE FOR FIRST-TIME HOME BUYER SAVINGS ACCOUNTS; AMENDING SECTION 26-216, IDAHO CODE, TO REVISE PROVISIONS REGARDING CUSTODIAL ACCOUNTS; AMENDING SECTION 26-2151, IDAHO CODE, TO REVISE PROVISIONS REGARDING CREDIT UNIONS ACTING AS CUSTODIANS OR FIDUCIARIES UNDER CERTAIN TRUST INSTRUMENTS OR CUSTODIAL AGREEMENTS; AND DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

**HOUSE BILL NO. 272**  
**BY REVENUE AND TAXATION COMMITTEE**  
AN ACT

RELATING TO SCHOOL DISTRICTS; AMENDING SECTION 33-308, IDAHO CODE, TO REVISE PROVISIONS REGARDING CERTAIN VOTER APPROVAL OF THE ASSUMPTION OF BONDED INDEBTEDNESS AND INTEREST WITH REGARD TO SCHOOL DISTRICT EXCISIONS AND ANNEXATIONS AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 273**  
**BY REVENUE AND TAXATION COMMITTEE**  
AN ACT

RELATING TO EDUCATION; AMENDING TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 61, TITLE 33, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO ESTABLISH PROVISIONS REGARDING GUIDED EDUCATION MANAGEMENT SCHOLARSHIPS, TO DEFINE TERMS, TO PROVIDE ELIGIBILITY REQUIREMENTS FOR SCHOLARSHIPS, TO ESTABLISH PROVISIONS REGARDING SCHOLARSHIP GRANTING

ORGANIZATIONS, TO ESTABLISH PROVISIONS REGARDING A CERTAIN FUND, TO PROVIDE QUALIFIED EDUCATION EXPENSES, TO ESTABLISH PROVISIONS REGARDING EDUCATION SERVICE PROVIDERS, TO ESTABLISH PROVISIONS REGARDING STUDENT RECORDS, TO PROVIDE SEVERABILITY AND TO PROVIDE THAT SCHOLARSHIP GRANTING ORGANIZATIONS AND THEIR BOARD MEMBERS AND STAFF ARE NOT LIABLE FOR CERTAIN ACTS, OMISSIONS, DEBTS, OR OBLIGATIONS; AMENDING SECTION 63-3029A, IDAHO CODE, TO REVISE PROVISIONS REGARDING INCOME TAX CREDITS; AMENDING SECTION 63-3029A, IDAHO CODE, AS AMENDED BY SECTION 2, CHAPTER 33, LAWS OF 2018, TO REVISE PROVISIONS REGARDING INCOME TAX CREDITS; AND PROVIDING AN EFFECTIVE DATE.

[H 267](#), [H 268](#), [H 269](#), [H 270](#), [H 271](#), [H 272](#), and [H 273](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

[S 1170](#), by Finance Committee, was introduced, read the first time by title, and filed for second reading.

[S 1153](#), by State Affairs Committee, was introduced, read the first time by title, and referred to the State Affairs Committee.

[S 1073](#), by Commerce and Human Resources Committee, was introduced, read the first time by title, and referred to the Environment, Energy and Technology Committee.

[S 1003](#), as amended, [S 1110](#), as amended, and [S 1091](#), as amended, by Judiciary and Rules Committee, were introduced, read the first time by title, and referred to the Judiciary, Rules and Administration Committee.

[S 1104](#), as amended, and [S 1061](#), as amended, by Education Committee, were introduced, read the first time by title, and referred to the Education Committee.

[S 1068](#), as amended, by Commerce and Human Resources Committee, was introduced, read the first time by title, and referred to the Health and Welfare Committee.

[S 1056](#), as amended, by Resources and Environment Committee, was introduced, read the first time by title, and referred to the Resources and Conservation Committee.

[S 1131](#), as amended, by State Affairs Committee, was introduced, read the first time by title, and referred to the Transportation and Defense Committee.

[S 1074](#), as amended, by Health and Welfare Committee, was introduced, read the first time by title, and referred to the Health and Welfare Committee.

There being no objection, the House advanced to the Tenth Order of Business.

**10TH ORDER**  
**Second Reading of Bills and Joint Resolutions**

Mr. Zollinger asked unanimous consent that [H 199](#) be placed on General Orders for consideration. There being no objection it was so ordered.

[H 254](#), [H 255](#), [H 256](#), [H 257](#), and [H 258](#), by Appropriations Committee, were read the second time by title and filed for third reading.

[S 1084](#) and [S 1086](#), by Resources and Environment Committee, were read the second time by title and filed for third reading.

[S 1037](#), as amended, by Commerce and Human Resources Committee, was read the second time by title and filed for third reading.

[S 1117](#) and [S 1119](#), by Judiciary and Rules Committee, were read the second time by title and filed for third reading.

[S 1162](#), [S 1163](#), [S 1164](#), [S 1165](#), [S 1166](#), [S 1167](#), [S 1168](#), [S 1169](#), [S 1171](#), [S 1172](#), [S 1173](#), and [S 1174](#), by Finance Committee, were read the second time by title and filed for third reading.

### 11TH ORDER

#### Third Reading of Bills and Joint Resolutions

At this time, Mr. Moyle took the Chair.

#### [H 179](#), as amended - MOTOR VEHICLE INSURANCE

[H 179](#), as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Furniss to open debate.

Pursuant to Rule 38(3), Ms. Troy disclosed a conflict of interest regarding [H 179](#), as amended.

Pursuant to Rule 38(3), Mr. Furniss disclosed a conflict of interest regarding [H 179](#), as amended.

The question being, "Shall [H 179](#), as amended, pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Berch, Blanksma, Boyle, Chaney, Chew, Clow, Collins, Davis(Goldman), Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Goesling, Green(18), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Lickley, Marshall, Mason, McCrostie, Monks, Moyle, Raybould, Raymond, Ricks, Rubel, Smith, Syme, Toone, Vander Woude, Wagoner, Wintrow, Wood, Young, Youngblood, Zollinger, Mr. Speaker. Total - 54.

NAYS—Barbieri, Christensen, Crane, Giddings, Green(2), Kingsley, Mendive, Moon, Nichols, Scott(Paterson), Shepherd, Stevenson, Troy, Wisniewski, Zito. Total - 15.

Absent—Palmer. Total - 1.

Total - 70.

Whereupon the Speaker Pro Tem declared that [H 179](#), as amended, passed the House. Title was approved and the bill ordered transmitted to the Senate.

At this time, the Speaker took the Chair.

Mr. Moyle asked unanimous consent that [S 1141](#) be placed at the top of the Third Reading Calendar. There being no objection, it was so ordered.

#### [S 1141](#) - APPROPRIATIONS - STATE APPELLATE PUBLIC DEFENDER

[S 1141](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Wintrow to open debate.

The question being, "Shall [S 1141](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chew, Christensen, Clow, Collins, Crane, Davis(Goldman), Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Raybould, Raymond, Ricks, Rubel, Scott(Paterson), Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 67.

NAYS—None.

Absent—Chaney, Horman, Palmer. Total - 3.

Total - 70.

Whereupon the Speaker declared that [S 1141](#) passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Moyle asked unanimous consent that [S 1143](#) be placed at the top of the Third Reading Calendar. There being no objection, it was so ordered.

#### [S 1143](#) - APPROPRIATIONS - LAVA HOT SPRINGS FOUNDATION

[S 1143](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Raybould to open debate.

The question being, "Shall [S 1143](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chew, Clow, Collins, Crane, Davis(Goldman), Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Furniss, Gannon, Gestrin, Gibbs, Goesling, Green(18), Harris, Hartgen, Holtzclaw, Kauffman, Kerby, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moyle, Raybould, Raymond, Ricks, Rubel, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wood, Youngblood, Mr. Speaker. Total - 55.

NAYS—Christensen, Giddings, Green(2), Kingsley, Moon, Nichols, Scott(Paterson), Wisniewski, Young, Zito, Zollinger. Total - 11.

Absent—Chaney, Erpelding, Horman, Palmer. Total - 4.

Total - 70.

Whereupon the Speaker declared that [S 1143](#) passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Moyle asked unanimous consent that [S 1144](#) be placed at the top of the Third Reading Calendar. There being no objection, it was so ordered.

#### [S 1144](#) - APPROPRIATIONS - COMMISSION OF PARDONS AND PAROLE

[S 1144](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Syme to open debate.



The question being, "Shall [S 1144](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis(Goldman), Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Raybould, Raymond, Ricks, Rubel, Scott(Paterson), Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 68.

NAYS—None.

Absent—Horman, Palmer. Total - 2.

Total - 70.

Whereupon the Speaker declared that [S 1144](#) passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Moyle asked unanimous consent that [S 1147](#) be placed at the top of the Third Reading Calendar. There being no objection, it was so ordered.

#### [S 1147](#) - APPROPRIATIONS - DEPARTMENT OF FINANCE

[S 1147](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Anderson to open debate.

The question being, "Shall [S 1147](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis(Goldman), Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Nichols, Raybould, Raymond, Ricks, Rubel, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 66.

NAYS—Moyle, Scott(Paterson). Total - 2.

Absent—Horman, Palmer. Total - 2.

Total - 70.

Whereupon the Speaker declared that [S 1147](#) passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Moyle asked unanimous consent that [S 1148](#) be placed at the top of the Third Reading Calendar. There being no objection, it was so ordered.

#### [S 1148](#) - APPROPRIATIONS - BOARD OF TAX APPEALS

[S 1148](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Anderson to open debate.

The question being, "Shall [S 1148](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis(Goldman), Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Raybould, Raymond, Ricks, Rubel, Scott(Paterson), Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 68.

NAYS—None.

Absent—Horman, Palmer. Total - 2.

Total - 70.

Whereupon the Speaker declared that [S 1148](#) passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Moyle asked unanimous consent that [S 1149](#) be placed at the top of the Third Reading Calendar. There being no objection, it was so ordered.

#### [S 1149](#) - APPROPRIATIONS - PUBLIC UTILITIES COMMISSION

[S 1149](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Amador to open debate.

The question being, "Shall [S 1149](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis(Goldman), Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Raybould, Raymond, Ricks, Rubel, Scott(Paterson), Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 68.

NAYS—None.

Absent—Horman, Palmer. Total - 2.

Total - 70.

Whereupon the Speaker declared that [S 1149](#) passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Moyle asked unanimous consent that [S 1150](#) be placed at the top of the Third Reading Calendar. There being no objection, it was so ordered.

#### [S 1150](#) - APPROPRIATIONS - DEPARTMENT OF INSURANCE

[S 1150](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Anderson to open debate.

Pursuant to Rule 38(3), Mr. Crane disclosed a conflict of interest regarding [S 1150](#).

The question being, "Shall [S 1150](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis(Goldman), Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Raybould, Raymond, Ricks, Rubel, Scott(Paterson), Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 67.

NAYS—Boyle. Total - 1.

Absent—Horman, Palmer. Total - 2.

Total - 70.

Whereupon the Speaker declared that [S 1150](#) passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Moyle asked unanimous consent that [S 1158](#) be placed at the top of the Third Reading Calendar. There being no objection, it was so ordered.

#### [S 1158](#) - APPROPRIATIONS - PUBLIC DEFENSE COMMISSION

[S 1158](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Anderson to open debate.

The question being, "Shall [S 1158](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Berch, Blanksma, Chaney, Chew, Collins, Crane, Davis(Goldman), Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moyle, Raybould, Raymond, Ricks, Rubel, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 60.

NAYS—Barbieri, Boyle, Christensen, Clow, Giddings, Moon, Nichols, Scott(Paterson). Total - 8.

Absent—Horman, Palmer. Total - 2.

Total - 70.

Whereupon the Speaker declared that [S 1158](#) passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Moyle moved that the House recess until 3 p.m. Seconded by Mr. Erpelding. Motion carried.

Whereupon the Speaker declared the House at recess until 3 p.m.

## RECESS

### Afternoon Session

The House reconvened at 3 p.m., the Speaker in the Chair.

Prior to recess, the House was at the Eleventh Order of Business.

Mr. Moyle asked unanimous consent that [HCR 19](#) be placed at the top of the Third Reading Calendar. There being no objection, it was so ordered.

#### [HCR 19](#) - STATE BOARD OF EDUCATION - RULE REJECTION

[HCR 19](#) was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Ehardt to open debate.

The question being, "Shall [HCR 19](#) be adopted?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Anderson, Anderst, Andrus, Armstrong, Barbieri, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Davis(Goldman), Dayley, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, Mendive, Monks, Moon, Moyle, Raybould, Raymond, Ricks, Rubel, Scott(Paterson), Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 61.

NAYS—Amador, Berch, McCrostie. Total - 3.

Absent—Crane, DeMordaunt, Horman, Nichols, Palmer, Shepherd. Total - 6.

Total - 70.

Whereupon the Speaker declared [HCR 19](#) adopted and ordered the resolution transmitted to the Senate.

Mr. Moyle asked unanimous consent that [HCR 20](#) be placed at the top of the Third Reading Calendar. There being no objection, it was so ordered.

#### [HCR 20](#) - STATE BOARD OF EDUCATION - RULE REJECTION

[HCR 20](#) was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Moon to open debate.

The question being, "Shall [HCR 20](#) be adopted?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis(Goldman), Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, Mendive, Monks, Moon, Moyle, Nichols, Raybould, Raymond, Ricks, Rubel, Scott(Paterson), Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner,

Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 65.

NAYS—Berch, McCrostie. Total - 2.

Absent—Horman, Palmer, Shepherd. Total - 3.

Total - 70.

Whereupon the Speaker declared [HCR 20](#) adopted and ordered the resolution transmitted to the Senate.

Mr. Moyle asked unanimous consent that [HCR 21](#) be placed at the top of the Third Reading Calendar. There being no objection, it was so ordered.

**[HCR 21](#) - STATE BOARD OF AND STATE DEPARTMENT OF EDUCATION - RULE REJECTION**

[HCR 21](#) was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Ehardt to open debate.

The question being, "Shall [HCR 21](#) be adopted?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis(Goldman), Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Raybould, Raymond, Ricks, Rubel, Scott(Paterson), Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 66.

NAYS—Berch. Total - 1.

Absent—Horman, Palmer, Shepherd. Total - 3.

Total - 70.

Whereupon the Speaker declared [HCR 21](#) adopted and ordered the resolution transmitted to the Senate.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

There being no objection, the House returned to the Seventh Order of Business.

**7TH ORDER  
Motions, Memorials, and Resolutions**

House of Representatives  
State of Idaho

March 12, 2019

The Honorable John Vander Woude, Chairman  
Environment, Energy and Technology Committee

Dear Representative Vander Woude:

I hereby designate the Environment, Energy and Technology Committee a privileged committee on Tuesday, March 12, 2019, for the purpose of introducing RS 27074 ([HCR 23](#)).

Sincerely,  
/s/ Scott Bedke  
Speaker of the House

**HOUSE CONCURRENT RESOLUTION NO. 23  
BY ENVIRONMENT, ENERGY AND TECHNOLOGY  
COMMITTEE**

**A CONCURRENT RESOLUTION**

STATING FINDINGS OF THE LEGISLATURE AND REJECTING A CERTAIN RULE OF THE DEPARTMENT OF ENVIRONMENTAL QUALITY RELATING TO WATER QUALITY STANDARDS.

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 Department of Environmental Quality relating to Water Quality Standards 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-fifth Idaho Legislature, the House of Representatives and the Senate concurring therein, that IDAPA 58.01.02, Water Quality Standards, Section 251., Subsection 02., adopted as a pending rule under Docket Number 58-0102-1802, only, be, and the same is hereby rejected and declared null, void, and of no force and effect.

[HCR 23](#) was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Fifteenth Order of Business.

**15TH ORDER  
Announcements**

Announcements were made to the body.

**16TH ORDER  
Adjournment**

Mr. Moyle moved that the House adjourn until 10 a.m., Thursday, March 14, 2019. Seconded by Mr. Erpelding. Motion carried.

Whereupon the Speaker declared the House adjourned at 3:23 p.m.

SCOTT BEDKE, Speaker

ATTEST:

CARRIE MAULIN, Chief Clerk

# HOUSE JOURNAL

OF THE

## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-FIFTH LEGISLATURE

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SIXTY-SEVENTH LEGISLATIVE DAY  
THURSDAY, MARCH 14, 2019

House of Representatives

The House convened at 10 a.m., the Speaker in the Chair.

Roll call showed 69 members present.  
Absent and excused - Horman. Total - 1.  
Total - 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Ruth Schenkenberger,  
Page.

### 3RD ORDER

#### Approval of Journal

March 14, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Sixty-sixth Legislative Day and recommend that same be adopted as corrected.

DAYLEY, Chairman

Mr. Dayley moved that the report be adopted. Seconded by Mr. Gannon. Report adopted.

### 4TH ORDER

#### Consideration of Messages from the Governor and the Senate

March 13, 2019

Mr. Speaker:

I transmit herewith [S 1179](#), [S 1151](#), [SCR 107](#), [SCR 108](#), [SCR 109](#), and [SJM 106](#) which have passed the Senate.

NOVAK, Secretary

[S 1179](#), [S 1151](#), [SCR 107](#), [SCR 108](#), [SCR 109](#), and [SJM 106](#) were filed for first reading.

March 13, 2019

Mr. Speaker:

I return herewith [H 160](#), [H 165](#), [H 200](#), [H 215](#), [H 219](#), [H 220](#), [H 221](#), [H 222](#), [H 223](#), [H 224](#), [H 225](#), [H 116](#), [H 112](#), [H 150](#), [H 227](#), [H 124](#), [H 158](#), as amended, [H 230](#), [H 231](#), and [H 233](#) which have passed the Senate.

NOVAK, Secretary

[H 160](#), [H 165](#), [H 200](#), [H 215](#), [H 219](#), [H 220](#), [H 221](#), [H 222](#), [H 223](#), [H 224](#), [H 225](#), [H 116](#), [H 112](#), [H 150](#), [H 227](#), [H 124](#), [H 158](#), as amended, [H 230](#), [H 231](#), and [H 233](#) were referred to the Judiciary, Rules, and Administration Committee for enrolling.

March 13, 2019

Mr. Speaker:

I return herewith enrolled [H 134](#) and [H 42](#), as amended in the Senate, which have been signed by the President.

NOVAK, Secretary

Enrolled [H 134](#) and [H 42](#), as amended in the Senate, were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

### 5TH ORDER

#### Report of Standing Committees

March 14, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have printed [H 267](#), [H 268](#), [H 269](#), [H 270](#), [H 271](#), [H 272](#), [H 273](#), and [HCR 23](#).

DAYLEY, Chairman

[H 267](#), [H 268](#), and [HCR 23](#) were filed for second reading.

[H 269](#) was referred to the Transportation and Defense Committee.

[H 270](#) was referred to the State Affairs Committee.

[H 271](#), [H 272](#), and [H 273](#) were referred to the Revenue and Taxation Committee.

March 14, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have enrolled [HCR 9](#), [H 171](#), [H 173](#), [H 186](#), [H 187](#), [H 113](#), [H 153](#), [H 109](#), [H 151](#), [H 211](#), [H 213](#), [H 214](#), [H 216](#), [H 126](#), [H 84](#), [H 94](#), and [H 182](#).

DAYLEY, Chairman

The Speaker announced he was about to sign enrolled [HCR 9](#), [H 171](#), [H 173](#), [H 186](#), [H 187](#), [H 113](#), [H 153](#), [H 109](#), [H 151](#), [H 211](#), [H 213](#), [H 214](#), [H 216](#), [H 126](#), [H 84](#), [H 94](#), and [H 182](#) and, when so signed, ordered them transmitted to the Senate for the signature of the President.

March 14, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have transmitted enrolled [H 156](#) and [H 157](#) to the Governor at 10:20 a.m., as of this date, March 13, 2019.

DAYLEY, Chairman

March 14, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have transmitted enrolled [HJM 6](#) to the Secretary of State at 10:19 a.m., as of this date, March 13, 2019.

DAYLEY, Chairman

March 13, 2019

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration [S 1059](#) and [S 1105](#) and recommend that they do pass.

CLOW, Chairman

[S 1059](#) and [S 1105](#) were filed for second reading.

March 13, 2019

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration [S 1075](#), as amended, and [S 1129](#), as amended, and recommend that they do pass.

WOOD, Chairman

[S 1075](#), as amended, and [S 1129](#), as amended, were filed for second reading.

March 13, 2019

Mr. Speaker:

We, your COMMITTEE ON RESOURCES AND CONSERVATION, report that we have had under consideration [S 1050](#), [S 1087](#), and [S 1088](#), as amended, and recommend that they do pass.

GIBBS, Chairman

[S 1050](#), [S 1087](#), and [S 1088](#), as amended, were filed for second reading.

March 13, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have had under consideration [H 266](#), [S 1093](#), [S 1116](#), [S 1122](#), [S 1123](#), and [S 1134](#) and recommend that they do pass.

DAYLEY, Chairman

[H 266](#), [S 1093](#), [S 1116](#), [S 1122](#), [S 1123](#), and [S 1134](#) were filed for second reading.

March 14, 2019

Mr. Speaker:

We, your COMMITTEE ON BUSINESS, report that we have had under consideration [H 229](#) and report it back to be placed on General Orders.

DIXON, Chairman

[H 229](#) was placed on General Orders for consideration.

There being no objection, the House returned to the Fourth Order of Business.

**4TH ORDER**  
**Consideration of Messages from the**  
**Governor and the Senate**

OFFICE OF THE GOVERNOR  
 Boise

March 13, 2019

The Honorable Scott Bedke  
 Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House bills, to wit:

[H 58](#), [H 71](#), and [H 156](#)

Sincerely,  
 /s/ Brad Little  
 Governor

There being no objection, the House advanced to the Seventh Order of Business.

**7TH ORDER**  
**Motions, Memorials, and Resolutions**

**HOUSE RESOLUTION NO. 5**  
**BY WAYS AND MEANS COMMITTEE**  
 A HOUSE RESOLUTION

STATING FINDINGS OF THE HOUSE OF REPRESENTATIVES AND PROVIDING FOR THE AMENDMENT OF HOUSE RULES 1 THROUGH 79 OF THE RULES OF THE HOUSE OF REPRESENTATIVES TO REDESIGNATE THE HOUSE RULE NUMBERS, PROVIDING FOR THE AMENDMENT OF HOUSE RULE 15 OF THE RULES OF THE HOUSE OF REPRESENTATIVES TO PROVIDE A CORRECT HOUSE RULE REFERENCE, PROVIDING FOR THE AMENDMENT OF HOUSE RULE 36 OF THE RULES OF THE HOUSE OF REPRESENTATIVES TO PROVIDE A CORRECT HOUSE RULE REFERENCE, PROVIDING FOR THE AMENDMENT OF HOUSE RULE 38 OF THE RULES OF THE HOUSE OF REPRESENTATIVES TO PROVIDE A CORRECT HOUSE RULE REFERENCE, PROVIDING FOR THE AMENDMENT OF HOUSE RULE 51 OF THE RULES OF THE HOUSE OF REPRESENTATIVES TO PROVIDE A CORRECT HOUSE RULE REFERENCE, PROVIDING FOR THE AMENDMENT OF HOUSE RULE 57 OF THE RULES OF THE HOUSE OF REPRESENTATIVES TO PROVIDE A CORRECT HOUSE RULE REFERENCE, PROVIDING FOR THE AMENDMENT OF HOUSE RULE 64 OF THE RULES OF THE HOUSE OF REPRESENTATIVES TO REMOVE PROVISIONS REGARDING PUBLIC RECORDS REQUESTS, PROVIDING FOR THE AMENDMENT OF HOUSE RULE 69 OF THE RULES OF THE HOUSE OF REPRESENTATIVES TO PROVIDE A CORRECT HOUSE RULE REFERENCE, PROVIDING FOR THE AMENDMENT OF HOUSE RULE 76 OF THE RULES OF THE HOUSE OF REPRESENTATIVES TO PROVIDE A CORRECT HOUSE RULE REFERENCE, AND PROVIDING FOR THE ADDITION OF A NEW RULE 66 TO THE RULES OF THE HOUSE OF REPRESENTATIVES TO PROVIDE FOR PUBLIC RECORDS REQUESTS.

Be It Resolved by the House of Representatives of the State of Idaho:

WHEREAS, the House of Representatives deems it necessary and desirable that the Rules of the House of Representatives be amended.

NOW, THEREFORE, BE IT RESOLVED by the members of the House of Representatives, assembled in the First Regular Session of the Sixty-fifth Idaho Legislature, that the Rules of the House of Representatives shall be amended to read as follows:

RULE 435

Opening Hour. – The hour of the daily meeting of the House shall be 11:00 o'clock in the forenoon, unless the House directs otherwise.

RULE 236

Call to Order. – The Speaker shall take the Chair at the time to which the House stands adjourned, and after the call to order, the roll of members shall be taken and the names of absentees entered on the Journal of the House, after which there shall be prayer by the Chaplain.



RULE 363

House Chamber and Spaces, Regulation of – 1) Preserving Order. - The Speaker shall preserve order and decorum and decide questions of order, subject to an appeal to the House.

2) Supervision of Legislative areas - It is the duty of the Speaker to have general charge and supervision of the House floor, chamber, galleries, office spaces, committee rooms, adjoining and connecting hallways and passages; and to oversee decorum and preserve order therein.

RULE 460

Order of Business. – After calling the House to order, the order of business for the day shall be as follows:

1. Roll Call.
2. Prayer by the Chaplain, followed by the Pledge of Allegiance.
3. Approval of Journal.
4. Consideration of messages from the Governor and the Senate.
5. Report of standing committees.
6. Report of select committees.
7. Motions, memorials and resolutions.
8. Introduction, first reading and reference of bills and joint resolutions.
9. First reading of engrossed bills.
10. Second reading of bills and joint resolutions.
11. Third reading of bills and joint resolutions.
12. Consideration of general orders.
13. Miscellaneous and unfinished business.
14. Presentation of petitions and communications.
15. Announcements.
16. Adjournment.

RULE 569

Absence, Disability or Death of Speaker. – The Speaker may leave the Chair and appoint a member to preside, but not for a longer time than one legislative day, except with the approval of the House. In the event of the temporary absence of the Speaker without having made such an appointment, the House shall proceed to elect a Speaker pro tempore to act during his absence. In the event of the Speaker's death, resignation, or inability to act during a legislative session, the House shall proceed to elect a new Speaker. In the event of the Speaker's death, resignation, or inability to act between legislative sessions, the House Majority Leader (and in the event of his death, resignation, or inability to act as Speaker, the House Assistant Majority Leader) shall act as Speaker, with all of the duties, powers and prerogatives of the office, to serve until the next session of the Legislature, at which time a new Speaker shall be elected.

RULE 668

Leave of Absence. – No member or officer of the House, unless from illness or other cause which makes him unable to be

in attendance shall absent himself from the session of the House during the entire day without first having obtained leave of absence from the Speaker of the House; provided, however, that no regular or Special Committee of the House shall be absent for more than one day without authorization from the House. Such authorization shall be by affirmative action on a resolution approving absence.

No member or officer of the House shall be entitled to the unvouchered expense allowance while absent more than one day without leave.

RULE 718

Call of the House. – One-third of the members present may order a call of the House in the following manner:

A call being moved and seconded, the Speaker shall require those desiring a call to rise, and if one-third of the members present shall rise, there shall be a call of the House. A call of the House being ordered, the Sergeant at Arms shall close and lock the doors and no member shall be allowed to leave the Chamber. The Speaker shall immediately cause the roll of the members to be taken and note the absentees whose names shall be read and entered upon the Journal in such manner as to show who are absent with leave and who are absent without leave, and the Sergeant at Arms shall proceed to bring in such absentees; but arrest of members of absence shall not be made unless ordered by a majority of members present.

While the House is under call, no business shall be transacted except to receive and act on the report of the Sergeant at Arms, and no other motion shall be in order except a motion to suspend further proceedings under the call or to excuse absentees, which motion shall be determined by ayes and nays; and the motion to suspend further proceedings under the call or to excuse members shall not be adopted unless a majority of the entire membership vote in favor thereof.

When the Sergeant at Arms will make a report showing that all who were absent without leave are present, the call of the House may be dispensed with or the House may proceed under the call on a majority vote of the entire membership, with its regular business.

No motion for call of the House shall be entered after the House has commenced voting by ayes and nays.

The form of warrant for the arrest of absent members shall be as follows:

\_\_\_\_\_ Session  
IDAHO LEGISLATURE

In the House of Representatives

To the Sergeant at Arms or his Deputies:

WHEREAS, The House of Representatives has adopted the following order: That the Sergeant at Arms take into custody and bring to the bar of the House such of its members as are found absent without leave of the House; and

WHEREAS, The following named members of the House are absent without leave, to-wit:

(Names of Members)

Now, Therefore, I \_\_\_\_\_, Speaker of the \_\_\_\_\_ Session of the House of Representatives of the Idaho State Legislature, by virtue of the power vested in me by the House, hereby command you to execute the said order of the House, by taking into custody and bringing to the bar of the House said above named members who are absent without leave; hereof fail not, and make due return in what manner you executed the same.



In Witness Whereof, I have hereunto set my hand this \_\_\_ day  
of \_\_\_, 20\_\_.

\_\_\_\_\_  
Speaker

Attest:

\_\_\_\_\_  
Chief Clerk

RULE 812

Petitions, Memorials, Etc. – Petitions, memorials, and other papers addressed to the House shall be presented by the Speaker.

RULE 921

Calendar. – (1) The Speaker shall cause the Clerk of the House to make a list of all bills, memorials, resolutions, reports of committees and other proceedings of the House, which are committed to a Committee of the Whole House for amendment, and which are not made the order of the day for any particular day. Such list shall be called the "General Orders of the Day," and items on the General Orders Calendar shall be taken up in the order in which they are committed, unless otherwise ordered by the House by majority vote of the members present.

(2) The Speaker shall cause the Clerk of the House to make a list of all bills, memorials and resolutions which may be on second reading, entering them in order in which they are placed upon their second reading, unless the House shall otherwise direct by majority vote of the members present, which list shall be called the "Second Reading Calendar."

(3) The Speaker shall cause the Clerk of the House to make a list of all bills, memorials and resolutions which may be on third reading, entering them in order in which they are placed upon their third reading, unless the House shall otherwise direct by majority vote of the members present, which list shall be called the "Third Reading Calendar."

(4) The Clerk shall keep a book showing the situation and progress of bills, memorials, and resolutions.

RULE 4075

Standard Rules. – The rules of parliamentary practice set forth in Mason's Manual of Legislative Procedures shall govern the House in all cases to which they are applicable, and in which they are not inconsistent with the Standard Rules and Orders of the House and the Joint Rules and Orders of the Senate and House of Representatives.

RULE 4477

Adoption and Amendment of Rules. – Adoption of the rules of the House, whether temporary or permanent, will be by a majority vote of the entire membership of the House. No rules of the House, temporary or permanent, shall be suspended, altered, or amended without the concurrence of two-thirds of the entire membership of the House.

RULE 4242

Floor, to Obtain. – Every member desiring to state or second a motion, or to address the House, shall rise from his seat and respectfully address the Chair, and remain standing in his place before proceeding to speak until he is recognized by the Chair.

RULE 4351

Motions, Submission of. – No motion requiring a second shall be debated or put unless the same be seconded. Each motion shall be stated by the Speaker before the debate, and any such motion or amendment shall be reduced to writing if the Speaker or any member desires it.

RULE 4432

Filling Blanks. – All questions, whether in committee or in the House, shall be put in the order they were moved, except in case of privileged questions, and in filling of blanks, when the largest sum and longest time shall be put first.

RULE 4554

Division of Question. – (1) Any member may call for the division of a question if it comprehends propositions so distinct, that one or more being taken away, a substantive proposition shall remain; but no bill, resolution, memorial, or Senate amendment to any House bill or proposition shall be divisible. If a question be divided, each portion thereof shall be voted on separately, the same as if it had been offered alone.

Strike Out and Insert. – (2) A motion to strike out and insert shall not be divisible but motions to strike out or to insert shall not preclude a motion to amend or to strike out and insert. A motion to strike out and insert or to strike or to insert shall be considered an amendment of bills and joint resolutions and not permitted other than in the Committee of the Whole except as provided in Rule 463.

RULE 4652

Precedence of Motions. – When a question is under debate no motion shall be received except:

1. To fix time to which to adjourn,
2. To adjourn,
3. To recess,
4. To raise a question or privilege,
5. Call of the House,
6. To lay on the table,
7. For the previous question (close debate—2/3 vote of the members present),
8. To postpone to a time certain,
9. To commit or recommit,
10. To amend (place on general orders),
11. To postpone indefinitely,
12. Main motion,

which several motions shall have precedence in the order in which they stand arranged. To revert to or pass to a new order of business shall require a majority vote of the members present.

RULE 4758

Motions, Withdrawal of. – After a motion shall have been stated by the Speaker it shall be deemed to be in the possession of the House but may be withdrawn at any time by the consent of the House by majority vote of the members present before decision; but all resolutions and amendments and final motions shall be entered upon the Journal whether rejected or adopted.

RULE 4853

Undebatable Questions. – The following questions shall be decided without debate:

To fix time to which to adjourn.

To adjourn.

To recess.

Call of the House.

To lay on the table.

To suspend the rules.

For the previous question.

Extending or limiting debate.

Withdrawing a motion.

Taking up business out of its proper order.

RULE 4943

Question of Order. – A member called to order shall immediately sit down, unless permitted to explain, and the House, if appealed to, shall decide the case. If there be no appeal, the decision of the Chair shall prevail. On an appeal no member shall speak more than twice without leave of the House, nor more than ten minutes at a time. When a member is called to order for offensive language there shall be no debate.

RULE 2056

Question of Order Undebatable. – All incidental questions of order arising after a motion is made for the previous question during the pending of such motion or after the House shall have determined that the main question shall be put, shall be decided, whether on appeal or otherwise, without debate.

RULE 2438

Debate, Right to Open and Close. – When two or more members shall rise at once, the Chair shall designate the member who is first to speak, but in all cases the member making the motion or sponsoring the bill or the chairman of the committee making the report which is under consideration, shall have the privilege of opening and closing the debate thereon. During closing debate no new material shall be interjected that was not referred to during previous debate. No member shall conclude debate with a nondebatable motion. After the closing debater has been recognized, no other member shall obtain the floor for any purpose other than to ask for a roll call vote.

RULE 2239

Limitation on Debate. – No member shall speak more than twice on the same subject, nor shall any member occupy the floor longer than one hour at a time, without leave of the House by majority vote of the members present; nor shall any member speak more than once until every member choosing to speak on the subject shall have spoken.

Debate shall be limited to the question before the House. Discussion of other bills or resolutions pending, or in committee in either the House or Senate shall be prohibited except upon majority consent of the House. Reference to committee action on a question under debate is permitted but restricted to testimony given before the committee and the final vote of the committee. Reference to statements made by members in committee is prohibited except with permission of the member being quoted

and only if the member being quoted is previously tendered a copy of the reference statement.

RULE 2346

Journal, Name of Mover on. – In all cases where a bill, motion or resolution shall be entered upon the Journal of the House, the name of the member moving or the committee introducing the same shall be entered on the Journal.

RULE 246

Bills – Introduction. – After the 20th day of any session, no bill shall be introduced except by committees and after the 36th day no bill shall be introduced except by the State Affairs Committee, the Appropriations Committee, the Education Committee, the Revenue and Taxation Committee, the Health and Welfare Committee, and the Ways and Means Committee. When essential to expedite the work of the House, the Speaker may designate any standing committee to serve as a privileged committee temporarily or during the remainder of the session.

RULE 257

Bills, Copies for Introduction. – All House bills, memorials, resolutions and proclamations introduced shall have one printed copy which shall be endorsed with the word "Original." Additional copies of bills may be typewritten or printed as needed, and shall also be available through electronic means on the legislative website.

RULE 2615

Bills Changed by Senate. – Any House bill which is amended and passed by the Senate must go through the same procedure as to reading and final vote as if it were an original bill, after the House has concurred in the Senate amendments.

RULE 278

Bills, Endorsements of, Entered on the Journal. – Every bill before being introduced shall have endorsed thereon the title of the same, and every bill, joint resolution, joint memorial or concurrent resolution shall have thereon the name or names of the members introducing it, and when introduced by the committee, the name of such committee shall be endorsed thereon. The number, author and title of all bills, joint resolutions, joint memorials and concurrent resolutions, shall be entered on the Journal.

RULE 289

Amendatory Bills. – All bills introduced which are intended to amend existing statutes, shall have the words, letters, figures, and punctuation which are added to such statute underscored; when the amendment is to strike out or repeal any part of an existing statute, the letter, figure, word, and punctuation shall be printed with a line through such letter, figure, word, and punctuation in the printed bill to indicate the part stricken or repealed. Provided, however, that when a bill includes, or consists of, the repeal of an entire section or chapter, it shall not be necessary to print such repealed section or chapter.

RULE 2911

Bills, Manner of Passing. – No law shall be passed except by bill, nor shall any bill be put upon its final passage, until the same, with the amendments thereto, shall have been printed for the use of the members; nor shall any bill become a law unless

the same shall have been read on three several days in each house previous to the final vote thereon; provided, in case of urgency, two-thirds of the membership of the House where such a bill may be pending may, upon a vote of the ayes and nays, dispense with this provision. On the final passage of all bills they shall be read at length, section by section, and the vote shall be by yeas and nays upon each bill separately, and shall be entered upon the Journal; and no bill shall become a law without the concurrence of a majority of the members present.

RULE 3013

Memorials and Resolutions. – House memorials and resolutions shall be acted upon in the same manner as bills; provided, however, that on final passage, joint resolutions must have the approval of two-thirds of the entire membership of the House.

RULE 342

Amendments must be Germane. – No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment.

RULE 3214

Withdrawal of Bills and Joint Resolutions. – When a bill or joint resolution is asked by a member of the House to be withdrawn it shall be stated the number, the author, and in a few words the reason for withdrawing and only by unanimous consent or a two-thirds vote of the members of the House present shall it be granted.

RULE 3316

Senate Bills. – A similar code of procedure shall be observed with bills which have originated in and passed the Senate as with bills originated in the House, except they shall not be printed.

RULE 3455

Previous Question. – Upon the previous question being ordered by a two-thirds majority of the members present, if a quorum, the effect shall be to cut off debate and bring the House to a direct vote upon the pending question. When the previous question is decided in the negative, it shall leave the main question under debate for the residue of the sitting, unless sooner disposed of.

RULE 3557

Effects of Motions to Postpone Indefinitely and to Lay on the Table. – The adoption of a motion to postpone a question indefinitely shall suppress such question and the subject thereof during the whole of that session.

Once a matter has been laid on the table it may be taken therefrom only by a vote of two-thirds of the membership of the House.

RULE 3679

Roll Call. – (a) The ayes and nays shall be ordered and recorded without request upon the final passage of bills, joint resolutions, motions or resolutions for the expenditure of public moneys, and for suspension of the reading of bills on three several days as provided in Rule 2911. The ayes and nays shall not be ordered on other matters unless requested by three members.

(b) On third reading, the question shall be stated as follows: "The question is: Shall House (or Senate) Bill Number \_\_\_\_\_ pass?"

(c) If an electrical voting machine is used, the presiding officer shall use a warning device after stating the question and then state: "The Clerk will unlock the machine and members will record their vote." After a reasonable pause, the presiding officer will ask: "Has every member voted?" (Reasonable Pause) "Does any member wish to change his vote?" (Reasonable Pause) "The Clerk will lock the machine and record the vote."

(d) Any member may explain his vote after the vote is announced, and before the next item of business is taken up, but no member will be allowed to change his vote after the vote is announced by the chair.

(e) Whenever necessary for the purpose of interpreting these rules, aye shall be the same as "yes" and nay shall be the same as "no."

RULE 3765

Speaker Votes. – The Speaker shall vote upon all questions taken by ayes and nays, including appeals from his decisions. The Speaker shall have no power to cast a second vote to break a tie vote.

RULE 3880

Members must Vote. – (1) Except as provided in subsection (3), every member present within the bar of the House shall vote on any question put, unless excused by the House by majority vote of the members present.

(2) When a member casts his vote, unless he is paired pursuant to Rule 4481, he must be in his seat on the floor of the House and remain seated until the roll call is announced.

(3) A member has the right to vote upon all questions before the House and to participate in the business of the House and its committees and, in so doing, the member is presumed to act in good faith and in the public interest. If a member's personal interest in the issue under consideration conflicts with the public's interest, the member's legislative activities can be subject to limitations, unless such conflicts are disclosed to the presiding officer or to the body. Upon disclosure of any such conflict, the member may vote upon any question or issue to which the conflict relates, unless the member requests to be excused.

RULE 3919

Clerk Not to Be Annoyed. – No member or any person shall remain by the Clerk's desk when the ayes and nays are being polled.

RULE 4073

Reconsideration. – When a motion has been made and carried, or lost, it shall be in order for any member who voted on the prevailing side to give notice on the day the said motion was carried, or lost, during and at order of business then prevailing or at the first call of the next succeeding order of business that he may on the same or succeeding day move to reconsider such motion, and thereupon if the subject of such motion to reconsider affects a bill, memorial, or resolution, the same shall be held upon the Clerk's desk until such motion to reconsider be disposed of. When such notice has been given, only such member giving said notice may on the same day make such motion to reconsider, or any member voting on the prevailing side may on the succeeding day, at the first call of the seventh order of business make said motion to reconsider, or it may not

thereafter be heard; provided, that on and after the thirty-fifth day of the session and on the fifteenth day of any special session, the motion to reconsider may be made only on the same day the vote to be considered is taken, under the thirteenth order of business and may be made by any member voting on the prevailing side. Reconsideration shall be decided by a majority vote of the members present.

#### RULE 40(A)74

**Rescind or Repeal.** – A motion to rescind may be used to reverse a previous action after the time for reconsideration has passed. It may not be used in any case when an action has previously been reconsidered, or when vested rights have accrued or after a bill has passed the legislative body and has become law or when an act or resolution has been carried out.

The motion to rescind may be made by any member whether he voted with the prevailing side or not. The motion is debatable and opens the entire question to debate. A motion to rescind shall require a two-thirds majority of the members present to pass; except that, if the action which is proposed to be rescinded required a two-thirds majority of the total membership of the House, the motion to rescind shall require a two-thirds majority of the total membership of the House to pass.

#### RULE 4481

**Pairing on Roll Call.** – (1) Pairing - Pairing shall be permitted upon the absence of one, both, or all pairing members for good cause shown, shall be in writing, shall specifically state the bill or proposition, upon which pairs are arranged, and shall be signed by all parties involved in the pair.

(2) Who may pair - Two members may pair upon a roll call vote to be determined by a simple majority. On any bill or proposition requiring a vote of two-thirds of the entire membership for adoption, a pair shall require three members, two affirmative and one negative. Pairs shall not be permitted on a veto override.

(3) Voting or debate while paired - If only one of a pair be absent, none of the others shall debate, ask or reply to inquiries or vote on the roll call for any measure.

(4) Broken pairs - Pairs shall be broken if all members of the pair are present in their seats or any member pairing debates, asks, or replies to inquiries or answers a roll call for the paired bill or proposition.

(5) Announcing and recording pairs - Each pair slip must be in the possession of the Chief Clerk before voting on any measure has begun. Each pair shall be announced by the Chief Clerk, after the completion of the roll call, from the completed pair slip furnished to the Chief Clerk. The pairs shall be recorded in the total vote and published in the Journal as a part of the proceedings.

#### RULE 4241

**Courtesy.** – When the Speaker is putting the question no member shall walk out or across the hall, nor leave during the roll call; nor when a member is speaking shall any person entertain any private discourse or pass between him and the Chair; nor shall a member, at any time during the time the House is in session, pass between the members of the House and the Speaker's Chair.

#### RULE 4310

**Reference of Bills.** – (1) All House bills, memorials and resolutions shall upon their introduction and first reading, be ordered printed by the Judiciary, Rules and Administration

Committee. When reported printed by the Chief Clerk, the Speaker shall refer the instrument to a standing committee, or shall order the instrument filed for second reading. All Senate bills, memorials and resolutions shall be referred directly by the Speaker to a standing committee or to the second reading calendar.

(2) If a bill, memorial or resolution is reported by the standing committee to which it has been referred without amendment, it shall be placed upon the second reading calendar, but if such committee report a bill, memorial or resolution with amendments, the same with the amendments shall be placed upon the general orders calendar for consideration by the Committee of the Whole House.

#### RULE 4448

**Engrossed Bills.** – All House bills, memorials or resolutions that have been amended by the House shall be referred to the Committee on Judiciary, Rules and Administration, and when properly engrossed shall be placed upon the calendar for first reading of engrossed bills, but shall not be again referred to a committee unless otherwise ordered by the House by a majority vote of the members present. The Committee on Judiciary, Rules and Administration may order the printing of the engrossed instrument in such numbers as necessary to provide copies for the use of the legislative session. No House bill, memorial or resolution shall be engrossed unless amended by the House. No Senate bill shall be engrossed by the House.

#### RULE 4517

**Call for Bills or Memorials or Resolutions.** – When any bill, memorial or resolution has been in the hands of any committee for five days, any member of the House may, at the fifth or seventh order of business, upon the floor of the House, call for the same; whereupon it shall be the duty of said committee to report said bill, memorial or resolution to the House under the order of business of committee reports, not later than the following morning session. The House may, however, upon motion approved by a majority of the members present, grant said committee further time; provided, that after the thirtieth day of the session any bill, memorial or resolution must be reported forthwith out of the committee to which it has been referred, with or without recommendations, upon the request of any member, unless otherwise ordered by the House by a vote of a majority of the members present.

#### RULE 463

**Amendments; Correction of Typographical Error.** – No amendment of any Bill or Joint Memorial or Joint or Concurrent Resolution shall be considered by the House except the same shall have been first considered by the Committee of the Whole House but all Bills, Joint Memorials or Joint or Concurrent Resolutions may be recommitted at any time previous to their passage; provided, however, that a typographical or clerical error in any Bill, or Joint Memorial or Joint or Concurrent Resolution, which does not affect the general context thereof, may be corrected and amended by a motion considered by the House without prior consideration by the Committee of the Whole House.

#### RULE 4730

**Chairman of the Committee of the Whole House.** – In forming the Committee of the Whole House the Speaker shall appoint a chairman to preside.

RULE 4829

General Orders – Consideration of. – When the House has arrived at the general order of the day, it shall resolve itself into a Committee of the Whole House, and shall consider, act upon, or pass all matters referred to it in the order of their reference, unless the committee shall sooner rise.

RULE 4933

Rules of House Apply in Committee of the Whole House, Exception. – The rules of the House shall be observed in Committee of the Whole House, so far as the same may be applicable, except that the ayes and nays shall not be called, nor the previous question enforced. The Committee of the Whole House shall not consider any appeal from a decision of its Chairman, but in case a member is dissatisfied with any such decision, the committee shall at once rise and report the question to the House for determination, when the Speaker shall rule upon the point, subject to appeal to the House as in other cases.

RULE 5031

Committee of the Whole House – Procedure in. – (1) Bills committed to the Committee of the Whole House shall not be read and there shall be no general debate unless a motion to allow general debate is approved by members of the Committee of the Whole House. The mover of an amendment shall be allowed five minutes to explain the amendment and debate in favor thereof. The mover may yield all or any portion of his time to other members for debate in favor of the amendment. Thereafter, five minutes shall be allowed for debate in opposition to the amendment. Time consumed by questions and answers shall not be deducted from the five minutes allotted to each side for debate. The mover of the amendment shall have the privilege of closing debate on the amendment. Closing debate shall be limited to two minutes. No amendment shall be withdrawn by the mover thereof unless by majority consent of the Committee. Each proposed amendment shall be in writing, shall be reported to the House by the Chairman and shall contain, either on the face of the amendment, or on a sheet attached to the front page thereof, the following:

- (a) A concise statement of purpose.
- (b) Names of the mover and the seconder in the upper right hand corner.

No amendment shall be considered by the Committee of the Whole House until written copies thereof with the above information included, have been delivered to each member of the House.

(2) The simple motion that the committee shall rise shall always be in order, except when a member has the floor, and shall be decided, by a majority vote of the members present, without debate.

(3) The motion to strike out the enacting clause shall not be made until after the first section or clause of the bill has been read for amendment, and is debatable five minutes on either side.

(4) All business of the House and Committee of the Whole House shall be transacted openly.

RULE 5459

Adjournment, Motion. – A motion to fix a time to which to adjourn or a motion to adjourn shall always be in order, except when a member is addressing the Chair or a vote is being taken, or when the House is under call as provided in Rule 718.

RULE 5244

Adjournment, Decorum at. – When the House adjourns, the members shall keep their seats until the Speaker announces the adjournment.

RULE 5322

Standing Committees. – Standing Committees shall be appointed by the Speaker. The number of members on each committee shall be fixed in the order of appointment, and such order shall be read into the journal. The standing committees are:

Agricultural Affairs  
 Appropriations  
 Business  
 Education  
 Environment, Energy, and Technology  
 Health and Welfare  
 Commerce and Human Resources  
 Judiciary, Rules and Administration  
 Local Government  
 Resources and Conservation  
 Revenue and Taxation  
 State Affairs  
 Transportation and Defense  
 Ways and Means

RULE 5423

Standing Committees, Meetings. – No meetings of any standing or select committee shall be held at the time the House is in session, except by permission of the Speaker.

RULE 5524

Committee Meetings, Notice of. – The chairman of each standing or select committee shall lay on the Clerk's desk, to be read previous to adjournment, notice of the time and place of meeting of such committee.

RULE 5625

Chairman of the Committee. – The first-named member of each committee shall be the chairman, and in his absence, or having been excused by the House, the next-named member and so on, as often as the case may happen, shall act as chairman.

RULE 5726

Committee Meetings to be Open, Executive Sessions Limited, Disruption of Meetings. – (1) All regular meetings of any standing, special or select committee of the House of Representatives shall be open to the public at all times. Any person may attend any meeting of any standing or select or special committee, but may participate in said committee only with the approval of the committee itself.

(2) Executive sessions of a standing, special or select committee of the House of Representatives shall be limited and undertaken only when necessitated by extraordinary circumstances as provided in this rule. Except in an emergency involving security or threats against state citizens, resources or facilities, an executive session may be considered by a

committee only after the committee has given public notice at least twenty-four hours in advance of the meeting that the committee will have before it a request to meet in executive session, has listed the person(s) or agency that has requested the executive session, and has described the reason(s) for which an executive session has been requested. Only after the committee chairman has identified the reason(s) for holding the executive session and only upon a two-thirds vote recorded in the minutes of the meeting of the committee, shall a committee be allowed to hold an executive session during any meeting, at which time persons who are not members of the legislature may be excluded. Executive sessions shall be held only when and to the extent necessary to: discuss records that are exempt from public disclosure by statute, court decision or court rule; consider pending litigation, mediation or arbitration; consider personnel decisions involving a legislative employee; conduct a preliminary investigation of an ethics complaint against a member under House Rule 7645; consider charges brought against or the discipline or dismissal of a member when public disclosure would harm an innocent third party; discuss the security of or threats against state citizens, resources or facilities; or discuss acquiring an interest in real property which is not owned by a public agency. Under no circumstances, however, shall an executive session be authorized or held for the purpose of taking any final action or making any final decision, and during such executive session, no votes or official action may be taken.

(3) Nothing in this rule shall prohibit the removal of any person who willfully disrupts a meeting to the extent that orderly conduct is seriously compromised.

#### RULE 5861

House Chamber. – All use of the House Chamber is to be arranged through the office of the Speaker of the House of Representatives.

#### RULE 5927

Reports of Committees. – In case all the members of any committee are required or entitled to report on any subject referred to them, and cannot agree upon any report, the majority and minority may each make a special report, and any member dissenting in whole or in part from the reasoning and conclusions of both majority and minority may also present to the House a statement of his reasonings and conclusions, and all reports, if decorous in language and respectful to the House, shall be entered at length on the Journal.

#### RULE 6047

Journal Committee. – The Committee on Judiciary, Rules and Administration shall examine and verify the Journal prior to its approval and certify the correctness thereof to the House.

#### RULE 6450

Enrollment Committee. – The Committee on Judiciary, Rules and Administration shall examine all House bills, memorials and resolutions which have passed the two houses, and when reported correctly enrolled they shall be presented to the presiding officers of the House and Senate for their signatures, and when signed shall be referred to the Committee on Judiciary, Rules and Administration for delivery to the Governor or the Secretary of State, as the case may be, and the date of such delivery shall be reported to the House.

#### RULE 6249

Engrossment Committee. – The Committee on Judiciary, Rules and Administration shall examine all bills after they are engrossed and report the same to the House, correctly engrossed.

The Chief Clerk shall be ex-officio member of said committee. Such committee may report at any time.

#### RULE 6376

Committee on Rules. – It shall be the duty of the Standing Committee on Judiciary, Rules and Administration to report and recommend the adoption of any special rule when the business of the House seems to the committee to require it.

#### RULE 6420

Chief Clerk, Custodian of Papers. – (4) Neither the Chief Clerk nor his assistant shall permit any records or papers belonging to the House to be taken out of their custody otherwise than in the regular course of business, and doing so, shall be subject to reprimand by the Speaker; and such further penalty as the House may impose. The Chief Clerk shall report any missing papers to the Speaker; shall have general supervision of all clerical duties appertaining to the business of the House; shall perform under the direction of the Speaker, all duties pertaining to the business of his office.

~~Public Records Requests. — (2) The Speaker may authorize the Director of the Legislative Services Office to comply with public records requests on behalf of members of the House. The Director of the Legislative Services Office may coordinate or prepare responses to requests for public records on behalf of the House, its committees and its individual members. Responses will be in accordance with House rules and the Idaho Public Records Act. Upon notifying the Speaker, an individual member may individually respond to requests for his public records.~~

#### RULE 654

Attaches, Duties. – All attaches of the House shall be required to be on duty during the sessions of the House and during such other hours as they may be needed for the business of the House, unless excused by the Speaker.

#### RULE 665

Attaches, Lobbying. – Attaches of the House shall not be permitted to lobby for or against any bill or measure pending. It shall be the duty of the Speaker of the House of Representatives to summarily discharge any attache of the House violating this rule.

#### RULE 6737

Seating. – Upon the organization of the House of Representatives and the adoption of temporary rules, the House shall be declared "at ease," and the members shall retire to the sides of the House and proceed to select their seats in the following manner:

(1) The Majority and Assistant Majority Leader, Minority and Assistant Minority Leader, the Majority Caucus Chairman and the Minority Caucus Chairman shall first select their seats.

(2) Such members of the House as may have a physical impairment that requires an accommodation shall next select their seats.

(3) Former members of the House shall next select their seats, with priority determined on the basis of the total number of terms served in the House. Those with consecutive terms immediately



prior to the present session shall have priority over those with the same or a greater number of nonconsecutive terms, and of those not having served immediately prior to the present session. In the event two or more Representatives, not having served a term immediately prior to the present session, shall have served an equal number of past terms, service in the Senate shall be computed to determine priority as between them.

(4) Former members of the Senate shall next select their seats, and those having served the greatest number of terms in the Senate shall have priority.

(5) The names of all remaining members shall be placed in a hat by the Chief Clerk, the names drawn by him, and as each member selects his seat, he shall proceed to the seat selected by him and remain therein until the business of selecting seats shall be completed.

(6) In all cases in which two or more Representatives have the same priority, the order of seating shall be determined by lottery as provided in subsection (5) above.

(7) The seating arrangements set forth in the preceding paragraphs shall be subject to the provision that the members of each party shall be seated as nearly as possible in adjacent seats, and in the event one party has a majority which requires seating of its members on the side of the chamber occupied by the members of the minority party, such majority party shall have the right to select as many seats as are necessary to accommodate its membership on the side closest to the regular seats of the majority party, subject only to Paragraph 1 of this Rule, and the minority party shall be required to make such seats available to the members of the majority party.

#### RULE 6870

Admittance to Floor of House. – The following persons shall be admitted to the floor of the House of Representatives during sessions: legislators, elected state officials, former state legislators, legislative employees and representatives of the news media. In order to be admitted to the floor of the House, elected state officials, former state legislators, legislative employees and representatives of the news media shall be required to wear badges prepared by the Chief Clerk.

Any elected state official or former state legislator must be sponsored by a legislator in order to be admitted to the floor of the House. Any other guest of the House must be cleared through the Speaker of the House, or persons designated by the Speaker, and through the Sergeant at Arms, in order to be admitted to the floor of the House.

#### RULE 6971

Control of Visitors to House Floor. – No person except those on official business of the House shall be allowed inside the House Chambers from 30 minutes prior to the convening of the House and until 10 minutes after the House is adjourned; or at any time when the House is in recess, except as provided in Rule 6870. Provided, however, that no one lobbying for or against any measure shall be permitted on the floor of the House except by invitation of a member.

#### RULE 7040

Session Decorum. – (1) Smoking and the consumption of food and beverage will not be allowed in the Representative Chamber or gallery while the House is in Session.

(2) Persons in the Chamber shall wear proper attire to maintain decorum of the House.

#### RULE 7164

Clearing Galleries. – In case of any disturbance or disorderly conduct in the lobby or gallery, the Speaker or the Chairman of the Committee of the Whole House shall have the power to order the same to be cleared.

#### RULE 7267

Distribution of Written or Printed Matter. – No written or printed matter shall be distributed to the Representatives directly, but shall be deposited in appropriate mail boxes set aside for them, except communications from any member or employee of the Legislature, committee of the Legislature, elected state official, or state department or agency may be delivered directly to the Representatives' desks. No written or printed matter, except such as may be forwarded through the United States mail, shall be distributed to the Representatives under any circumstances unless it shows the name and address of the person or organization responsible for such distribution. Any person or organization desiring to distribute correspondence or written or printed matter to the Representatives or number of them at one time, shall first obtain the permission of the Sergeant at Arms or the Speaker of the House and such distribution shall be made under the supervision of the Sergeant at Arms.

#### RULE 731

Amended Bills. – When a bill, resolution, or memorial passed by the House of Representatives has been amended in the Senate, upon its return to the House, the House shall concur or not concur, or may order the bill referred to a standing committee which shall on that day or the next succeeding day return it to the desk with a committee recommendation for concurrence in such amendment or rejection thereof. If the House does not concur, a conference committee may be appointed to confer with a similar committee from the Senate, pursuant to the Joint Rule on Conference Committees.

#### RULE 7462

Attaches, Selection, Removal, Duties and Compensation. – The selection and compensation of the attaches to serve the House during each session shall be determined by the Speaker. All attaches shall serve at the pleasure of the Speaker. The Speaker shall prescribe the duties of all attaches and have general supervision of all attaches in the performance of their duties. Actions by the Speaker pursuant to this rule shall be taken after consultation with the majority and minority leadership.

#### RULE 7572

Recording, Filming or Transmission. – (a) The public may use audio or video recording devices or nonflash photography to record proceedings of the House of Representatives or committees thereof, provided that such does not interfere with or disturb the proceedings of those present. The determination of whether use of a recording device interferes with or disturbs the proceedings or those present rests with the presiding officer. Unless otherwise determined by the presiding officer or provided by this rule, recording of the House floor shall be from the gallery and recording of committee proceedings shall be from or behind the area for public seating.

(b) Media accredited as provided in Joint Rule 14 may sit, stand, unobtrusively move about or use tripods or monopods to record the proceedings as long as such recording is conducted in an orderly manner and does not impede the proceedings or disturb those in attendance. Unless otherwise allowed by the presiding

officer, recording by accredited media shall be conducted from either side behind the podium and presenter area. The presiding officer may designate separate seating for accredited news media to use.

(c) Persons not accredited under Joint Rule 14 desiring to record the proceedings beyond that allowed under subsection (a) of this rule shall seek permission from the presiding officer before being granted the privileges associated with media under subsection (b) of this rule.

(d) Recording under this rule means audio, video or photographic recording and transmission of such recordings. The presiding officer may set additional limitations on recording as necessary in the discretion of the presiding officer to preserve the decorum of the business being conducted.

#### RULE 7645

Committee on Ethics.— (1) Before the end of the twelfth day of the first regular session of each Legislature, an ethics committee shall be organized and its membership shall be determined. The ethics committee shall consist of five members of the House, three of whom shall be members of the majority party and two of whom shall be members of the minority party. House members holding leadership positions shall not serve on the ethics committee. Committee Chairmen may serve on the ethics committee. Committee members shall not have been previously sanctioned by the House for an ethics violation pursuant to this rule.

(2) The Caucus Chairman of each party shall conduct the election of ethics committee members as follows:

(a) Phase I: At a designated caucus meeting, each Caucus Chairman shall receive from members of their respective caucus a silent ballot nominating to membership on the ethics committee up to three members who have previously served at least one full term. Each caucus chairman and the two elected at-large legislative council members for the caucus shall prepare a ballot of nominees consisting respectively of the five nominees for the majority party and the four nominees for the minority party receiving the most nominating votes.

(b) Phase II: By silent ballot, each member of the majority party shall vote for three and of the minority party for two nominees on their respective ballots. The caucus chairman and the two elected at-large legislative council members for the caucus shall count the votes and prioritize the members from greatest to least number of votes received. The three members of the majority party and the two members of the minority party receiving the highest number of votes shall be members of the ethics committee for the term of the Legislature. Others receiving votes shall serve in order of priority as committee alternates for their respective party.

(c) Committee members may be reelected to a subsequent committee. A vacancy on the committee shall be filled with the highest priority alternate available to the party entitled to fill the vacancy. When no elected alternates are available to fill a vacancy, such vacancy shall be filled by majority vote of the House members of the party entitled to fill the vacancy. Except as otherwise provided in subsection (9) of this rule, a member filling a vacancy shall serve for the remainder of the unexpired term.

(d) The Speaker of the House shall appoint one of the members of the committee as chairman of the committee.

(3) (a) The chairman of the ethics committee shall receive complaints from any member of the House.

(b) The complaint shall be in writing, signed and contain one or more of the following allegations:

- (i) Conduct unbecoming a Representative which is detrimental to the integrity of the House as a legislative body;
- (ii) Disclosure of information that is confidential as provided in House rules;
- (iii) Conduct constituting a felony under any state law, or which violates any state law relating to the use of public office for private pecuniary gain;
- (iv) A violation of any state law or House rule relating to conflicts of interest involving legislative duties; or
- (v) A violation of any state law or House rule that brings discredit to the House of Representatives or that constitutes a breach of public trust.

(c) The complaint shall be specific and provide:

- (i) The name of the member of the House of Representatives alleged to be in violation;
- (ii) Reference to the House rule and/or applicable state law supporting the alleged violation;
- (iii) A description of the facts and circumstances supporting each alleged violation; and
- (iv) The evidence the complainant has at the time of making the complaint supporting the facts and violation alleged in the complaint.

(d) Subject to the provisions of this rule, the committee shall review the written complaint. The committee shall dismiss any ethics complaint that:

- (i) Does not comply with this rule; or
- (ii) Alleges violations that occurred either before the accused member was first elected to the House of Representatives or for which an applicable statute of limitation has run.

(e) Written complaints shall remain confidential until such time as the ethics committee finds probable cause that such member has committed misconduct as provided in this rule.

(4) The committee shall notify the person against whom the complaint was brought and shall provide such person with a copy of the complaint and evidence submitted supporting the complaint. The person complained against may submit a written answer to the committee. The member complained against shall provide such written answer to the chairman of the committee no later than fourteen days following the date that the copy of the complaint was provided to the member complained against. Following receipt of the answer or if no answer to the complaint is provided to the chairman within the time period provided, the committee shall meet and conduct a preliminary investigation of the complaint. Notwithstanding the provisions of House Rule 5726, such meeting shall be held in executive session. At the preliminary investigation, the committee shall determine, based upon the complaint, other relevant information and the answer to the complaint, whether probable cause exists that the member committed misconduct as provided in this rule. If, at the conclusion of the preliminary investigation, the committee determines no probable cause exists that misconduct has occurred, the complaint shall be dismissed and the written complaint shall remain confidential. If, at the conclusion of the preliminary investigation, the committee determines probable cause exists that misconduct may have occurred, the committee shall so notify the person complained against and the written complaint against the member shall no longer be confidential but shall become a public document.

(5) Following a finding of probable cause and in a timely fashion, the committee shall conduct a public hearing before which the member shall be entitled to appear, present evidence, cross-examine witnesses, and be represented by counsel. The

complainant or authorized agent of the complainant shall first present the complaint and supporting evidence and testimony to the committee. The committee shall have the power to take testimony under oath and to issue subpoenas and subpoenas duces tecum in the manner provided in Section 67-407, Idaho Code, and make inquiry and discover evidence relevant to the allegation. Formal rules of evidence are not applicable; however, evidence shall be weighed according to its reliability, and the accused may raise objection to any evidence. The accused may defer presentation of any defense until all of the evidence has been presented in support of the complaint. The accused shall have a full and fair opportunity to obtain and review all of the evidence in support of the complaint.

(6) If after investigation and hearings held pursuant to this rule, the committee finds by clear and convincing evidence that a violation of the standards contained in this rule occurred, the committee shall make appropriate recommendations to the House of Representatives. By four-fifths vote of the committee, the committee shall recommend dismissal of the charges, reprimand, censure or expulsion, provided that a recommendation for expulsion shall only be based upon a finding beyond reasonable doubt that misconduct involves commission of a felony or use of public office for pecuniary gain under subsection (3)(b)(iii) of this rule. The sanction of censure may be with or without conditions or restrictions placed upon the member. The committee shall prepare a report setting forth its findings, recommendation and reasons for such recommendation. The House of Representatives shall vote on the recommendation of the committee, as set forth in the report, during the regular session of the Legislature in which the committee reports. If the committee meets and reports during the interim when the Legislature is not in session, then the House of Representatives shall vote on the committee recommendation during the next regular session of the Legislature. If the committee does not issue a recommendation within thirty days of the conclusion of the public hearing, the complaint shall be deemed dismissed. Expulsion of a House member shall require the affirmative vote of two-thirds of the members elected to the House, as provided by Section 11 of Article III of the Constitution. Reprimand or censure of a member shall require the affirmative vote of a majority of the members elected to the House. Action of the House pursuant to this rule is final and not subject to court review.

(7) The committee may retain such counsel and may hire such investigators as it deems necessary for the performance of its duties under this rule. All expenditures incurred pursuant to this subsection shall be approved by the Chairman and paid by vouchers and warrants drawn as provided by law from appropriations made to the Legislative Account.

(8) The committee may adopt rules of procedure for the orderly conduct of committee meetings, investigations and hearings, which rules shall be consistent with this rule and other applicable rules and statutes.

(9) If the written signed complaint concerns misconduct of a member of the ethics committee, then that member shall be disqualified and shall not serve on the committee for any purpose relating to such complaint. A vacancy on the committee created as a result of this subsection shall be filled by an alternate in accordance with the provisions of subsection (2)(c) of this rule, except that the fulfillment of any such vacancy shall only be for purposes relating to such complaint.

#### RULE 7728

Appointment – Powers and Duties of Subcommittees. –

(1) Any committee of the House of Representatives, except

the committee of the whole, may appoint a subcommittee. The subcommittee can make such investigation or exercise such authority of the committee as delegated to it by the committee. The subcommittee shall report to the committee from which it was appointed and not to the House. A subcommittee may consist only of members of the committee from which appointed. A subcommittee shall issue a report within twenty-eight calendar days after being appointed by the committee unless the subcommittee requests additional time to meet and confer and the committee grants that request.

(2) In cases or with legislation demanding special investigation or inquiry, it is proper for a committee to appoint subcommittees, referring certain matters to their particular consideration, and to receive and consider the reports of subcommittees. All subcommittee meetings shall be held in conformity with state law.

(3) At the request of any member of the committee, a subcommittee shall have membership from the minority parties in proportion to the minority parties' representation in the House.

#### RULE 7834

Contest of Election – Procedures. This Rule governs procedures leading up to and including a hearing on the contest of election. It should be read in conjunction with Chapter 21, Title 34, Idaho Code. For purposes of this Rule, the term "Party" means either the CONTESTEE or the CONTESTOR; the term "Parties" means both.

(1) Any proof of the CONTESTEE's or CONTESTOR's legal arguments, including depositions, affidavits, production of papers, and examination of poll books and ballots (herein "Record") that either CONTESTEE or CONTESTOR desires the House of Representatives to consider in adjudication of a Contest must be completed on or before December 29. CONTESTEE and CONTESTOR's Record must be delivered to the Office of the Secretary of State no later than the close of business on the next business day. Any Record or evidence from the CONTESTEE or CONTESTOR not delivered to the Office of the Secretary of State by that day and time will not be considered by the House of Representatives.

(2) The Parties must file a Memorandum that outlines their claims, defenses, legal authority, legislative precedent, proposed form of relief, and a description of witness fees and discovery costs that are incurred. The Memorandum must be filed with the Office of the Secretary of State no later than the close of business four (4) business days following delivery of the Record to the Office of the Secretary of State as provided in paragraph (1). However, CONTESTEE is not required to file a responsive pleading to the Contest.

(3) Any Party may file a Responsive Memorandum. If a Party chooses to file a Responsive Memorandum, it must be filed with the Office of the Secretary of State no later than the close of business on the first day of the next Regular Session.

(4) If an unresolved discovery or Record dispute exists and continues between the CONTESTEE and the CONTESTOR, and on motion duly made, the presiding officer or his designee may rule on the dispute. Neither the CONTESTEE nor the CONTESTOR will be granted any additional time beyond December 29 to develop or deliver his Record.

(5) Committee hearing procedures. If the House of Representatives refers the Contest of Election to a Standing or Special Committee, the Committee Chairman will notify the Parties of the Committee hearing procedures. The following procedures, subject to the discretion of the Committee Chairman, will govern the hearing:

(a) No additional testimony or Record may be presented, taken, or allowed by the Parties beyond the Record delivered to the Office of the Secretary of State as provided in paragraph (1) of this Rule.

(b) Neither CONTESTEE nor CONTESTOR may examine or cross-examine any witness that testifies before the Committee. All examination will be performed by Committee members.

(c) Pursuant to Section 34-2104, Idaho Code, only the named points in the Notice of Contest of Elections may be argued.

(d) The Committee may send for and receive persons, papers, and records, whether written or oral, including from the Office of the Attorney General, other State Elected Officers, State officials, County Elected Officers, County officials, or other witnesses that the Committee determines will reasonably assist the Committee in the performance of its constitutional duty as a "judge of the election, qualifications and returns of its own members," Section 9, Article III, Idaho Constitution.

(e) In all other respects, the Committee will be governed by the rules of the House of Representatives.

(6) The Committee may adopt any of the following as part of the hearing procedures:

(a) Permit the Parties to have counsel present at Committee meeting(s); and

(b) Establish a time limit for the CONTESTEE and CONTESTOR to argue their positions to the Committee.

(7) Neither CONTESTEE nor CONTESTOR, nor their counsel, may participate in ex parte communication with any member of the Idaho House of Representatives regarding the merits of the Contest of Election prior to final House of Representatives determination.

(8) Service of all Record, Memorandum, Responsive Memorandum, motions, or objections must be made on the other Party as provided in Idaho Rules of Civil Procedure 5(b), excepting subpart 5(b)(2)(D). The Parties must also provide a proof of service as provided by Idaho Rules of Civil Procedure 5(e). The Parties must work in good faith to ensure reasonable and timely service, considering the limited time periods.

(9) Nothing in this Rule limits or restricts the House of Representatives in the performance of its duties as the judge of the election, qualifications and returns of its members.

#### RULE 7978

Veto – Procedure After Governor's Action. When a bill has been vetoed by the Governor and his objections entered upon the Journal, the vetoed bill is before the House for reconsideration in accordance with Section 10, Article IV, Idaho Constitution; the question put forth by the Chair is, "Shall House Bill \_\_\_\_\_ pass, the Governor's veto notwithstanding?" When the question of reconsideration has been stated, only the following motions shall be in order, in the order named:

1. To adjourn.
2. To recess.
3. To lay on the table.
4. To postpone to a time certain.
5. To hold at the desk.

WHEREAS, the House of Representatives deems it necessary and desirable to add a new Rule 66 to the Rules of the House of Representatives.

NOW, THEREFORE, BE IT RESOLVED by the members of the House of Representatives, assembled in the First Regular Session of the Sixty-fifth Idaho Legislature, that the Rules of the House of Representatives shall be amended by the addition thereto of a new Rule 66 to read as follows:

#### RULE 66

Public Records Requests. – The Speaker may authorize the Director of the Legislative Services Office to comply with public records requests on behalf of members of the House. The Director of the Legislative Services Office may coordinate or prepare responses to requests for public records on behalf of the House, its committees and its individual members. Responses will be in accordance with House rules and the Idaho Public Records Act. Upon notifying the Speaker, an individual member may individually respond to requests for his public records.

**HR 5** was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

**SCR 107**, **SCR 108**, and **SCR 109**, by State Affairs Committee, were introduced, read the first time by title, and referred to the Revenue and Taxation Committee.

**SJM 106**, by State Affairs Committee, was introduced, read the first time by title, and referred to the Resources and Conservation Committee.

#### 8TH ORDER

##### Introduction, First Reading, and Reference of Bills and Joint Resolutions

#### HOUSE BILL NO. 274

##### BY APPROPRIATIONS COMMITTEE

##### AN ACT

RELATING TO THE APPROPRIATION TO THE IDAHO TRANSPORTATION DEPARTMENT FOR FISCAL YEAR 2020; APPROPRIATING MONEYS TO THE IDAHO TRANSPORTATION DEPARTMENT FOR FISCAL YEAR 2020; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING A CONTINUOUS APPROPRIATION; PROVIDING REAPPROPRIATION AUTHORITY FOR THE CAPITAL FACILITIES PROGRAM; PROVIDING REAPPROPRIATION AUTHORITY FOR THE STATE HIGHWAY FUND, THE STRATEGIC INITIATIVES PROGRAM FUND, AND THE TRANSPORTATION EXPANSION AND CONGESTION MITIGATION FUND; PROVIDING REAPPROPRIATION AUTHORITY FOR AIRPORT DEVELOPMENT GRANTS; AUTHORIZING A TRANSFER OF FUNDS FOR BOND PAYMENTS; AND AUTHORIZING A TRANSFER OF FUNDS FROM THE GARVEE CAPITAL PROJECT FUND.

#### HOUSE BILL NO. 275

##### BY WAYS AND MEANS COMMITTEE

##### AN ACT

RELATING TO INSURANCE; AMENDING SECTION 41-5203, IDAHO CODE, TO REVISE DEFINITIONS, TO DEFINE TERMS, AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 41-5207, IDAHO CODE, TO PROVIDE FOR ENHANCED SHORT-TERM PLANS AND TO MAKE A TECHNICAL CORRECTION; AMENDING CHAPTER 52, TITLE 41, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 41-5214, IDAHO

CODE, TO PROVIDE FOR ENHANCED SHORT-TERM PLANS; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 276**  
**BY WAYS AND MEANS COMMITTEE**  
AN ACT

RELATING TO FIREARMS; AMENDING SECTION 18-310, IDAHO CODE, TO PROVIDE THAT A PERSON CONVICTED OF THE CRIME OF SEXUAL BATTERY OF A MINOR CHILD SIXTEEN OR SEVENTEEN YEARS OF AGE SHALL NOT HAVE CERTAIN RIGHTS RESTORED AND TO MAKE TECHNICAL CORRECTIONS.

[H 274](#), [H 275](#), and [H 276](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

[S 1179](#), by State Affairs Committee, was introduced, read the first time by title, and referred to the State Affairs Committee.

[S 1151](#), by State Affairs Committee, was introduced, read the first time by title, and referred to the Resources and Conservation Committee.

There being no objection, the House returned to the Fifth Order of Business.

**5TH ORDER**  
**Report of Standing Committees**

March 14, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have printed [H 276](#).  
DAYLEY, Chairman

[H 276](#) was filed for second reading.

There being no objection, the House advanced to the Tenth Order of Business.

**10TH ORDER**  
**Second Reading of Bills and Joint Resolutions**

[H 259](#), by Revenue and Taxation Committee, was read the second time by title and filed for third reading.

[H 260](#), [H 261](#), [H 262](#), [H 263](#), [H 264](#), and [H 265](#), by Appropriations Committee, were read the second time by title and filed for third reading.

[S 1054](#) and [S 1055](#), by Health and Welfare Committee, were read the second time by title and filed for third reading.

[S 1069](#), by Commerce and Human Resources Committee, was read the second time by title and filed for third reading.

[S 1096](#) and [S 1097](#), by Health and Welfare Committee, were read the second time by title and filed for third reading.

[S 1011](#), by Commerce and Human Resources Committee, was read the second time by title and filed for third reading.

[S 1170](#), by Finance Committee, was read the second time by title and filed for third reading.

**11TH ORDER**  
**Third Reading of Bills and Joint Resolutions**

**[H 206](#) - CONCEALED WEAPONS**

[H 206](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Zito to open debate.

At this time, Mr. Moyle took the Chair.

The question being, "Shall [H 206](#) pass?"

Roll call resulted as follows:

AYES—Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Blanksma, Boyle, Chaney, Christensen, Clow, Collins, Crane, Dayley, Dixon, Ehardt, Furniss, Gestrin, Gibbs, Giddings, Goesling, Green(2), Harris, Hartgen, Holtzclaw, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Scott(Paterson), Shepherd, Stevenson, Syme, Troy, Vander Woude, Wagoner, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger. Total - 53.

NAYS—Abernathy, Berch, Chew, Davis(Goldman), Ellis, Erpelding, Gannon, Green(18), Mason, McCrostie, Rubel, Smith, Toone, Wintrow. Total - 14.

Absent—DeMordaunt, Horman, Mr. Speaker. Total - 3.

Total - 70.

Whereupon the Speaker Pro Tem declared that [H 206](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

There being no objection, the House returned to the Seventh Order of Business.

**7TH ORDER**  
**Motions, Memorials, and Resolutions**

**[H 276](#) - FIREARMS**

Mr. Monks moved that all rules of the House interfering with the immediate consideration of [H 276](#) 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 276](#) be read the first time by title, second time by title and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Erpelding.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis(Goldman), Dayley, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott(Paterson), Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger. Total - 67.

NAYS—None.

Absent—DeMordaunt, Horman, Mr. Speaker. Total - 3.

Total - 70.

Whereupon the Speaker Pro Tem declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [H 276](#) was read the first time by title, second time by title and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Ms. Wintrow to open debate.

The question being, "Shall [H 276](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Berch, Chaney, Chew, Clow, Davis(Goldman), Dayley, Ellis, Erpelding, Gannon, Gibbs, Goesling, Green(18), Hartgen, Kauffman, Kerby, Lickley, Mason, McCrostie, Moyle, Raybould, Raymond, Rubel, Smith, Syme, Toone, Troy, Wagoner, Wintrow, Wood, Young, Youngblood, Zollinger. Total - 37.

NAYS—Andrus, Armstrong, Barbieri, Blanksma, Boyle, Christensen, Collins, Crane, DeMordaunt, Dixon, Ehardt, Furniss, Gestrin, Giddings, Green(2), Harris, Holtzclaw, Kingsley, Marshall, Mendive, Monks, Moon, Nichols, Palmer, Ricks, Scott(Paterson), Shepherd, Stevenson, Vander Woude, Wisniewski, Zito. Total - 31.

Absent—Horman, Mr. Speaker. Total - 2.  
Total - 70.

Whereupon the Speaker Pro Tem declared that [H 276](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

There being no objection, the House advanced to the Eleventh Order of Business.

### 11TH ORDER

#### Third Reading of Bills and Joint Resolutions

Mr. Monks asked unanimous consent that [H 70](#) be returned to the Judiciary, Rules and Administration Committee. There being no objection, it was so ordered.

Mr. Monks asked unanimous consent that the House recess until 2:30 p.m.

Without objection, the Speaker Pro Tem declared the House at recess until 2:30 p.m.

#### RECESS

#### Afternoon Session

The House reconvened at 2:30 p.m., the Speaker in the Chair.

Prior to recess, the House was at the Eleventh Order of Business.

Mr. Moyle asked unanimous consent that [H 258](#), [S 1139](#), [S 1140](#), [S 1156](#), and [S 1157](#) be placed at the bottom of the Senate bills on the Third Reading Calendar. There being no objection, it was so ordered.

Mr. Moyle asked unanimous consent that [S 1136](#), [S 1043](#), [S 1142](#), [S 1005](#), as amended, [S 1072](#), and [S 1155](#) retain their places on the Third Reading Calendar for one legislative day. There being no objection, it was so ordered.

### [H 254](#) - APPROPRIATIONS - DEPARTMENT OF PARKS AND RECREATION

[H 254](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Toone to open debate.

The question being, "Shall [H 254](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Berch, Blanksma, Chew, Clow, Collins, Davis(Goldman), Dayley, DeMordaunt, Dixon, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Goesling, Green(18), Hartgen, Holtzclaw, Kauffman, Kerby, Lickley, Marshall, Mason, McCrostie, Mendive, Raybould, Raymond, Rubel, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wood, Young, Youngblood, Mr. Speaker. Total - 45.

NAYS—Andrus, Armstrong, Barbieri, Boyle, Chaney, Christensen, Crane, Ehardt, Giddings, Green(2), Harris, Kingsley, Monks, Moon, Moyle, Nichols, Palmer, Scott(Paterson), Wisniewski, Zito, Zollinger. Total - 21.

Absent—Anderst, Horman, Ricks, Shepherd. Total - 4.  
Total - 70.

Whereupon the Speaker declared that [H 254](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

### [H 255](#) - APPROPRIATIONS - LEGISLATIVE BRANCH

[H 255](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Amador to open debate.

The question being, "Shall [H 255](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis(Goldman), Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Rubel, Scott(Paterson), Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 67.

NAYS—None.  
Absent—Horman, Ricks, Shepherd. Total - 3.  
Total - 70.

Whereupon the Speaker declared that [H 255](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

### [H 256](#) - APPROPRIATIONS - DEPARTMENT OF WATER RESOURCES

[H 256](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Raybould to open debate.



Pursuant to Rule 38(3), Ms. Raybould disclosed a conflict of interest regarding [H 256](#).

The question being, "Shall [H 256](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis(Goldman), Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott(Paterson), Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 68.

NAYS—None.

Absent—Horman, Shepherd. Total - 2.

Total - 70.

Whereupon the Speaker declared that [H 256](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

#### [H 257](#) - APPROPRIATIONS - CAREER TECHNICAL EDUCATION

[H 257](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Raybould to open debate.

The question being, "Shall [H 257](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Berch, Blanksma, Boyle, Chaney, Chew, Clow, Collins, Crane, Davis(Goldman), Dayley, DeMordaunt, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Hartgen, Holtzclaw, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moyle, Palmer, Raybould, Raymond, Ricks, Rubel, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 61.

NAYS—Barbieri, Christensen, Dixon, Harris, Moon, Nichols, Scott(Paterson). Total - 7.

Absent—Horman, Shepherd. Total - 2.

Total - 70.

Whereupon the Speaker declared that [H 257](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

#### [S 1012](#) - BUILDING SAFETY

[S 1012](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Green(18) to open debate.

The question being, "Shall [S 1012](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney,

Chew, Christensen, Clow, Collins, Crane, Davis(Goldman), Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott(Paterson), Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 68.

NAYS—None.

Absent—Horman, Shepherd. Total - 2.

Total - 70.

Whereupon the Speaker declared that [S 1012](#) passed the House. Title was approved and the bill ordered returned to the Senate.

#### [S 1013](#) - BUILDING SAFETY

[S 1013](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Crane to open debate.

The question being, "Shall [S 1013](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis(Goldman), Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott(Paterson), Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 67.

NAYS—None.

Absent—Blanksma, Horman, Shepherd. Total - 3.

Total - 70.

Whereupon the Speaker declared that [S 1013](#) passed the House. Title was approved and the bill ordered returned to the Senate.

#### [S 1058](#) - EDUCATION

[S 1058](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Boyle to open debate.

The question being, "Shall [S 1058](#) pass?"

Roll call resulted as follows:

AYES—Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Blanksma, Boyle, Chaney, Christensen, Clow, Collins, Crane, Dayley, DeMordaunt, Dixon, Ehardt, Gestrin, Giddings, Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kingsley, Lickley, Marshall, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raymond, Ricks, Scott(Paterson), Stevenson, Vander Woude, Wisniewski, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 46.

NAYS—Abernathy, Berch, Chew, Davis(Goldman), Ellis, Erpelding, Furniss, Gannon, Gibbs, Goesling, Green(18), Kerby,



At this time, the Speaker recognized Mr. Kerby to open debate.

The question being, "Shall [S 1019](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis(Goldman), Dayley, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott(Paterson), Smith, Stevenson, Syme, Toone, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 66.

NAYS—None.

Absent—DeMordaunt, Horman, Shepherd, Troy. Total - 4.  
Total - 70.

Whereupon the Speaker declared that [S 1019](#) passed the House. Title was approved and the bill ordered returned to the Senate.

#### [S 1021](#) - BAIL

[S 1021](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Kerby to open debate.

The question being, "Shall [S 1021](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis(Goldman), Dayley, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Hartgen, Holtzclaw, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott(Paterson), Smith, Stevenson, Syme, Toone, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 65.

NAYS—None.

Absent—DeMordaunt, Harris, Horman, Shepherd, Troy. Total - 5.  
Total - 70.

Whereupon the Speaker declared that [S 1021](#) passed the House. Title was approved and the bill ordered returned to the Senate.

#### [S 1022](#) - JURIES

[S 1022](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Gannon to open debate.

The question being, "Shall [S 1022](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Boyle, Chaney, Chew, Christensen,

Clow, Collins, Crane, Davis(Goldman), Dayley, Dixon, Ehardt, Ellis, Furniss, Gannon, Gibbs, Giddings, Goesling, Green(18), Hartgen, Holtzclaw, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott(Paterson), Smith, Stevenson, Syme, Toone, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 60.

NAYS—Green(2). Total - 1.

Absent—Amador, Blanksma, DeMordaunt, Erpelding, Gestrin, Harris, Horman, Shepherd, Troy. Total - 9.  
Total - 70.

Whereupon the Speaker declared that [S 1022](#) passed the House. Title was approved and the bill ordered returned to the Senate.

#### [S 1042](#) - MAGISTRATES

[S 1042](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Wintrow to open debate.

The question being, "Shall [S 1042](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis(Goldman), Dayley, Dixon, Ehardt, Ellis, Furniss, Gannon, Gibbs, Giddings, Goesling, Green(18), Green(2), Hartgen, Holtzclaw, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott(Paterson), Stevenson, Syme, Toone, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 61.

NAYS—None.

Absent—Amador, DeMordaunt, Erpelding, Gestrin, Harris, Horman, Shepherd, Smith, Troy. Total - 9.  
Total - 70.

Whereupon the Speaker declared that [S 1042](#) passed the House. Title was approved and the bill ordered returned to the Senate.

#### [S 1078](#) - BEER

[S 1078](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Dixon to open debate.

The question being, "Shall [S 1078](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Anderson, Anderst, Andrus, Barbieri, Berch, Blanksma, Boyle, Chaney, Christensen, Clow, Collins, Crane, Davis(Goldman), Dayley, Dixon, Ehardt, Ellis, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Hartgen, Holtzclaw, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott(Paterson), Stevenson, Syme, Toone, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 59.

NAYS—Armstrong, Furniss. Total - 2.

Absent—Amador, Chew, DeMordaunt, Erpelding, Harris, Horman, Shepherd, Smith, Troy. Total - 9.  
Total - 70.

Whereupon the Speaker declared that [S 1078](#) passed the House. Title was approved and the bill ordered returned to the Senate.

#### [S 1107](#) - EDUCATION

[S 1107](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Boyle to open debate.

The question being, "Shall [S 1107](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Christensen, Clow, Collins, Crane, Davis(Goldman), Dayley, Dixon, Ehardt, Ellis, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Hartgen, Holtzclaw, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott(Paterson), Stevenson, Syme, Toone, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 61.

NAYS—None.

Absent—Amador, Chew, DeMordaunt, Erpelding, Harris, Horman, Shepherd, Smith, Troy. Total - 9.  
Total - 70.

Whereupon the Speaker declared that [S 1107](#) passed the House. Title was approved and the bill ordered returned to the Senate.

#### [S 1079](#) - VETERANS

[S 1079](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Goesling to open debate.

Pursuant to Rule 38(3), Mr. Goesling disclosed a conflict of interest regarding [S 1079](#).

The question being, "Shall [S 1079](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Christensen, Clow, Collins, Crane, Davis(Goldman), Dayley, Dixon, Ehardt, Ellis, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Hartgen, Holtzclaw, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott(Paterson), Stevenson, Syme, Toone, Vander Woude, Wagoner, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 60.

NAYS—None.

Absent—Amador, Chew, DeMordaunt, Erpelding, Harris, Horman, Shepherd, Smith, Troy, Wintrow. Total - 10.  
Total - 70.

Whereupon the Speaker declared that [S 1079](#) passed the House. Title was approved and the bill ordered returned to the Senate.

#### [S 1080](#) - VETERANS

[S 1080](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Goesling to open debate.

Pursuant to Rule 38(3), Mr. Goesling disclosed a conflict of interest regarding [S 1080](#).

The question being, "Shall [S 1080](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Christensen, Clow, Collins, Crane, Davis(Goldman), Dayley, Dixon, Ehardt, Ellis, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Hartgen, Holtzclaw, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott(Paterson), Stevenson, Syme, Toone, Vander Woude, Wagoner, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 60.

NAYS—None.

Absent—Amador, Chew, DeMordaunt, Erpelding, Harris, Horman, Shepherd, Smith, Troy, Wintrow. Total - 10.  
Total - 70.

Whereupon the Speaker declared that [S 1080](#) passed the House. Title was approved and the bill ordered returned to the Senate.

#### [S 1081](#) - VETERANS

[S 1081](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Goesling to open debate.

The question being, "Shall [S 1081](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Christensen, Clow, Collins, Crane, Davis(Goldman), Dayley, Dixon, Ehardt, Ellis, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Hartgen, Holtzclaw, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott(Paterson), Stevenson, Syme, Toone, Vander Woude, Wagoner, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 60.

NAYS—None.

Absent—Amador, Chew, DeMordaunt, Erpelding, Harris, Horman, Shepherd, Smith, Troy, Wintrow. Total - 10.  
Total - 70.

Whereupon the Speaker declared that [S 1081](#) passed the House. Title was approved and the bill ordered returned to the Senate.

#### [S 1125](#) - WAREHOUSES

[S 1125](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Dayley to open debate.



The question being, "Shall [S 1125](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Christensen, Clow, Collins, Crane, Davis(Goldman), Dayley, Dixon, Ehardt, Ellis, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Hartgen, Holtzclaw, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott(Paterson), Stevenson, Syme, Toone, Vander Woude, Wagoner, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 60.

NAYS—None.

Absent—Amador, Chew, DeMordaunt, Erpelding, Harris, Horman, Shepherd, Smith, Troy, Wintrow. Total - 10.  
Total - 70.

Whereupon the Speaker declared that [S 1125](#) passed the House. Title was approved and the bill ordered returned to the Senate.

#### [S 1145](#) - APPROPRIATIONS - AGRICULTURAL RESEARCH AND COOPERATIVE EXTENSION SERVICE

[S 1145](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Kauffman to open debate.

The question being, "Shall [S 1145](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Anderson, Anderst, Andrus, Berch, Blanksma, Boyle, Chaney, Clow, Collins, Crane, Davis(Goldman), Dayley, Dixon, Ehardt, Ellis, Furniss, Gannon, Gibbs, Goesling, Green(18), Hartgen, Holtzclaw, Kauffman, Kerby, Lickley, Marshall, Mason, McCrostie, Mendive, Moon, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Stevenson, Syme, Toone, Vander Woude, Wagoner, Wood, Young, Youngblood, Mr. Speaker. Total - 47.

NAYS—Armstrong, Barbieri, Christensen, Gestrin, Giddings, Green(2), Kingsley, Monks, Moyle, Scott(Paterson), Wisniewski, Zito, Zollinger. Total - 13.

Absent—Amador, Chew, DeMordaunt, Erpelding, Harris, Horman, Shepherd, Smith, Troy, Wintrow. Total - 10.  
Total - 70.

Whereupon the Speaker declared that [S 1145](#) passed the House. Title was approved and the bill ordered returned to the Senate.

#### [S 1048](#) - CREDIT UNIONS

[S 1048](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Crane to open debate.

The question being, "Shall [S 1048](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Christensen, Clow, Collins, Crane, Davis(Goldman), Dayley, Dixon, Ellis, Furniss, Gannon, Gestrin, Gibbs, Giddings,

Goesling, Green(18), Green(2), Hartgen, Holtzclaw, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott(Paterson), Stevenson, Syme, Toone, Vander Woude, Wagoner, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 58.

NAYS—None.

Absent—Amador, Chew, DeMordaunt, Ehardt, Erpelding, Harris, Horman, McCrostie, Shepherd, Smith, Troy, Wintrow. Total - 12.

Total - 70.

Whereupon the Speaker declared that [S 1048](#) passed the House. Title was approved and the bill ordered returned to the Senate.

#### [S 1053](#) - BARBER AND COSMETOLOGY SERVICES

[S 1053](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Andrus to open debate.

The question being, "Shall [S 1053](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Christensen, Clow, Collins, Crane, Davis(Goldman), Dayley, Dixon, Ellis, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Hartgen, Holtzclaw, Kauffman, Kingsley, Lickley, Marshall, Mason, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott(Paterson), Stevenson, Syme, Toone, Vander Woude, Wagoner, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 57.

NAYS—None.

Absent—Amador, Chew, DeMordaunt, Ehardt, Erpelding, Harris, Horman, Kerby, McCrostie, Shepherd, Smith, Troy, Wintrow. Total - 13.

Total - 70.

Whereupon the Speaker declared that [S 1053](#) passed the House. Title was approved and the bill ordered returned to the Senate.

#### [S 1004](#) - IDAHO STATE POLICE

[S 1004](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Giddings to open debate.

The question being, "Shall [S 1004](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Christensen, Clow, Collins, Crane, Davis(Goldman), Dayley, Dixon, Ehardt, Ellis, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Hartgen, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Scott(Paterson), Stevenson, Syme, Toone, Vander Woude, Wagoner, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 58.

NAYS—None.

Absent—Amador, Chew, DeMordaunt, Erpelding, Harris, Holtzclaw, Horman, Rubel, Shepherd, Smith, Troy, Wintrow. Total - 12.

Total - 70.

Whereupon the Speaker declared that [S 1004](#) passed the House. Title was approved and the bill ordered returned to the Senate.

#### [S 1044](#) - SPECIAL PROCEEDINGS

[S 1044](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. McCrostie to open debate.

The question being, "Shall [S 1044](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Chaney, Christensen, Clow, Collins, Crane, Davis(Goldman), Dayley, Dixon, Ehardt, Ellis, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(2), Hartgen, Holtzclaw, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott(Paterson), Stevenson, Syme, Toone, Vander Woude, Wagoner, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 58.

NAYS—None.

Absent—Amador, Boyle, Chew, DeMordaunt, Erpelding, Green(18), Harris, Horman, Shepherd, Smith, Troy, Wintrow. Total - 12.

Total - 70.

Whereupon the Speaker declared that [S 1044](#) passed the House. Title was approved and the bill ordered returned to the Senate.

#### [S 1083](#) - IRRIGATION AND DRAINAGE

[S 1083](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Mason to open debate.

The question being, "Shall [S 1083](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Chaney, Christensen, Clow, Collins, Crane, Davis(Goldman), Dayley, Dixon, Ehardt, Ellis, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Hartgen, Holtzclaw, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott(Paterson), Stevenson, Syme, Toone, Vander Woude, Wagoner, Wisniewski, Young, Youngblood, Zollinger, Mr. Speaker. Total - 57.

NAYS—None.

Absent—Amador, Boyle, Chew, DeMordaunt, Erpelding, Harris, Horman, Shepherd, Smith, Troy, Wintrow, Wood, Zito. Total - 13.

Total - 70.

Whereupon the Speaker declared that [S 1083](#) passed the House. Title was approved and the bill ordered returned to the Senate.

#### [S 1085](#) - IRRIGATION DISTRICTS

[S 1085](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Blanksma to open debate.

The question being, "Shall [S 1085](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Anderson, Anderst, Andrus, Armstrong, Berch, Blanksma, Chaney, Christensen, Clow, Collins, Crane, Davis(Goldman), Dayley, Dixon, Ehardt, Ellis, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Hartgen, Holtzclaw, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Ricks, Rubel, Scott(Paterson), Stevenson, Syme, Toone, Vander Woude, Wagoner, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 56.

NAYS—None.

Absent—Amador, Barbieri, Boyle, Chew, DeMordaunt, Erpelding, Harris, Horman, Kauffman, Raymond, Shepherd, Smith, Troy, Wintrow. Total - 14.

Total - 70.

Whereupon the Speaker declared that [S 1085](#) passed the House. Title was approved and the bill ordered returned to the Senate.

#### [S 1112](#) - CODIFIER'S CORRECTIONS

[S 1112](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Hartgen to open debate.

The question being, "Shall [S 1112](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Chaney, Christensen, Clow, Collins, Crane, Davis(Goldman), Dayley, Dixon, Ehardt, Ellis, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott(Paterson), Stevenson, Syme, Toone, Vander Woude, Wagoner, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 60.

NAYS—None.

Absent—Amador, Boyle, Chew, DeMordaunt, Erpelding, Horman, Shepherd, Smith, Troy, Wintrow. Total - 10.

Total - 70.

Whereupon the Speaker declared that [S 1112](#) passed the House. Title was approved and the bill ordered returned to the Senate.

#### [S 1111](#) - REVISED UNIFORM LAW ON NOTARIAL ACTS

[S 1111](#) was read the third time at length, section by section, and placed before the House for final consideration.



At this time, the Speaker recognized Mr. Holtzclaw to open debate.

The question being, "Shall [S 1111](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Chaney, Christensen, Clow, Collins, Crane, Davis(Goldman), Dayley, Dixon, Ehardt, Ellis, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott(Paterson), Stevenson, Syme, Toone, Vander Woude, Wagoner, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 60.

NAYS—None.

Absent—Amador, Boyle, Chew, DeMordaunt, Erpelding, Horman, Shepherd, Smith, Troy, Wintrow. Total - 10.

Total - 70.

Whereupon the Speaker declared that [S 1111](#) passed the House. Title was approved and the bill ordered returned to the Senate.

#### [S 1127](#) - INTERSTATE AGREEMENT ON DETAINERS

[S 1127](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Hartgen to open debate.

The question being, "Shall [S 1127](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Chaney, Christensen, Clow, Collins, Crane, Davis(Goldman), Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Raybould, Raymond, Ricks, Rubel, Scott(Paterson), Stevenson, Syme, Toone, Vander Woude, Wagoner, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 60.

NAYS—None.

Absent—Amador, Boyle, Chew, Erpelding, Horman, Palmer, Shepherd, Smith, Troy, Wintrow. Total - 10.

Total - 70.

Whereupon the Speaker declared that [S 1127](#) passed the House. Title was approved and the bill ordered returned to the Senate.

#### [S 1084](#) - IRRIGATION

[S 1084](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Mason to open debate.

The question being, "Shall [S 1084](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis(Goldman), Dayley,

DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Raybould, Raymond, Ricks, Rubel, Scott(Paterson), Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 65.

NAYS—None.

Absent—Amador, Boyle, Horman, Palmer, Shepherd. Total - 5.

Total - 70.

Whereupon the Speaker declared that [S 1084](#) passed the House. Title was approved and the bill ordered returned to the Senate.

#### [S 1086](#) - IRRIGATION AND DRAINAGE

[S 1086](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Kauffman to open debate.

The question being, "Shall [S 1086](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis(Goldman), Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Raybould, Raymond, Rubel, Scott(Paterson), Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 64.

NAYS—None.

Absent—Amador, Boyle, Horman, Palmer, Ricks, Shepherd. Total - 6.

Total - 70.

Whereupon the Speaker declared that [S 1086](#) passed the House. Title was approved and the bill ordered returned to the Senate.

#### [S 1037](#), as amended - ENGINEERS AND LAND SURVEYORS

[S 1037](#), as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Gestrin to open debate.

The question being, "Shall [S 1037](#), as amended, pass?"

Roll call resulted as follows:

AYES—Abernathy, Anderson, Anderst, Andrus, Armstrong, Berch, Blanksma, Chaney, Chew, Clow, Davis(Goldman), Dayley, DeMordaunt, Dixon, Ellis, Erpelding, Furniss, Gannon, Gestrin, Goesling, Green(18), Hartgen, Holtzclaw, Kauffman, Kerby, Lickley, Marshall, Mason, McCrostie, Moon, Nichols, Raybould, Raymond, Rubel, Smith, Syme, Toone, Troy, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Mr. Speaker. Total - 45.

NAYS—Addis, Barbieri, Christensen, Collins, Crane, Ehardt, Gibbs, Giddings, Green(2), Harris, Kingsley, Mendive, Monks, Moyle, Scott(Paterson), Stevenson, Vander Woude, Zito, Zollinger. Total - 19.

Absent—Amador, Boyle, Horman, Palmer, Ricks, Shepherd.  
Total - 6.

Total - 70.

Whereupon the Speaker declared that [S 1037](#), as amended, passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Fifteenth Order of Business.

**15TH ORDER**  
**Announcements**

Announcements were made to the body.

**16TH ORDER**  
**Adjournment**

Mr. Moyle moved that the House adjourn until 10 a.m., Friday, March 15, 2019. Seconded by Ms. Rubel. Motion carried.

Whereupon the Speaker declared the House adjourned at 4:30 p.m.

SCOTT BEDKE, Speaker

ATTEST:

CARRIE MAULIN, Chief Clerk

# HOUSE JOURNAL

OF THE

## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-FIFTH LEGISLATURE

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SIXTY-EIGHTH LEGISLATIVE DAY  
FRIDAY, MARCH 15, 2019

House of Representatives

The House convened at 10 a.m., Mr. Moyle in the Chair.

Roll call showed 67 members present.

Absent and excused - Bedke, Horman, and Zollinger.

Total - 3.

Total - 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Daniel Smith, Page.

### 3RD ORDER

#### Approval of Journal

March 15, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Sixty-seventh Legislative Day and recommend that same be adopted as corrected.

DAYLEY, Chairman

Mr. Dayley moved that the report be adopted. Seconded by Mr. Gannon. Report adopted.

### 4TH ORDER

#### Consideration of Messages from the Governor and the Senate

March 14, 2019

Mr. Speaker:

I transmit herewith enrolled [S 1141](#), [S 1143](#), [S 1144](#), [S 1147](#), [S 1148](#), [S 1149](#), [S 1150](#), and [S 1158](#) for the signature of the Speaker.

NOVAK, Secretary

The Speaker Pro Tem announced that the Speaker was about to sign enrolled [S 1141](#), [S 1143](#), [S 1144](#), [S 1147](#), [S 1148](#), [S 1149](#), [S 1150](#), and [S 1158](#) when so signed, ordered them returned to the Senate.

March 14, 2019

Mr. Speaker:

I return herewith enrolled [H 155](#), [HCR 10](#), [HCR 12](#), [HCR 15](#), [HJM 4](#), [HJM 8](#), [HJM 9](#), and [HJM 7](#) which have been signed by the President.

NOVAK, Secretary

Enrolled [H 155](#) was referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

Enrolled [HCR 10](#), [HCR 12](#), [HCR 15](#), [HJM 4](#), [HJM 8](#), [HJM 9](#), and [HJM 7](#) were referred to the Judiciary, Rules, and Administration Committee for delivery to the Secretary of State.

March 14, 2019

Mr. Speaker:

I transmit herewith [S 1184](#), [S 1185](#), [S 1182](#), [S 1180](#), [S 1193](#), and [S 1194](#) which have passed the Senate.

NOVAK, Secretary

[S 1184](#), [S 1185](#), [S 1182](#), [S 1180](#), [S 1193](#), and [S 1194](#) were filed for first reading.

March 14, 2019

Mr. Speaker:

I return herewith [H 212](#), [H 232](#), [H 234](#), [H 235](#), [H 236](#), [H 237](#), [H 238](#), [H 114](#), [H 117](#), and [H 181](#) which have passed the Senate.

NOVAK, Secretary

[H 212](#), [H 232](#), [H 234](#), [H 235](#), [H 236](#), [H 237](#), [H 238](#), [H 114](#), [H 117](#), and [H 181](#) were referred to the Judiciary, Rules, and Administration Committee for enrolling.

### 5TH ORDER

#### Report of Standing Committees

March 15, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have printed [HR 5](#), [H 274](#), and [H 275](#).

DAYLEY, Chairman

[H 274](#) was filed for second reading.

[HR 5](#) was referred to the Judiciary, Rules and Administration Committee.

[H 275](#) was referred to the Business Committee.

March 15, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have enrolled [H 160](#), [H 165](#), [H 200](#), [H 215](#), [H 219](#), [H 220](#), [H 221](#), [H 222](#), [H 223](#), [H 224](#), [H 225](#), [H 116](#), [H 112](#), [H 150](#), [H 227](#), [H 124](#), [H 158](#), as amended, [H 230](#), [H 231](#), and [H 233](#).

DAYLEY, Chairman

The Speaker Pro Tem announced the Speaker was about to sign enrolled [H 160](#), [H 165](#), [H 200](#), [H 215](#), [H 219](#), [H 220](#), [H 221](#), [H 222](#), [H 223](#), [H 224](#), [H 225](#), [H 116](#), [H 112](#), [H 150](#), [H 227](#), [H 124](#), [H 158](#), as amended, [H 230](#), [H 231](#), and [H 233](#) and, when so signed, ordered them transmitted to the Senate for the signature of the President.

March 15, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have transmitted enrolled [H 134](#) and [H 42](#), as amended in the Senate, to the Governor at 10:55 a.m., as of this date, March 14, 2019.

DAYLEY, Chairman

March 14, 2019

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration [S 1029](#) and report it back without recommendation.

CLOW, Chairman

[S 1029](#) was filed for second reading.

March 14, 2019

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration [SJM 104](#) and recommend that it do pass.

PALMER, Chairman

[SJM 104](#) was filed for second reading.

March 14, 2019

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration [H 106](#), as amended in the Senate, and recommend concurrence with Senate Amendments.

PALMER, Chairman

Mr. McCrostie asked unanimous consent that the House concur in Senate amendments to [H 106](#).

Mr. Barbieri objected.

Mr. McCrostie moved that the House concur in the Senate amendments to [H 106](#), as amended in the Senate. Mr. Palmer seconded the motion.

The question being ""Shall the motion pass?""

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Berch, Blanksma, Boyle, Chew, Clow, Collins, Crane, Davis(Goldman), Dayley, DeMordaunt, Dixon, Ellis, Erpelding, Furniss, Gannon, Gestrin, Goesling, Green(18), Harris, Hartgen, Holtzclaw, Kauffman, Kerby, Lickley, Marshall, Mason, McCrostie, Monks, Moyle, Palmer, Raybould, Raymond, Ricks, Rubel, Smith, Syme, Toone, Troy, Vander Woude, Wintrow, Wood, Youngblood. Total - 47.

NAYS—Andrus, Armstrong, Barbieri, Chaney, Christensen, Ehardt, Gibbs, Giddings, Green(2), Kingsley, Mendive, Moon, Nichols, Scott(Paterson), Shepherd, Stevenson, Wisniewski, Young, Zito. Total - 19.

Absent—Horman, Wagoner, Zollinger, Mr. Speaker. Total - 4. Total - 70.

Whereupon the Speaker Pro Tem declared the motion passed and the House concurred in the Senate amendments to [H 106](#), as amended in the Senate.

[H 106](#), as amended in the Senate, was referred to the Judiciary, Rules, and Administration Committee for engrossing.

March 14, 2019

Mr. Speaker:

We, your COMMITTEE ON AGRICULTURAL AFFAIRS, report that we have had under consideration [H 122](#) and recommend that it do pass.

BOYLE, Chairman

[H 122](#) was filed for second reading.

March 15, 2019

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration [S 1108](#) and recommend that it do pass.

CLOW, Chairman

[S 1108](#) was filed for second reading.

March 15, 2019

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration [S 1057](#) and report it back to be placed on General Orders.

CLOW, Chairman

[S 1057](#) was placed on General Orders for consideration.

There being no objection, the House returned to the Fourth Order of Business.

**4TH ORDER**  
**Consideration of Messages from the**  
**Governor and the Senate**

OFFICE OF THE GOVERNOR  
Boise

March 14, 2019

The Honorable Scott Bedke  
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House bills, to wit:

[H 42](#), as amended in the Senate, [H 76](#), and [H 134](#)

Sincerely,  
/s/ Brad Little  
Governor

OFFICE OF THE GOVERNOR  
Boise

March 14, 2019

The Honorable Scott Bedke  
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House bill, to wit:

[H 103](#)

Sincerely,  
/s/ Brad Little  
Governor

There being no objection, the House advanced to the Eighth Order of Business.

**8TH ORDER****Introduction, First Reading, and Reference of Bills and Joint Resolutions**

[S 1182](#), by State Affairs Committee, was introduced, read the first time by title, and referred to the Business Committee.

[S 1180](#), by State Affairs Committee, was introduced, read the first time by title, and referred to the Education Committee.

[S 1184](#), [S 1185](#), [S 1193](#), and [S 1194](#), by Finance Committee, were introduced, read the first time by title, and filed for second reading.

There being no objection, the House advanced to the Tenth Order of Business.

**10TH ORDER****Second Reading of Bills and Joint Resolutions**

[H 267](#) and [H 268](#), by Appropriations Committee, were read the second time by title and filed for third reading.

[HCR 23](#), by Environment, Energy and Technology Committee, was read the second time by title and filed for third reading.

[S 1059](#) and [S 1105](#), by Education Committee, were read the second time by title and filed for third reading.

[S 1075](#), as amended, by Health and Welfare Committee, was read the second time by title and filed for third reading.

[S 1129](#), as amended, by Judiciary and Rules Committee, was read the second time by title and filed for third reading.

[S 1050](#), [S 1087](#), and [S 1088](#), as amended, by Resources and Environment Committee, were read the second time by title and filed for third reading.

[H 266](#), by Ways and Means Committee, was read the second time by title and filed for third reading.

[S 1093](#), [S 1116](#), [S 1122](#), [S 1123](#), and [S 1134](#), by Judiciary and Rules Committee, were read the second time by title and filed for third reading.

There being no objection, the House advanced to the Twelfth Order of Business.

**12TH ORDER****Consideration of General Orders**

Mr. Monks moved that the House do now resolve itself into a Committee of the Whole House for the consideration of General Orders. Seconded by Mr. Erpelding. Motion carried.

Whereupon the House resolved itself into a Committee of the Whole House for the consideration of General Orders with Mr. Monks in the Chair.

When the Committee of the Whole House rose, Mr. Moyle returned to the Chair and the House was in order.

**Report of the Committee of the Whole House**

March 15, 2019

Mr. Speaker:

We, your COMMITTEE OF THE WHOLE HOUSE, report that we have had under consideration [H 189](#), [H 202](#), [H 199](#), and [H 229](#) and report them back without recommendation, amended as follows:

**HOUSE AMENDMENT TO H.B. NO. 189****AMENDMENT TO SECTION 1**

On page 1 of the printed bill, delete lines 7 through 32, and insert:

"SECTION 1. That Section 36-1303, Idaho Code, be, and the same is hereby repealed."

**CORRECTION TO TITLE**

On page 1, delete lines 2 through 5, and insert: "RELATING TO FISH AND GAME; REPEALING SECTION 36-1303, IDAHO CODE, RELATING TO THE AUTHORITY OF OFFICERS TO CONDUCT CERTAIN SEARCHES."

**HOUSE AMENDMENT TO H.B. NO. 202****AMENDMENT TO SECTION 1**

On page 1 of the printed bill, in line 18, delete "Except as provided in subsection (2) of this section, actions" and insert: "Actions"; in line 19, delete "the adoption"; in line 20, delete "of rules,"; in line 21, delete "shall" and insert: "with respect to a particular taxpayer may"; in line 22, following "Code" insert: ", or by the provisions of title 63, Idaho Code, at the taxpayer's election"; in line 25, delete "decision" and insert: "final order"; also in line 25, following "board" insert: "that has been entered pursuant to the provisions of chapter 52, title 67, Idaho Code"; in line 26, delete "located in the county of residence of the affected taxpayer," and insert: "for Ada county"; in line 27, delete "property affected"; and in line 28, delete "by an assessment is located, if applicable" and insert: "the taxpayer resides or has his principal office or place of business".

**CORRECTION TO TITLE**

On page 1, in line 4, delete "SHALL" and insert: "MAY"; in line 5, following "ACT" insert: "IN CERTAIN CASES"; and in line 6, delete "DECISION" and insert: "FINAL ORDER".

**HOUSE AMENDMENT TO H.B. NO. 199****AMENDMENT TO SECTION 1**

On page 2 of the printed bill, in line 25, delete "(b) through (m)" and insert: "(a) through (n)".

**HOUSE AMENDMENT TO H.B. NO. 229****AMENDMENT TO SECTION 1**

On page 1 of the printed bill, in line 20, delete "and shall remain in full"; and delete lines 21 and 22, and insert: "Amendments, revisions, or modifications of such code may be made by the Idaho electrical board through administrative rule."

**CORRECTION TO TITLE**

On page 1, in line 3, following "CODE" insert: ", TO PROVIDE FOR RULEMAKING,".

We have also had under consideration [S 1060](#), as amended, and report it back without recommendations and without amendments.

We have also had under consideration [S 1113](#), report progress and beg leave to sit again.

MONKS, Chairman

Mr. Monks moved that the report be adopted. Seconded by Mr. Erpelding.

Whereupon the Speaker Pro Tem declared the report adopted.

[H 189](#), as amended, [H 202](#), as amended, [H 199](#), as amended, and [H 229](#), as amended, were referred to the Judiciary, Rules, and Administration Committee for engrossing.



[S 1060](#), as amended, was filed for second reading.

[S 1113](#) was retained on General Orders.

The amendments were referred to Judiciary, Rules, and Administration committee for printing.

There being no objection, the House returned to the Eleventh Order of Business.

### 11TH ORDER

#### Third Reading of Bills and Joint Resolutions

Mr. Monks asked unanimous consent that [H 259](#), [S 1072](#), [S 1155](#), and [S 1119](#) retain their places on the Third Reading Calendar until Monday, March 18, 2019. There being no objection, it was so ordered.

Mr. Monks asked unanimous consent that [H 265](#), [S 1163](#), [S 1166](#), [S 1171](#), [S 1173](#), and [S 1174](#) be placed at the bottom of the Senate bills on the Third Reading Calendar. There being no objection, it was so ordered.

#### [H 260](#) - APPROPRIATIONS - WOLF DEPREDAATION CONTROL BOARD

[H 260](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Kauffman to open debate.

The question being, "Shall [H 260](#) pass?"

Roll call resulted as follows:

AYES—Addis, Amador, Anderson, Andrus, Barbieri, Berch, Blanksma, Boyle, Chaney, Clow, Collins, Crane, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Furniss, Gestrin, Gibbs, Goesling, Harris, Hartgen, Holtzclaw, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wood, Young, Youngblood. Total - 49.

NAYS—Abernathy, Armstrong, Chew, Christensen, Davis(Goldman), Erpelding, Gannon, Giddings, Green(18), Green(2), Mason, McCrostie, Rubel, Scott(Paterson), Wintrow, Wisniewski, Zito. Total - 17.

Absent—Anderst, Horman, Zollinger, Mr. Speaker. Total - 4. Total - 70.

Whereupon the Speaker Pro Tem declared that [H 260](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

#### [H 261](#) - APPROPRIATIONS - DEPARTMENT OF ADMINISTRATION - CAPITOL COMMISSION

[H 261](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Amador to open debate.

The question being, "Shall [H 261](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Davis(Goldman), Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon,

Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott(Paterson), Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito. Total - 65.

NAYS—Crane. Total - 1.

Absent—Anderst, Horman, Zollinger, Mr. Speaker. Total - 4. Total - 70.

Whereupon the Speaker Pro Tem declared that [H 261](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

#### [H 262](#) - APPROPRIATIONS - IDAHO STATE HISTORICAL SOCIETY

[H 262](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Ms. Wintrow to open debate.

The question being, "Shall [H 262](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Berch, Blanksma, Chaney, Chew, Collins, Davis(Goldman), Dayley, Dixon, Ellis, Erpelding, Gannon, Gibbs, Goesling, Green(18), Hartgen, Holtzclaw, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Raybould, Raymond, Rubel, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Wagoner, Wintrow, Wisniewski, Wood, Youngblood. Total - 41.

NAYS—Andrus, Armstrong, Barbieri, Boyle, Christensen, Clow, Crane, DeMordaunt, Ehardt, Furniss, Gestrin, Giddings, Green(2), Harris, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Ricks, Scott(Paterson), Vander Woude, Young, Zito. Total - 25.

Absent—Anderst, Horman, Zollinger, Mr. Speaker. Total - 4. Total - 70.

Whereupon the Speaker Pro Tem declared that [H 262](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

#### [H 263](#) - APPROPRIATIONS - PERSI

[H 263](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Anderson to open debate.

Pursuant to Rule 38(3), Mr. Ellis disclosed a conflict of interest regarding [H 263](#).

Pursuant to Rule 38(3), Mrs. Toone disclosed a conflict of interest regarding [H 263](#).

The question being, "Shall [H 263](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis(Goldman), Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive,



Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott(Paterson), Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito. Total - 67.

NAYS–None.

Absent–Horman, Zollinger, Mr. Speaker. Total - 3.

Total - 70.

Whereupon the Speaker Pro Tem declared that [H 263](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

#### [H 264](#) - APPROPRIATIONS - STATE LIQUOR DIVISION

[H 264](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Ms. Troy to open debate.

The question being, "Shall [H 264](#) pass?"

Roll call resulted as follows:

AYES–Abernathy, Addis, Amador, Anderson, Anderst, Barbieri, Berch, Blanksma, Chaney, Chew, Davis(Goldman), Dayley, Dixon, Ellis, Erpelding, Gannon, Gestrin, Gibbs, Goesling, Green(18), Hartgen, Holtzclaw, Kauffman, Kerby, Lickley, Marshall, McCrostie, Mendive, Raybould, Raymond, Rubel, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Wagoner, Wintrow, Wood, Youngblood. Total - 41.

NAYS–Andrus, Armstrong, Boyle, Christensen, Clow, Collins, Crane, DeMordaunt, Ehardt, Furniss, Giddings, Green(2), Harris, Kingsley, Monks, Moon, Moyle, Nichols, Palmer, Ricks, Scott(Paterson), Vander Woude, Wisniewski, Young, Zito. Total - 25.

Absent–Horman, Mason, Zollinger, Mr. Speaker. Total - 4.

Total - 70.

Whereupon the Speaker Pro Tem declared that [H 264](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

#### [S 1136](#) - APPROPRIATIONS - OFFICE OF DRUG POLICY

[S 1136](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Ms. Troy to open debate.

The question being, "Shall [S 1136](#) pass?"

Roll call resulted as follows:

AYES–Abernathy, Addis, Amador, Anderst, Andrus, Armstrong, Berch, Blanksma, Boyle, Chaney, Chew, Clow, Collins, Crane, Dayley, DeMordaunt, Dixon, Ellis, Furniss, Gannon, Gestrin, Gibbs, Goesling, Green(18), Harris, Hartgen, Holtzclaw, Kauffman, Kerby, Kingsley, Lickley, Marshall, McCrostie, Monks, Moyle, Palmer, Raybould, Raymond, Ricks, Shepherd, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wood, Young, Youngblood. Total - 50.

NAYS–Barbieri, Christensen, Davis(Goldman), Ehardt, Erpelding, Giddings, Green(2), Mason, Mendive, Moon, Nichols, Rubel, Scott(Paterson), Smith, Wisniewski, Zito. Total - 16.

Absent–Anderson, Horman, Zollinger, Mr. Speaker. Total - 4.

Total - 70.

Whereupon the Speaker Pro Tem declared that [S 1136](#) passed the House. Title was approved and the bill ordered returned to the Senate.

#### [S 1043](#) - JUDGES

[S 1043](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Amador to open debate.

The question being, "Shall [S 1043](#) pass?"

Roll call resulted as follows:

AYES–Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis(Goldman), Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott(Paterson), Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito. Total - 67.

NAYS–None.

Absent–Horman, Zollinger, Mr. Speaker. Total - 3.

Total - 70.

Whereupon the Speaker Pro Tem declared that [S 1043](#) passed the House. Title was approved and the bill ordered returned to the Senate.

#### [S 1142](#) - APPROPRIATIONS - ENDOWMENT FUND INVESTMENT BOARD

[S 1142](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Ms. Troy to open debate.

Pursuant to Rule 38(3), Mr. Anderson disclosed a conflict of interest regarding [S 1142](#).

The question being, "Shall [S 1142](#) pass?"

Roll call resulted as follows:

AYES–Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis(Goldman), Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott(Paterson), Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito. Total - 66.

NAYS–Boyle. Total - 1.

Absent–Horman, Zollinger, Mr. Speaker. Total - 3.

Total - 70.

Whereupon the Speaker Pro Tem declared that [S 1142](#) passed the House. Title was approved and the bill ordered returned to the Senate.

**S 1005, as amended - HUMAN TRAFFICKING**

**S 1005**, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Ms. Wintrow to open debate.

The question being, "Shall **S 1005**, as amended, pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis(Goldman), Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott(Paterson), Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito. Total - 67.

NAYS—None.

Absent—Horman, Zollinger, Mr. Speaker. Total - 3.

Total - 70.

Whereupon the Speaker Pro Tem declared that **S 1005**, as amended, passed the House. Title was approved and the bill ordered returned to the Senate.

**S 1117 - MALICIOUS HARASSMENT**

**S 1117** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Chaney to open debate.

The question being, "Shall **S 1117** pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Crane, Davis(Goldman), Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito. Total - 65.

NAYS—Scott(Paterson). Total - 1.

Absent—Collins, Horman, Zollinger, Mr. Speaker. Total - 4.

Total - 70.

Whereupon the Speaker Pro Tem declared that **S 1117** passed the House. Title was approved and the bill ordered returned to the Senate.

**S 1162 - APPROPRIATIONS - DEPARTMENT OF CORRECTION**

**S 1162** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Syme to open debate.

The question being, "Shall **S 1162** pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Crane, Davis(Goldman), Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott(Paterson), Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito. Total - 65.

NAYS—None.

Absent—Collins, Gestrin, Horman, Zollinger, Mr. Speaker. Total - 5.

Total - 70.

Whereupon the Speaker Pro Tem declared that **S 1162** passed the House. Title was approved and the bill ordered returned to the Senate.

**S 1164 - APPROPRIATIONS - SUPREME COURT**

**S 1164** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Ms. Troy to open debate.

The question being, "Shall **S 1164** pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Berch, Blanksma, Boyle, Chaney, Chew, Clow, Crane, Davis(Goldman), Dayley, DeMordaunt, Dixon, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Goesling, Harris, Hartgen, Holtzclaw, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Monks, Moyle, Palmer, Raybould, Raymond, Ricks, Rubel, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood. Total - 55.

NAYS—Barbieri, Christensen, Ehardt, Giddings, Green(2), Mendive, Moon, Nichols, Scott(Paterson), Zito. Total - 10.

Absent—Collins, Green(18), Horman, Zollinger, Mr. Speaker. Total - 5.

Total - 70.

Whereupon the Speaker Pro Tem declared that **S 1164** passed the House. Title was approved and the bill ordered returned to the Senate.

**S 1165 - APPROPRIATIONS - HEALTH EDUCATION PROGRAMS**

**S 1165** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Ms. Troy to open debate.

The question being, "Shall **S 1165** pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Berch, Blanksma, Chew, Davis(Goldman), Dayley, Ellis, Erpelding, Furniss, Gannon, Gibbs, Goesling, Hartgen, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Raybould, Raymond, Rubel, Smith, Stevenson,

Syme, Toone, Troy, Wagoner, Wintrow, Wood, Youngblood.  
Total - 36.

NAYS—Andrus, Armstrong, Barbieri, Boyle, Chaney, Christensen, Clow, Crane, DeMordaunt, Dixon, Ehardt, Gestrin, Giddings, Green(2), Harris, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Ricks, Scott(Paterson), Shepherd, Vander Woude, Wisniewski, Young, Zito. Total - 28.

Absent—Collins, Green(18), Holtzclaw, Horman, Zollinger, Mr. Speaker. Total - 6.  
Total - 70.

Whereupon the Speaker Pro Tem declared that [S 1165](#) passed the House. Title was approved and the bill ordered returned to the Senate.

#### [S 1167](#) - APPROPRIATIONS - COMMISSION ON AGING

[S 1167](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Ms. Wintrow to open debate.

The question being, "Shall [S 1167](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Berch, Blanksma, Chaney, Chew, Clow, Crane, Davis(Goldman), Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Goesling, Harris, Hartgen, Holtzclaw, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Raybould, Raymond, Ricks, Rubel, Scott(Paterson), Smith, Syme, Toone, Troy, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito. Total - 56.

NAYS—Barbieri, Boyle, Christensen, Giddings, Green(2), Palmer, Shepherd, Stevenson, Vander Woude. Total - 9.

Absent—Collins, Green(18), Horman, Zollinger, Mr. Speaker. Total - 5.  
Total - 70.

Whereupon the Speaker Pro Tem declared that [S 1167](#) passed the House. Title was approved and the bill ordered returned to the Senate.

#### [S 1168](#) - APPROPRIATIONS - DIVISION OF FINANCIAL MANAGEMENT

[S 1168](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Anderson to open debate.

The question being, "Shall [S 1168](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Crane, Davis(Goldman), Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(2), Harris, Hartgen, Holtzclaw, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott(Paterson), Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito. Total - 65.

NAYS—None.

Absent—Collins, Green(18), Horman, Zollinger, Mr. Speaker. Total - 5.  
Total - 70.

Whereupon the Speaker Pro Tem declared that [S 1168](#) passed the House. Title was approved and the bill ordered returned to the Senate.

#### [S 1169](#) - APPROPRIATIONS - IDAHO STATE LOTTERY

[S 1169](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Syme to open debate.

The question being, "Shall [S 1169](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Berch, Blanksma, Chaney, Chew, Clow, Davis(Goldman), Dixon, Ellis, Gannon, Gestrin, Gibbs, Goesling, Hartgen, Holtzclaw, Kauffman, Kerby, Lickley, Marshall, Mason, McCrostie, Raybould, Rubel, Smith, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wood, Youngblood. Total - 36.

NAYS—Andrus, Armstrong, Barbieri, Boyle, Christensen, Crane, Dayley, DeMordaunt, Ehardt, Erpelding, Furniss, Giddings, Green(2), Harris, Kingsley, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raymond, Ricks, Scott(Paterson), Shepherd, Stevenson, Wisniewski, Young, Zito. Total - 29.

Absent—Collins, Green(18), Horman, Zollinger, Mr. Speaker. Total - 5.  
Total - 70.

Whereupon the Speaker Pro Tem declared that [S 1169](#) passed the House. Title was approved and the bill ordered returned to the Senate.

#### [S 1172](#) - APPROPRIATIONS - DIVISION OF HUMAN RESOURCES

[S 1172](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Anderson to open debate.

The question being, "Shall [S 1172](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Clow, Crane, Davis(Goldman), Dayley, DeMordaunt, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Goesling, Hartgen, Holtzclaw, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moyle, Palmer, Raybould, Raymond, Ricks, Rubel, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wood, Young, Youngblood. Total - 54.

NAYS—Christensen, Dixon, Giddings, Green(2), Harris, Moon, Nichols, Scott(Paterson), Shepherd, Wisniewski, Zito. Total - 11.

Absent—Collins, Green(18), Horman, Zollinger, Mr. Speaker. Total - 5.  
Total - 70.

Whereupon the Speaker Pro Tem declared that [S 1172](#) passed the House. Title was approved and the bill ordered returned to the Senate.

**S 1054 - HEALTH**

**S 1054** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Kingsley to open debate.

The question being, "Shall **S 1054** pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Crane, Davis(Goldman), Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(2), Harris, Hartgen, Holtzclaw, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott(Paterson), Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito. Total - 65.

NAYS—None.

Absent—Collins, Green(18), Horman, Zollinger, Mr. Speaker. Total - 5.

Total - 70.

Whereupon the Speaker Pro Tem declared that **S 1054** passed the House. Title was approved and the bill ordered returned to the Senate.

**S 1055 - MARRIAGE**

**S 1055** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Christensen to open debate.

The question being, "Shall **S 1055** pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Crane, Davis(Goldman), Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(2), Harris, Hartgen, Holtzclaw, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott(Paterson), Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito. Total - 65.

NAYS—None.

Absent—Collins, Green(18), Horman, Zollinger, Mr. Speaker. Total - 5.

Total - 70.

Whereupon the Speaker Pro Tem declared that **S 1055** passed the House. Title was approved and the bill ordered returned to the Senate.

**S 1069 - INSURANCE**

**S 1069** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Wagoner to open debate.

The question being, "Shall **S 1069** pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Chaney, Chew, Christensen, Clow, Crane, Davis(Goldman), Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(2), Harris, Hartgen, Holtzclaw, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott(Paterson), Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito. Total - 64.

NAYS—None.

Absent—Boyle, Collins, Green(18), Horman, Zollinger, Mr. Speaker. Total - 6.

Total - 70.

Whereupon the Speaker Pro Tem declared that **S 1069** passed the House. Title was approved and the bill ordered returned to the Senate.

**S 1096 - RESIDENTIAL CARE AND ASSISTED LIVING FACILITIES**

**S 1096** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Wagoner to open debate.

The question being, "Shall **S 1096** pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Crane, Davis(Goldman), Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(2), Harris, Hartgen, Holtzclaw, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Raybould, Raymond, Ricks, Rubel, Scott(Paterson), Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito. Total - 63.

NAYS—Berch. Total - 1.

Absent—Collins, Green(18), Horman, Palmer, Zollinger, Mr. Speaker. Total - 6.

Total - 70.

Whereupon the Speaker Pro Tem declared that **S 1096** passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Monks asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places until Monday, March 18, 2019. There being no objection, it was so ordered.

There being no objection, the House advanced to the Fifteenth Order of Business.

**15TH ORDER  
Announcements**

Announcements were made to the body.

**16TH ORDER  
Adjournment**

Mr. Monks moved that the House adjourn until 10 a.m., Monday, March 18, 2019. Seconded by Mr. Erpelding. Motion carried.

Whereupon the Speaker Pro Tem declared the House adjourned at 12:28 p.m.

SCOTT BEDKE, Speaker

ATTEST:

CARRIE MAULIN, Chief Clerk



# HOUSE JOURNAL

OF THE

## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-FIFTH LEGISLATURE

SEVENTY-FIRST LEGISLATIVE DAY  
MONDAY, MARCH 18, 2019

House of Representatives

The House convened at 10 a.m., the Speaker in the Chair.

Roll call showed all 70 members present.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Chad Majors, Page.

### 3RD ORDER

#### Approval of Journal

March 18, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Sixty-eighth Legislative Day and recommend that same be adopted as corrected.

DAYLEY, Chairman

Mr. Dayley moved that the report be adopted. Seconded by Mr. Gannon. Report adopted.

### 4TH ORDER

#### Consideration of Messages from the Governor and the Senate

March 15, 2019

Mr. Speaker:

I return herewith enrolled [HCR 9](#), [H 171](#), [H 173](#), [H 186](#), [H 187](#), [H 113](#), [H 153](#), [H 109](#), [H 151](#), [H 211](#), [H 213](#), [H 214](#), [H 216](#), [H 126](#), [H 84](#), [H 94](#), and [H 182](#) which have been signed by the President.

NOVAK, Secretary

Enrolled [H 171](#), [H 173](#), [H 186](#), [H 187](#), [H 113](#), [H 153](#), [H 109](#), [H 151](#), [H 211](#), [H 213](#), [H 214](#), [H 216](#), [H 126](#), [H 84](#), [H 94](#), and [H 182](#) were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

Enrolled [HCR 9](#) was referred to the Judiciary, Rules, and Administration Committee for delivery to the Secretary of State.

### 5TH ORDER

#### Report of Standing Committees

March 18, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have printed House amendments to [H 189](#), [H 202](#), [H 199](#), and [H 229](#).

DAYLEY, Chairman

March 18, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have enrolled [H 212](#), [H 232](#), [H 234](#), [H 235](#), [H 236](#), [H 237](#), [H 238](#), [H 114](#), [H 117](#), and [H 181](#).

DAYLEY, Chairman

The Speaker announced he was about to sign enrolled [H 212](#), [H 232](#), [H 234](#), [H 235](#), [H 236](#), [H 237](#), [H 238](#), [H 114](#), [H 117](#), and [H 181](#) and, when so signed, ordered them transmitted to the Senate for the signature of the President.

March 18, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have engrossed [H 106](#), as amended in the Senate, [H 189](#), as amended, [H 202](#), as amended, [H 199](#), as amended, and [H 229](#), as amended.

DAYLEY, Chairman

[H 106](#), as amended in the Senate, [H 189](#), as amended, [H 202](#), as amended, [H 199](#), as amended, and [H 229](#), as amended, were filed for first reading of engrossed bills.

March 18, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have transmitted enrolled [H 155](#) to the Governor at 10:10 a.m., as of this date, March 15, 2019.

DAYLEY, Chairman

March 18, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have transmitted enrolled [HCR 10](#), [HCR 12](#), [HCR 15](#), [HJM 4](#), [HJM 8](#), [HJM 9](#), and [HJM 7](#) to the Secretary of State at 10:14 a.m., as of this date, March 15, 2019.

DAYLEY, Chairman

March 15, 2019

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration [H 251](#) and recommend that it do pass.

HARRIS, Chairman

[H 251](#) was filed for second reading.

March 15, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have had under consideration [S 1023](#), [S 1091](#), as amended, and [S 1133](#) and recommend that they do pass.

DAYLEY, Chairman

[S 1023](#), [S 1091](#), as amended, and [S 1133](#) were filed for second reading.

March 18, 2019

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration [H 183](#) and recommend that it do pass.

COLLINS, Chairman

[H 183](#) was filed for second reading.



There being no objection, the House returned to the Fourth Order of Business.

**4TH ORDER**  
**Consideration of Messages from the**  
**Governor and the Senate**

Mr. Clow asked unanimous consent that [S 1060](#), as amended, be placed on General Orders for consideration. There being no objection it was so ordered.

OFFICE OF THE GOVERNOR  
Boise

March 15, 2019

The Honorable Scott Bedke  
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House bills, to wit:

[H 105](#), [H 157](#), and [H 155](#)

Sincerely,  
/s/ Brad Little  
Governor

There being no objection, the House advanced to the Seventh Order of Business.

**7TH ORDER**  
**Motions, Memorials, and Resolutions**

**HOUSE RESOLUTION NO. 6**  
**BY STATE AFFAIRS COMMITTEE**  
A HOUSE RESOLUTION

STATING FINDINGS OF THE HOUSE OF REPRESENTATIVES AND CALLING FOR AN END TO CHRISTIAN PERSECUTION AND FOR EVERY GOVERNMENT TO RECOGNIZE THE FUNDAMENTAL RIGHTS OF CHRISTIANS TO PRACTICE THEIR FAITH WITHOUT PERSECUTION OR FEAR OF DEATH, RAPE, IMPRISONMENT, FORCED MARRIAGE, OR PHYSICAL VIOLENCE.

Be It Resolved by the House of Representatives of the State of Idaho:

WHEREAS, the Constitution of the United States and the Declaration of Independence are rooted in the fundamental truth that all people are created equal, endowed by the Creator with certain inalienable rights, including life, liberty, and the pursuit of happiness; and

WHEREAS, Section 1, Article I, of the Constitution of the State of Idaho states all men are by nature free and equal, and have certain inalienable rights, among which are enjoying and defending life and liberty, acquiring, possessing, and protecting property, pursuing happiness, and securing safety; and

WHEREAS, the right of freedom of religion for all people undergirds the very origin and existence of the United States and the State of Idaho; and

WHEREAS, the right of freedom of religion for all people is a fundamental human right that must be upheld by every nation and guaranteed by every government; and

WHEREAS, over 300 million Christians worldwide are experiencing high levels of persecution including death, rape, imprisonment, forced marriage, and physical violence; and

WHEREAS, over the last decade 90,000 Christians around the world have been martyred annually for their faith; and

WHEREAS, there is a growing crisis of persecution and genocide against Christians underway; and

WHEREAS, it is essential to shine a bright light to the untold suffering, hardship, and pain of persecuted Christians around the world and in the United States; and

NOW, THEREFORE, BE IT RESOLVED by the members of the House of Representatives, assembled in the First Regular Session of the Sixty-fifth Idaho Legislature, that the State of Idaho declares its support for the fundamental human rights and religious freedom of all people, including Christians, globally and in the United States, calls for an end to Christian persecution, and calls on every government to recognize the fundamental rights of Christians to practice their faith without persecution or fear of death, rape, imprisonment, forced marriage, or physical violence.

BE IT FURTHER RESOLVED that because the State of Idaho values religious freedom for all as a fundamental tenet of our form of government, we resolve to stand in support of the religious freedom of Christians worldwide and condemn any religious persecution of those Christians globally and in the United States.

[HR 6](#) was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

**8TH ORDER**  
**Introduction, First Reading, and Reference**  
**of Bills and Joint Resolutions**

**HOUSE BILL NO. 277**  
**BY HEALTH AND WELFARE COMMITTEE**  
AN ACT

RELATING TO MEDICAID; AMENDING SECTION 56-253, IDAHO CODE, TO PROVIDE THAT A HEALTH RISK ASSESSMENT SHALL INCLUDE QUESTIONS RELATING TO SUBSTANCE USE DISORDERS, TO PROVIDE THAT THE DIRECTOR OF THE DEPARTMENT OF HEALTH AND WELFARE SHALL SEEK CERTAIN WAIVERS AND CONDUCT CERTAIN RESEARCH, TO PROVIDE THAT APPROVED WAIVERS SHALL BE IMPLEMENTED AS SOON AS POSSIBLE, AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 56-263, IDAHO CODE, TO PROVIDE AUTHORIZATION TO THE DEPARTMENT OF HEALTH AND WELFARE TO SEEK CERTAIN APPROVAL OR A WAIVER AND TO PROVIDE APPLICABILITY; AMENDING SECTION 56-267, IDAHO CODE, TO PROVIDE FOR APPLICABILITY IF A CERTAIN WAIVER IS APPROVED, TO PROVIDE THAT PERSONS PARTICIPATING IN MEDICAID PURSUANT TO THIS SECTION BE PLACED IN A CARE MANAGEMENT PROGRAM TO THE EXTENT POSSIBLE, TO PROVIDE AUTHORIZATION TO SEEK FEDERAL APPROVAL, TO PROVIDE THAT THE LEGISLATURE MAY DECLARE THE SECTION TO BE NULL, VOID, AND OF NO FORCE AND EFFECT UNDER CERTAIN CIRCUMSTANCES, TO PROVIDE THAT THE SECTION SHALL BECOME NULL, VOID, AND OF NO FORCE AND EFFECT UNDER CERTAIN

CIRCUMSTANCES, TO PROVIDE FOR A REVIEW OF AND A RECOMMENDATION REGARDING MEDICAID ELIGIBILITY EXPANSION, AND TO MAKE TECHNICAL CORRECTIONS; PROVIDING SEVERABILITY; AND DECLARING AN EMERGENCY.

[H 277](#) was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

#### 9TH ORDER First Reading of Engrossed Bills

[H 106](#), as amended in the Senate, by Transportation and Defense Committee, was introduced, read the first time by title, and filed for second reading.

[H 189](#), as amended, by Ways and Means Committee, was introduced, read the first time by title, and filed for second reading.

[H 202](#), as amended, by Revenue and Taxation Committee, was introduced, read the first time by title, and filed for second reading.

[H 199](#), as amended, and [H 229](#), as amended, by State Affairs Committee, were introduced, read the first time by title, and filed for second reading.

#### 10TH ORDER Second Reading of Bills and Joint Resolutions

[H 274](#), by Appropriations Committee, was read the second time by title and filed for third reading.

[S 1029](#), by Education Committee, was read the second time by title and filed for third reading.

[SJM 104](#), by State Affairs Committee, was read the second time by title and filed for third reading.

[H 122](#), by Agricultural Affairs Committee, was read the second time by title and filed for third reading.

[S 1108](#), by Education Committee, was read the second time by title and filed for third reading.

[S 1184](#), [S 1185](#), [S 1193](#), and [S 1194](#), by Finance Committee, were read the second time by title and filed for third reading.

There being no objection, the House returned to the Seventh Order of Business.

#### 7TH ORDER Motions, Memorials, and Resolutions

##### [H 122](#) - HEMP

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of [H 122](#) 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 122](#) be read the third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Erpelding.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 69.

NAYS—None.

Absent—Wood. Total - 1.

Total - 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [H 122](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Troy and Mrs. Moon to open debate.

The question being, "Shall [H 122](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Holtzclaw, Kauffman, Kerby, Kingsley, Lickley, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 63.

NAYS—Furniss, Hartgen, Horman, Marshall, Raybould, Raymond, Ricks. Total - 7.

Total - 70.

Whereupon the Speaker declared that [H 122](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

There being no objection, the House advanced to the Eleventh Order of Business.

#### 11TH ORDER Third Reading of Bills and Joint Resolutions

##### [H 259](#) - SALES TAX

[H 259](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Moyle to open debate.

Mr. Clow asked unanimous consent that [H 259](#) be placed on General Orders for consideration. Mr. Monks objected.

Mr. Clow moved that [H 259](#) be placed on General Orders for consideration. Seconded by Ms. Rubel.

The question being, "Shall the motion carry?"

Roll call resulted as follows:

AYES—Abernathy, Anderson, Barbieri, Berch, Clow, Davis, Ellis, Gannon, Giddings, Green(18), Hartgen, Kauffman, Lickley, Mason, McCrostie, Mendive, Raybould, Rubel, Smith, Toone, Wintrow. Total - 21.

NAYS—Addis, Amador, Anderst, Andrus, Armstrong, Blanksma, Boyle, Chaney, Chew, Christensen, Collins, Crane, Dayley, DeMordaunt, Dixon, Ehardt, Erpelding, Furniss, Gestrin, Gibbs, Goesling, Green(2), Harris, Holtzclaw, Horman, Kerby, Kingsley, Marshall, Monks, Moon, Moyle, Nichols, Palmer, Raymond, Ricks, Scott, Shepherd, Stevenson, Syme, Troy, Vander Woude, Wagoner, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 49.

Total - 70.

Whereupon the Speaker declared the motion failed.

The question being, "Shall [H 259](#) pass?"

Roll call resulted as follows:

AYES—Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Blanksma, Boyle, Chaney, Clow, Collins, Crane, Dayley, DeMordaunt, Dixon, Ehardt, Erpelding, Furniss, Gestrin, Gibbs, Goesling, Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Scott, Shepherd, Stevenson, Syme, Vander Woude, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 51.

NAYS—Abernathy, Barbieri, Berch, Chew, Christensen, Davis, Ellis, Gannon, Giddings, Green(18), Green(2), Mason, McCrostie, Rubel, Smith, Toone, Troy, Wagoner, Wintrow. Total - 19.

Total - 70.

Whereupon the Speaker declared that [H 259](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

### [H 267](#) - APPROPRIATIONS - COLLEGE AND UNIVERSITIES

[H 267](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Amador to open debate.

Pursuant to Rule 38(3), Mr. Amador disclosed a conflict of interest regarding [H 267](#).

The question being, "Shall [H 267](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Berch, Blanksma, Chaney, Chew, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Ehardt, Ellis, Erpelding, Gannon, Gibbs, Goesling, Green(18), Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Monks, Raybould, Raymond, Ricks, Rubel, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wood, Young, Youngblood, Zollinger, Mr. Speaker. Total - 51.

NAYS—Barbieri, Boyle, Christensen, Dixon, Furniss, Gestrin, Giddings, Green(2), Harris, Mendive, Moon, Moyle, Nichols, Palmer, Scott, Shepherd, Smith, Wisniewski, Zito. Total - 19.

Total - 70.

Whereupon the Speaker declared that [H 267](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

### [H 268](#) - APPROPRIATIONS - DEPARTMENT OF ENVIRONMENTAL QUALITY

[H 268](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Raybould to open debate.

The question being, "Shall [H 268](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Berch, Blanksma, Boyle, Chaney, Chew, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Goesling, Green(18), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Moon, Moyle, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 63.

NAYS—Barbieri, Christensen, Giddings, Green(2), Monks, Nichols, Shepherd. Total - 7.

Total - 70.

Whereupon the Speaker declared that [H 268](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle moved that the House recess until 1:30 p.m. Seconded by Mr. Erpelding. Motion carried.

Whereupon the Speaker declared the House at recess until 1:30 p.m.

### RECESS Afternoon Session

The House reconvened at 1:30 p.m., the Speaker in the Chair.

Prior to recess, the House was at the Eleventh Order of Business.

Mr. Moyle asked unanimous consent that [S 1072](#) be placed at the bottom of the Senate bills on the Third Reading Calendar. There being no objection, it was so ordered.

### [H 266](#) - SEXUAL ASSAULT EVIDENCE KITS

[H 266](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Wintrow to open debate.

The question being, "Shall [H 266](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Harris, Hartgen, Holtzclaw,

Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 67.

NAYS—None.

Absent—DeMordaunt, Green(2), Scott. Total - 3.

Total - 70.

Whereupon the Speaker declared that [H 266](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

### [HCR 23](#) - DEPARTMENT OF ENVIRONMENTAL QUALITY - RULE REJECTION

[HCR 23](#) was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Amador to open debate.

The question being, "Shall [HCR 23](#) be adopted?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 67.

NAYS—None.

Absent—DeMordaunt, Green(2), Scott. Total - 3.

Total - 70.

Whereupon the Speaker declared [HCR 23](#) adopted and ordered the resolution transmitted to the Senate.

### [S 1155](#) - APPROPRIATIONS - PUBLIC TELEVISION

[S 1155](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Raybould to open debate.

The question being, "Shall [S 1155](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Berch, Blanksma, Chaney, Chew, Clow, Collins, Crane, Davis, Dixon, Ellis, Erpelding, Gannon, Gibbs, Goesling, Green(18), Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Lickley, Marshall, Mason, McCrostie, Moyle, Raybould, Raymond, Ricks, Rubel, Smith, Syme, Toone, Troy, Wagoner, Wintrow, Wood, Youngblood, Mr. Speaker. Total - 43.

NAYS—Andrus, Armstrong, Barbieri, Boyle, Christensen, Dayley, Ehardt, Furniss, Gestrin, Giddings, Green(2), Harris, Kingsley, Mendive, Monks, Moon, Nichols, Palmer, Scott, Shepherd, Stevenson, Vander Woude, Wisniewski, Young, Zito, Zollinger. Total - 26.

Absent—DeMordaunt. Total - 1.

Paired Votes:

AYE - Rubel NAY - Scott

(Pairs enumerated in roll call above.)

Total - 70.

Whereupon the Speaker declared that [S 1155](#) passed the House. Title was approved and the bill ordered returned to the Senate.

### [S 1119](#) - CIVIL ACTIONS

[S 1119](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Zollinger to open debate.

The question being, "Shall [S 1119](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 68.

NAYS—None.

Absent—DeMordaunt, Scott. Total - 2.

Total - 70.

Whereupon the Speaker declared that [S 1119](#) passed the House. Title was approved and the bill ordered returned to the Senate.

### [S 1097](#) - INSURANCE

[S 1097](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Lickley to open debate.

The question being, "Shall [S 1097](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Berch, Blanksma, Boyle, Chew, Clow, Davis, Dayley, Ellis, Erpelding, Furniss, Gannon, Gibbs, Goesling, Green(18), Green(2), Hartgen, Holtzclaw, Kauffman, Kerby, Lickley, Marshall, Mason, McCrostie, Mendive, Raybould, Raymond, Ricks, Rubel, Smith, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wood, Youngblood, Mr. Speaker. Total - 43.

NAYS—Andrus, Armstrong, Barbieri, Chaney, Christensen, Collins, Crane, Dixon, Ehardt, Gestrin, Giddings, Harris, Horman, Kingsley, Monks, Moon, Moyle, Nichols, Palmer, Scott, Shepherd, Stevenson, Wisniewski, Young, Zito, Zollinger. Total - 26.

Absent—DeMordaunt. Total - 1.

Paired Votes:

AYE - Blanksma NAY - Scott

(Pairs enumerated in roll call above.)

Total - 70.



Whereupon the Speaker declared that [S 1097](#) passed the House. Title was approved and the bill ordered returned to the Senate.

**[S 1011](#) - UNDERGROUND FACILITIES DAMAGE PREVENTION**

[S 1011](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Moon to open debate.

The question being, "Shall [S 1011](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 67.

NAYS—None.

Absent—DeMordaunt, Moyle, Scott. Total - 3.

Total - 70.

Whereupon the Speaker declared that [S 1011](#) passed the House. Title was approved and the bill ordered returned to the Senate.

**[S 1170](#) - APPROPRIATIONS - MILITARY DIVISION**

[S 1170](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Syme to open debate.

The question being, "Shall [S 1170](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 66.

NAYS—None.

Absent—DeMordaunt, Goesling, Moyle, Scott. Total - 4.

Total - 70.

Whereupon the Speaker declared that [S 1170](#) passed the House. Title was approved and the bill ordered returned to the Senate.

**[S 1059](#) - EDUCATION**

[S 1059](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Kerby to open debate.

The question being, "Shall [S 1059](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Clow, Collins, Crane, Davis, Dayley, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Green(18), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moyle, Palmer, Raybould, Raymond, Ricks, Rubel, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 62.

NAYS—Christensen, Giddings, Green(2), Moon, Nichols. Total - 5.

Absent—DeMordaunt, Goesling, Scott. Total - 3.

Total - 70.

Whereupon the Speaker declared that [S 1059](#) passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Fifteenth Order of Business.

**15TH ORDER  
Announcements**

Announcements were made to the body.

**16TH ORDER  
Adjournment**

Mr. Moyle moved that the House adjourn until 10 a.m., Tuesday, March 19, 2019. Seconded by Mr. Erpelding. Motion carried.

Whereupon the Speaker declared the House adjourned at 2:05 p.m.

SCOTT BEDKE, Speaker

ATTEST:

CARRIE MAULIN, Chief Clerk

# HOUSE JOURNAL

OF THE

## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-FIFTH LEGISLATURE

SEVENTY-SECOND LEGISLATIVE DAY  
TUESDAY, MARCH 19, 2019

House of Representatives

The House convened at 10 a.m., the Speaker in the Chair.

Roll call showed 68 members present.  
Absent and excused - Kerby and Wintrow. Total - 2.  
Total - 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Elbia Christensen, Page.

### 3RD ORDER

#### Approval of Journal

March 19, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Seventy-first Legislative Day and recommend that same be adopted as corrected.

DAYLEY, Chairman

Mr. Dayley moved that the report be adopted. Seconded by Mr. Gannon. Report adopted.

### 4TH ORDER

#### Consideration of Messages from the Governor and the Senate

March 18, 2019

Mr. Speaker:

I transmit herewith enrolled [S 1012](#), [S 1013](#), [S 1058](#), [S 1135](#), [S 1082](#), [S 1071](#), [S 1018](#), as amended, [S 1019](#), [S 1021](#), [S 1022](#), [S 1042](#), [S 1078](#), [S 1107](#), [S 1079](#), [S 1080](#), [S 1081](#), [S 1125](#), [S 1145](#), [S 1048](#), [S 1053](#), [S 1004](#), [S 1044](#), [S 1083](#), [S 1085](#), [S 1112](#), [S 1111](#), [S 1127](#), [S 1084](#), [S 1086](#), [S 1037](#), as amended, [S 1136](#), [S 1043](#), [S 1142](#), [S 1005](#), as amended, [S 1117](#), [S 1162](#), [S 1164](#), [S 1165](#), [S 1167](#), [S 1168](#), [S 1169](#), [S 1172](#), [S 1054](#), [S 1055](#), [S 1069](#), and [S 1096](#) for the signature of the Speaker.

NOVAK, Secretary

The Speaker announced he was about to sign enrolled [S 1012](#), [S 1013](#), [S 1058](#), [S 1135](#), [S 1082](#), [S 1071](#), [S 1018](#), as amended, [S 1019](#), [S 1021](#), [S 1022](#), [S 1042](#), [S 1078](#), [S 1107](#), [S 1079](#), [S 1080](#), [S 1081](#), [S 1125](#), [S 1145](#), [S 1048](#), [S 1053](#), [S 1004](#), [S 1044](#), [S 1083](#), [S 1085](#), [S 1112](#), [S 1111](#), [S 1127](#), [S 1084](#), [S 1086](#), [S 1037](#), as amended, [S 1136](#), [S 1043](#), [S 1142](#), [S 1005](#), as amended, [S 1117](#), [S 1162](#), [S 1164](#), [S 1165](#), [S 1167](#), [S 1168](#), [S 1169](#), [S 1172](#), [S 1054](#), [S 1055](#), [S 1069](#), and [S 1096](#) when so signed, ordered them returned to the Senate.

March 18, 2019

Mr. Speaker:

I return herewith enrolled [H 160](#), [H 165](#), [H 200](#), [H 215](#), [H 219](#), [H 220](#), [H 221](#), [H 222](#), [H 223](#), [H 224](#), [H 225](#), [H 116](#), [H 112](#), [H 150](#), [H 227](#), [H 124](#), [H 158](#), as amended, [H 230](#), [H 231](#), and [H 233](#) which have been signed by the President.

NOVAK, Secretary

Enrolled [H 160](#), [H 165](#), [H 200](#), [H 215](#), [H 219](#), [H 220](#), [H 221](#), [H 222](#), [H 223](#), [H 224](#), [H 225](#), [H 116](#), [H 112](#), [H 150](#), [H 227](#), [H 124](#), [H 158](#), as amended, [H 230](#), [H 231](#), and [H 233](#) were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

March 18, 2019

Mr. Speaker:

I transmit herewith [SCR 110](#), [S 1187](#), [S 1188](#), [S 1189](#), [S 1190](#), [S 1191](#), [S 1192](#), [S 1126](#), [S 1175](#), [S 1138](#), as amended, [S 1178](#), as amended, [S 1197](#), and [S 1198](#) which have passed the Senate.

NOVAK, Secretary

[SCR 110](#), [S 1187](#), [S 1188](#), [S 1189](#), [S 1190](#), [S 1191](#), [S 1192](#), [S 1126](#), [S 1175](#), [S 1138](#), as amended, [S 1178](#), as amended, [S 1197](#), and [S 1198](#) were filed for first reading.

March 18, 2019

Mr. Speaker:

I return herewith [H 97](#), [H 180](#), [H 176](#), [H 167](#), [H 168](#), and [H 144](#) which have passed the Senate.

NOVAK, Secretary

[H 97](#), [H 180](#), [H 176](#), [H 167](#), [H 168](#), and [H 144](#) were referred to the Judiciary, Rules, and Administration Committee for enrolling.

March 18, 2019

Mr. Speaker:

I return herewith [H 118](#), as amended, as amended in the Senate, which has passed the Senate.

NOVAK, Secretary

Pursuant to House Rule 73, [H 118](#), as amended, as amended in the Senate, was referred to Judiciary, Rules and Administration Committee for concurrence recommendation.

March 18, 2019

Mr. Speaker:

I return herewith [H 93](#), as amended in the Senate, which has passed the Senate.

NOVAK, Secretary

Pursuant to House Rule 73, [H 93](#), as amended in the Senate, was referred to Education Committee for concurrence recommendation.

### 5TH ORDER

#### Report of Standing Committees

March 19, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have printed [HR 6](#) and [H 277](#).

DAYLEY, Chairman

[HR 6](#) was referred to the State Affairs Committee.

[H 277](#) was referred to the Health and Welfare Committee.



March 19, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have transmitted enrolled [H 171](#), [H 173](#), [H 186](#), [H 187](#), [H 113](#), [H 153](#), [H 109](#), [H 151](#), [H 211](#), [H 213](#), [H 214](#), [H 216](#), [H 126](#), [H 84](#), [H 94](#), and [H 182](#) to the Governor at 10:10 a.m., as of this date, March 18, 2019.

DAYLEY, Chairman

[H 84](#), [H 94](#), [H 109](#), [H 113](#), [H 126](#), [H 151](#), [H 171](#), [H 173](#), [H 186](#), [H 187](#), [H 211](#), [H 213](#), [H 214](#), and [H 216](#)

Sincerely,  
/s/ Brad Little  
Governor

There being no objection, the House advanced to the Seventh Order of Business.

March 19, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have transmitted enrolled [HCR 9](#) to the Secretary of State at 10:16 a.m., as of this date, March 18, 2019.

DAYLEY, Chairman

**7TH ORDER**  
**Motions, Memorials, and Resolutions**

[SCR 110](#), by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the Resources and Conservation Committee.

March 18, 2019

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration [H 270](#) and recommend that it do pass.

HARRIS, Chairman

**8TH ORDER**  
**Introduction, First Reading, and Reference of Bills and Joint Resolutions**

**HOUSE BILL NO. 278**  
**BY REVENUE AND TAXATION COMMITTEE**  
AN ACT

RELATING TO ELECTRONIC CIGARETTES; AMENDING SECTION 63-2551, IDAHO CODE, TO REVISE A DEFINITION AND TO MAKE A TECHNICAL CORRECTION; AMENDING CHAPTER 36, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3642, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING A TAX ON ELECTRONIC CIGARETTES; AMENDING SECTION 67-1806, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE IDAHO MILLENNIUM INCOME FUND; AND AMENDING SECTION 67-1808, IDAHO CODE, TO RESERVE ELECTRONIC CIGARETTE TAX PROCEEDS FOR PROGRAMS THAT PROVIDE EDUCATION REGARDING ELECTRONIC CIGARETTES.

[H 270](#) was filed for second reading.

March 18, 2019

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration [S 1131](#), as amended, and recommend that it do pass.

PALMER, Chairman

**HOUSE BILL NO. 279**  
**BY REVENUE AND TAXATION COMMITTEE**  
AN ACT

RELATING TO SALES TAX; AMENDING CHAPTER 36, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3622VV, IDAHO CODE, TO PROVIDE A SALES AND USE TAX EXEMPTION FOR THE PURCHASE OR USE OF ELIGIBLE SERVER EQUIPMENT AND NEW DATA CENTER FACILITIES BY QUALIFYING BUSINESS ENTITIES AND TO PROVIDE A TIME LIMITATION ON CERTAIN QUALIFYING BUSINESS ENTITIES; AND PROVIDING AN EFFECTIVE DATE.

[S 1131](#), as amended, was filed for second reading.

March 19, 2019

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration [S 1061](#), as amended, and recommend that it do pass.

CLOW, Chairman

[S 1061](#), as amended, was filed for second reading.

There being no objection, the House returned to the Fourth Order of Business.

**4TH ORDER**  
**Consideration of Messages from the Governor and the Senate**

OFFICE OF THE GOVERNOR  
Boise

March 18, 2019

The Honorable Scott Bedke  
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House bills, to wit:

[H 278](#) and [H 279](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

[S 1187](#), [S 1188](#), [S 1189](#), [S 1190](#), [S 1191](#), [S 1192](#), [S 1197](#), and [S 1198](#), by Finance Committee, were introduced, read the first time by title, and filed for second reading.

[S 1126](#) and [S 1175](#), by State Affairs Committee, were introduced, read the first time by title, and referred to the Transportation and Defense Committee.

[S 1138](#), as amended, by State Affairs Committee, was introduced, read the first time by title, and referred to the Commerce and Human Resources Committee.

[S 1178](#), as amended, by State Affairs Committee, was introduced, read the first time by title, and referred to the Resources and Conservation Committee.

There being no objection, the House advanced to the Tenth Order of Business.

### 10TH ORDER

#### Second Reading of Bills and Joint Resolutions

[H 251](#), by Ways and Means Committee, was read the second time by title and filed for third reading.

[S 1023](#), [S 1091](#), as amended, and [S 1133](#), by Judiciary and Rules Committee, were read the second time by title and filed for third reading.

[H 183](#), by Revenue and Taxation Committee, was read the second time by title and filed for third reading.

[H 106](#), as amended in the Senate, by Transportation and Defense Committee, was read the second time by title and filed for third reading.

[H 189](#), as amended, by Ways and Means Committee, was read the second time by title and filed for third reading.

[H 202](#), as amended, by Revenue and Taxation Committee, was read the second time by title and filed for third reading.

[H 199](#), as amended, and [H 229](#), as amended, by State Affairs Committee, were read the second time by title and filed for third reading.

### 11TH ORDER

#### Third Reading of Bills and Joint Resolutions

Mr. Moyle asked unanimous consent that [S 1105](#), [S 1029](#), [S 1184](#), and [S 1185](#) be placed at the bottom of the Third Reading Calendar. There being no objection, it was so ordered.

#### [H 274](#) - APPROPRIATIONS - IDAHO TRANSPORTATION DEPARTMENT

[H 274](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Kauffman to open debate.

The question being, "Shall [H 274](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Wagoner, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 67.

NAYS—None.

Absent—Kerby, Vander Woude, Wintrow. Total - 3.

Total - 70.

Whereupon the Speaker declared that [H 274](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

#### [S 1075](#), as amended - INDIVIDUALS WITH DISABILITIES

[S 1075](#), as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Davis to open debate.

Pursuant to Rule 38(3), Mr. Ricks disclosed a conflict of interest regarding [S 1075](#), as amended.

Pursuant to Rule 38(3), Mrs. Davis disclosed a conflict of interest regarding [S 1075](#), as amended.

The question being, "Shall [S 1075](#), as amended, pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 68.

NAYS—None.

Absent—Kerby, Wintrow. Total - 2.

Total - 70.

Whereupon the Speaker declared that [S 1075](#), as amended, passed the House. Title was approved and the bill ordered returned to the Senate.

#### [S 1129](#), as amended - DENTISTS

[S 1129](#), as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Zollinger and Ms. Chew to open debate.

Pursuant to Rule 38(3), Mr. Wagoner disclosed a conflict of interest regarding [S 1129](#), as amended.

The question being, "Shall [S 1129](#), as amended, pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Giddings, Goesling, Green(18), Green(2), Harris, Holtzclaw, Horman, Kingsley, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wisniewski, Young, Youngblood, Zito, Zollinger. Total - 59.

NAYS—Dayley, Gibbs, Hartgen, Kauffman, Lickley, Marshall, Wagoner, Wood, Mr. Speaker. Total - 9.

Absent—Kerby, Wintrow. Total - 2.

Total - 70.

Whereupon the Speaker declared that [S 1129](#), as amended, passed the House. Title was approved and the bill ordered returned to the Senate.

#### [S 1050](#) - WATER

[S 1050](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Toone to open debate.

The question being, "Shall [S 1050](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 67.

NAYS—None.

Absent—Crane, Kerby, Wintrow. Total - 3.

Total - 70.

Whereupon the Speaker declared that [S 1050](#) passed the House. Title was approved and the bill ordered returned to the Senate.

#### [S 1087](#) - ARTESIAN WELLS

[S 1087](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Blanksma to open debate.

The question being, "Shall [S 1087](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 67.

NAYS—None.

Absent—Crane, Kerby, Wintrow. Total - 3.

Total - 70.

Whereupon the Speaker declared that [S 1087](#) passed the House. Title was approved and the bill ordered returned to the Senate.

#### [S 1088](#), as amended - FISH AND GAME

[S 1088](#), as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Vander Woude to open debate.

The question being, "Shall [S 1088](#), as amended, pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 68.

NAYS—None.

Absent—Kerby, Wintrow. Total - 2.

Total - 70.

Whereupon the Speaker declared that [S 1088](#), as amended, passed the House. Title was approved and the bill ordered returned to the Senate.

#### [S 1093](#) - PRETRIAL SUPERVISION

[S 1093](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Gannon to open debate.

The question being, "Shall [S 1093](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kingsley, Lickley, Marshall, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 67.

NAYS—None.

Absent—Kerby, Mason, Wintrow. Total - 3.

Total - 70.

Whereupon the Speaker declared that [S 1093](#) passed the House. Title was approved and the bill ordered returned to the Senate.

#### [S 1116](#) - LIQUOR ACCOUNT

[S 1116](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Ehardt to open debate.

The question being, "Shall [S 1116](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle,

Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 67.

NAYS–Moyle. Total - 1.

Absent–Kerby, Wintrow. Total - 2.

Total - 70.

Whereupon the Speaker declared that [S 1116](#) passed the House. Title was approved and the bill ordered returned to the Senate.

### [S 1122](#) - JUVENILES

[S 1122](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Gannon to open debate.

The question being, "Shall [S 1122](#) pass?"

Roll call resulted as follows:

AYES–Abernathy, Addis, Amador, Anderson, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Goesling, Green(18), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 61.

NAYS–Andrus, Armstrong, Christensen, Dixon, Giddings, Green(2). Total - 6.

Absent–Anderst, Kerby, Wintrow. Total - 3.

Total - 70.

Whereupon the Speaker declared that [S 1122](#) passed the House. Title was approved and the bill ordered returned to the Senate.

### [S 1123](#) - COURTS

[S 1123](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Amador to open debate.

The question being, "Shall [S 1123](#) pass?"

Roll call resulted as follows:

AYES–Addis, Amador, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Clow, Collins, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Furniss, Gestrin, Gibbs, Goesling, Green(18), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Moon, Nichols, Raybould, Raymond, Ricks, Rubel, Scott, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 53.

NAYS–Abernathy, Anderson, Chew, Christensen, Crane, Erpelding, Gannon, Giddings, Green(2), Monks, Moyle, Smith, Wisniewski. Total - 13.

Absent–Kerby, Palmer, Shepherd, Wintrow. Total - 4.

Total - 70.

Whereupon the Speaker declared that [S 1123](#) passed the House. Title was approved and the bill ordered returned to the Senate.

### [S 1134](#) - JURIES

[S 1134](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Hartgen to open debate.

The question being, "Shall [S 1134](#) pass?"

Roll call resulted as follows:

AYES–Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Hartgen, Holtzclaw, Horman, Kauffman, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 65.

NAYS–None.

Absent–Collins, Harris, Kerby, Palmer, Wintrow. Total - 5.

Total - 70.

Whereupon the Speaker declared that [S 1134](#) passed the House. Title was approved and the bill ordered returned to the Senate.

### [S 1108](#) - EDUCATION

[S 1108](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Raymond to open debate.

The question being, "Shall [S 1108](#) pass?"

Roll call resulted as follows:

AYES–Abernathy, Amador, Anderson, Anderst, Berch, Boyle, Chew, Clow, Davis, Ellis, Erpelding, Furniss, Gannon, Gibbs, Green(18), Hartgen, Horman, Kauffman, Lickley, Mason, Raybould, Raymond, Ricks, Rubel, Smith, Toone, Vander Woude, Wagoner, Wood, Youngblood. Total - 30.

NAYS–Addis, Andrus, Armstrong, Barbieri, Blanksma, Chaney, Christensen, Collins, Crane, Dayley, DeMordaunt, Dixon, Ehardt, Gestrin, Giddings, Goesling, Green(2), Harris, Holtzclaw, Kingsley, Marshall, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Scott, Shepherd, Stevenson, Syme, Troy, Wisniewski, Young, Zito, Zollinger, Mr. Speaker. Total - 38.

Absent–Kerby, Wintrow. Total - 2.

Total - 70.

Whereupon the Speaker declared that [S 1108](#) failed to pass the House and ordered the bill returned to the Senate.

**S 1193 - APPROPRIATIONS - SPECIAL PROGRAMS**

S 1193 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Amador to open debate.

The question being, "Shall S 1193 pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Berch, Blanksma, Chew, Clow, Collins, Davis, Ellis, Erpelding, Furniss, Gannon, Gibbs, Goesling, Green(18), Hartgen, Holtzclaw, Horman, Kauffman, Lickley, Marshall, Mason, McCrostie, Raybould, Raymond, Ricks, Rubel, Smith, Syme, Toone, Troy, Wagoner, Wood, Youngblood, Mr. Speaker. Total - 38.

NAYS—Andrus, Armstrong, Barbieri, Boyle, Chaney, Christensen, Crane, Dayley, DeMordaunt, Dixon, Ehardt, Gestrin, Giddings, Green(2), Harris, Kingsley, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Scott, Shepherd, Stevenson, Vander Woude, Wisniewski, Young, Zito, Zollinger. Total - 30.

Absent—Kerby, Wintrow. Total - 2.  
Total - 70.

Whereupon the Speaker declared that S 1193 passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. McCrostie, having voted on the prevailing side, served notice that he may ask for reconsideration of the vote by which S 1108 failed the House.

S 1108 was ordered held at the Desk.

**S 1194 - APPROPRIATIONS - DEPARTMENT OF ADMINISTRATION**

S 1194 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Anderson to open debate.

The question being, "Shall S 1194 pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Berch, Blanksma, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Hartgen, Holtzclaw, Horman, Kauffman, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 62.

NAYS—Barbieri, Boyle, Green(2), Harris. Total - 4.  
Absent—DeMordaunt, Kerby, Shepherd, Wintrow. Total - 4.  
Total - 70.

Whereupon the Speaker declared that S 1194 passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Thirteenth Order of Business.

**13TH ORDER****Miscellaneous and Unfinished Business**

Notice having been served and having voted on the prevailing side, Mr. McCrostie moved that the House reconsider the vote by which S 1108 failed the House. Seconded by Mr. Erpelding.

The question being, "Shall the motion carry?"

Roll call resulted as follows:

AYES—Abernathy, Amador, Anderst, Berch, Boyle, Chew, Clow, Davis, Ellis, Erpelding, Furniss, Gannon, Gibbs, Green(18), Hartgen, Horman, Lickley, Marshall, Mason, McCrostie, Raybould, Raymond, Rubel, Smith, Toone, Wagoner, Wood, Youngblood. Total - 28.

NAYS—Addis, Anderson, Andrus, Armstrong, Barbieri, Blanksma, Chaney, Christensen, Collins, Crane, Dayley, DeMordaunt, Dixon, Ehardt, Gestrin, Giddings, Goesling, Green(2), Harris, Holtzclaw, Kauffman, Kingsley, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Ricks, Scott, Stevenson, Syme, Troy, Vander Woude, Wisniewski, Young, Zito, Zollinger, Mr. Speaker. Total - 39.

Absent—Kerby, Shepherd, Wintrow. Total - 3.  
Total - 70.

Whereupon the Speaker declared the motion to reconsider failed to carry and S 1108, having failed the House, was returned to the Senate.

There being no objection, the House advanced to the Fifteenth Order of Business.

**15TH ORDER****Announcements**

Announcements were made to the body.

**16TH ORDER****Adjournment**

Mr. Moyle moved that the House adjourn until 10 a.m., Wednesday, March 20, 2019. Seconded by Mr. Erpelding. Motion carried.

Whereupon the Speaker declared the House adjourned at 12:31 p.m.

SCOTT BEDKE, Speaker

ATTEST:

CARRIE MAULIN, Chief Clerk



# HOUSE JOURNAL

OF THE

## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-FIFTH LEGISLATURE

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SEVENTY-THIRD LEGISLATIVE DAY  
WEDNESDAY, MARCH 20, 2019

House of Representatives

The House convened at 10 a.m., the Speaker in the Chair.

Roll call showed 68 members present.

Absent and excused - Boyle and Clow. Total - 2.  
Total - 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Sawyer Greaves, Page.

### 3RD ORDER

#### Approval of Journal

March 20, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Seventy-second Legislative Day and recommend that same be adopted as corrected.

DAYLEY, Chairman

Mr. Dayley moved that the report be adopted. Seconded by Mr. Gannon. Report adopted.

### 4TH ORDER

#### Consideration of Messages from the Governor and the Senate

March 19, 2019

Mr. Speaker:

I transmit herewith enrolled [S 1155](#), [S 1119](#), [S 1097](#), [S 1011](#), [S 1170](#), and [S 1059](#) for the signature of the Speaker.

NOVAK, Secretary

The Speaker announced he was about to sign enrolled [S 1155](#), [S 1119](#), [S 1097](#), [S 1011](#), [S 1170](#), and [S 1059](#) when so signed, ordered them returned to the Senate.

March 19, 2019

Mr. Speaker:

I return herewith enrolled [H 212](#), [H 232](#), [H 234](#), [H 235](#), [H 236](#), [H 237](#), [H 238](#), [H 114](#), [H 117](#), and [H 181](#) which have been signed by the President.

NOVAK, Secretary

Enrolled [H 212](#), [H 232](#), [H 234](#), [H 235](#), [H 236](#), [H 237](#), [H 238](#), [H 114](#), [H 117](#), and [H 181](#) were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

March 19, 2019

Mr. Speaker:

I transmit herewith [SCR 111](#), [S 1199](#), and [S 1200](#) which have passed the Senate.

NOVAK, Secretary

[SCR 111](#), [S 1199](#), and [S 1200](#) were filed for first reading.

March 19, 2019

Mr. Speaker:

I return herewith [HCR 17](#), [H 192](#), [H 245](#), [H 246](#), [H 177](#), [H 164](#), [H 184](#), [H 201](#), [H 244](#), [H 141](#), [H 207](#), [H 209](#), and [H 191](#) which have passed the Senate.

NOVAK, Secretary

[HCR 17](#), [H 192](#), [H 245](#), [H 246](#), [H 177](#), [H 164](#), [H 184](#), [H 201](#), [H 244](#), [H 141](#), [H 207](#), [H 209](#), and [H 191](#) were referred to the Judiciary, Rules, and Administration Committee for enrolling.

### 5TH ORDER

#### Report of Standing Committees

March 20, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have printed [H 278](#) and [H 279](#).

DAYLEY, Chairman

[H 278](#) and [H 279](#) were referred to the Revenue and Taxation Committee.

March 20, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have enrolled [H 97](#), [H 180](#), [H 176](#), [H 167](#), [H 168](#), and [H 144](#).

DAYLEY, Chairman

The Speaker announced he was about to sign enrolled [H 97](#), [H 180](#), [H 176](#), [H 167](#), [H 168](#), and [H 144](#) and, when so signed, ordered them transmitted to the Senate for the signature of the President.

March 20, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have transmitted enrolled [H 160](#), [H 165](#), [H 200](#), [H 215](#), [H 219](#), [H 220](#), [H 221](#), [H 222](#), [H 223](#), [H 224](#), [H 225](#), [H 116](#), [H 112](#), [H 150](#), [H 227](#), [H 124](#), [H 158](#), as amended, [H 230](#), [H 231](#), and [H 233](#) to the Governor at 10:15 a.m., as of this date, March 19, 2019.

DAYLEY, Chairman

March 19, 2019

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration [S 1074](#), as amended, and recommend that it do pass.

WOOD, Chairman

[S 1074](#), as amended, was filed for second reading.



March 19, 2019

Mr. Speaker:

We, your COMMITTEE ON BUSINESS, report that we have had under consideration [H 275](#), [S 1152](#), [S 1182](#), and [SCR 106](#) and recommend that they do pass.

DIXON, Chairman

[H 275](#), [S 1152](#), [S 1182](#), and [SCR 106](#) were filed for second reading.

March 19, 2019

Mr. Speaker:

We, your COMMITTEE ON RESOURCES AND CONSERVATION, report that we have had under consideration [S 1151](#), [SJM 105](#), and [SJM 106](#) and recommend that they do pass.

GIBBS, Chairman

[S 1151](#), [SJM 105](#), and [SJM 106](#) were filed for second reading.

March 19, 2019

Mr. Speaker:

We, your COMMITTEE ON RESOURCES AND CONSERVATION, return misdirected [SCR 110](#) to the Desk.

GIBBS, Chairman

[SCR 110](#) was referred to Agricultural Affairs Committee.

March 19, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have had under consideration [S 1003](#), as amended, [S 1110](#), as amended, and [S 1146](#) and recommend that they do pass.

DAYLEY, Chairman

[S 1003](#), as amended, [S 1110](#), as amended, and [S 1146](#) were filed for second reading.

March 19, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have had under consideration [H 118](#), as amended, as amended in the Senate, and recommend concurrence with Senate Amendments.

DAYLEY, Chairman

Mr. Chaney asked unanimous consent that the House concur in the Senate amendments to [H 118](#), as amended, as amended in the Senate, as recommended by the committee. There being no objection, it was so ordered.

[H 118](#), as amended, as amended in the Senate, was referred to the Judiciary, Rules, and Administration Committee for engrossing.

There being no objection, the House returned to the Fourth Order of Business.

**4TH ORDER**  
**Consideration of Messages from the Governor and the Senate**

OFFICE OF THE GOVERNOR  
Boise

March 19, 2019

The Honorable Scott Bedke  
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House bills, to wit:

[H 112](#), [H 124](#), [H 150](#), [H 160](#), [H 165](#), [H 200](#), [H 215](#), [H 219](#), [H 220](#), [H 221](#), [H 222](#), [H 223](#), [H 224](#), [H 225](#), [H 227](#), [H 230](#), [H 231](#), and [H 233](#)

Sincerely,  
/s/ Brad Little  
Governor

There being no objection, the House advanced to the Seventh Order of Business.

**7TH ORDER**  
**Motions, Memorials, and Resolutions**

[SCR 111](#), by State Affairs Committee, was introduced, read the first time by title, and referred to the Education Committee.

**8TH ORDER**  
**Introduction, First Reading, and Reference of Bills and Joint Resolutions**

**HOUSE BILL NO. 280**  
**BY HEALTH AND WELFARE COMMITTEE**  
AN ACT

RELATING TO MOTOR VEHICLES; AMENDING CHAPTER 6, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-675, IDAHO CODE, TO PROHIBIT SMOKING, VAPING, OR IGNITING AN OBJECT OR ACTIVATING A DEVICE FOR THE PURPOSE OF SMOKING OR VAPING IN A MOTOR VEHICLE IF A MINOR IS PRESENT, TO PROVIDE THAT ENFORCEMENT OF THIS SECTION MAY BE ACCOMPLISHED ONLY AS A SECONDARY ACTION, TO PROVIDE A PENALTY, TO PROVIDE THAT CONVICTION UNDER THIS SECTION SHALL NOT RESULT IN VIOLATION POINT COUNTS OR BE CONSIDERED A MOVING TRAFFIC VIOLATION, AND TO DEFINE TERMS.

**HOUSE BILL NO. 281**  
**BY APPROPRIATIONS COMMITTEE**  
AN ACT

RELATING TO APPROPRIATIONS OF MONEYS FOR FISCAL YEAR 2019 AND FISCAL YEAR 2020; APPROPRIATING AND TRANSFERRING MONEYS FROM THE CONSUMER PROTECTION FUND TO THE GENERAL FUND FOR FISCAL YEAR 2019; APPROPRIATING AND TRANSFERRING MONEYS FROM THE OPPORTUNITY SCHOLARSHIP FUND TO THE PUBLIC EDUCATION STABILIZATION FUND FOR FISCAL YEAR 2020;

APPROPRIATING AND TRANSFERRING MONEYS FROM THE GENERAL FUND TO THE PUBLIC EDUCATION STABILIZATION FUND FOR FISCAL YEAR 2020; APPROPRIATING AND TRANSFERRING MONEYS FROM THE GENERAL FUND TO THE TECHNOLOGY INFRASTRUCTURE STABILIZATION FUND FOR FISCAL YEAR 2020; APPROPRIATING AND TRANSFERRING MONEYS FROM THE GENERAL FUND TO THE DISASTER EMERGENCY FUND FOR FISCAL YEAR 2020; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 282**  
**BY APPROPRIATIONS COMMITTEE**  
AN ACT

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF COMMERCE FOR FISCAL YEAR 2020; APPROPRIATING MONEYS TO THE DEPARTMENT OF COMMERCE FOR FISCAL YEAR 2020; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

**HOUSE BILL NO. 283**  
**BY APPROPRIATIONS COMMITTEE**  
AN ACT

RELATING TO THE APPROPRIATION TO THE WORKFORCE DEVELOPMENT COUNCIL FOR FISCAL YEAR 2020; APPROPRIATING MONEYS TO THE WORKFORCE DEVELOPMENT COUNCIL FOR FISCAL YEAR 2020; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

[H 280](#), [H 281](#), [H 282](#), and [H 283](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

[S 1199](#) and [S 1200](#), by Finance Committee, were introduced, read the first time by title, and filed for second reading.

There being no objection, the House advanced to the Tenth Order of Business.

**10TH ORDER**

**Second Reading of Bills and Joint Resolutions**

[H 270](#), by State Affairs Committee, was read the second time by title and filed for third reading.

[S 1131](#), as amended, by State Affairs Committee, was read the second time by title and filed for third reading.

[S 1061](#), as amended, by Education Committee, was read the second time by title and filed for third reading.

[S 1187](#), [S 1188](#), [S 1189](#), [S 1190](#), [S 1191](#), [S 1192](#), [S 1197](#), and [S 1198](#), by Finance Committee, were read the second time by title and filed for third reading.

There being no objection, the House returned to the Seventh Order of Business.

**7TH ORDER**

**Motions, Memorials, and Resolutions**

**[H 270](#) - ELECTIONS**

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of [H 270](#) 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 270](#) be read the third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Erpelding.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Chaney, Christensen, Collins, Crane, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 64.

NAYS—Giddings. Total - 1.

Absent—Boyle, Chew, Clow, Davis, Wagoner. Total - 5.

Total - 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [H 270](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. DeMordaunt to open debate.

The question being, "Shall [H 270](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Chaney, Chew, Collins, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gestrin, Gibbs, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, Mendive, Monks, Moon, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 61.

NAYS—Amador, Christensen, Crane, Gannon, Giddings, McCrostie, Moyle. Total - 7.

Absent—Boyle, Clow. Total - 2.

Total - 70.

Whereupon the Speaker declared that [H 270](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

There being no objection, the House advanced to the Eleventh Order of Business.

**11TH ORDER**

**Third Reading of Bills and Joint Resolutions**

**[H 251](#) - STATE GOVERNMENT**

[H 251](#) was read the third time at length, section by section, and placed before the House for final consideration.



McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 67.

NAYS—Giddings. Total - 1.

Absent—Boyle, Clow. Total - 2.

Total - 70.

Whereupon the Speaker declared that [H 202](#), as amended, passed the House. Title was approved and the bill ordered transmitted to the Senate.

#### [H 199](#), as amended - CONCEALED WEAPONS

[H 199](#), as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Zollinger to open debate.

The question being, "Shall [H 199](#), as amended, pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Chaney, Chew, Christensen, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 68.

NAYS—None.

Absent—Boyle, Clow. Total - 2.

Total - 70.

Whereupon the Speaker declared that [H 199](#), as amended, passed the House. Title was approved and the bill ordered transmitted to the Senate.

#### [H 229](#), as amended - ELECTRICAL OCCUPATIONS

[H 229](#), as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Crane to open debate.

Pursuant to Rule 38(3), Mr. Dixon disclosed a conflict of interest regarding [H 229](#), as amended.

Pursuant to Rule 38(3), Mr. Abernathy disclosed a conflict of interest regarding [H 229](#), as amended.

The question being, "Shall [H 229](#), as amended, pass?"

Roll call resulted as follows:

AYES—Addis, Amador, Anderst, Andrus, Armstrong, Barbieri, Blanksma, Boyle, Chaney, Christensen, Collins, Crane, Dayley, DeMordaunt, Dixon, Ehardt, Gestrin, Gibbs, Giddings, Goesling, Green(2), Harris, Holtzclaw, Kerby, Kingsley, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raymond, Ricks, Scott, Shepherd, Stevenson, Syme, Troy, Vander Woude, Wagoner, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 45.

NAYS—Abernathy, Anderson, Berch, Chew, Davis, Ellis, Erpelding, Furniss, Gannon, Green(18), Hartgen, Horman,

Kauffman, Lickley, Marshall, Mason, McCrostie, Raybould, Rubel, Smith, Toone, Wintrow, Wisniewski, Wood. Total - 24.

Absent—Clow. Total - 1.

Paired Votes:

AYE - Boyle

NAY - Chew

(Pairs enumerated in roll call above.)

Total - 70.

Whereupon the Speaker declared that [H 229](#), as amended, passed the House. Title was approved and the bill ordered transmitted to the Senate.

#### [SCR 103](#) - DEPARTMENT OF ADMINISTRATION - RULE REJECTION

[SCR 103](#) was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Armstrong to open debate.

The question being, "Shall [SCR 103](#) be adopted?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Chaney, Chew, Christensen, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ellis, Erpelding, Furniss, Gannon, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 65.

NAYS—None.

Absent—Boyle, Clow, Ehardt, Gestrin, Troy. Total - 5.

Total - 70.

Whereupon the Speaker declared [SCR 103](#) adopted and ordered the resolution returned to the Senate.

Mr. Moyle moved that the House recess until 3 p.m. Seconded by Mr. Erpelding. Motion carried.

Whereupon the Speaker declared the House at recess until 3 p.m.

#### RECESS

#### Afternoon Session

The House reconvened at 3 p.m., the Speaker in the Chair.

Prior to recess, the House was at the Eleventh Order of Business.

#### [SJM 102](#) - FEDERAL REGULATIONS

[SJM 102](#) was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Dayley to open debate.

At this time, Mr. Moyle took the Chair.

The question being, "Shall [SJM 102](#) be adopted?"





**5TH ORDER**  
**Report of Standing Committees**

March 20, 2019

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration [S 1180](#) and recommend that it do pass.

CLOW, Chairman

[S 1180](#) was filed for second reading.

March 20, 2019

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration [H 93](#), as amended in the Senate, and recommend concurrence with Senate Amendments.

CLOW, Chairman

Mrs. DeMordaunt asked unanimous consent that the House concur in the Senate amendments to [H 93](#), as amended in the Senate, as recommended by the committee. There being no objection, it was so ordered.

[H 93](#), as amended in the Senate, was referred to the Judiciary, Rules, and Administration Committee for engrossing.

March 20, 2019

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration [H 277](#) and report it back without recommendation.

WOOD, Chairman

[H 277](#) was filed for second reading.

There being no objection, the House advanced to the Fifteenth Order of Business.

**15TH ORDER**  
**Announcements**

Announcements were made to the body.

**16TH ORDER**  
**Adjournment**

Mr. Moyle moved that the House adjourn until 10 a.m., Thursday, March 21, 2019. Seconded by Mr. Erpelding. Motion carried.

Whereupon the Speaker declared the House adjourned at 4:29 p.m.

SCOTT BEDKE, Speaker

ATTEST:

CARRIE MAULIN, Chief Clerk



# HOUSE JOURNAL

OF THE

## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-FIFTH LEGISLATURE

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SEVENTY-FOURTH LEGISLATIVE DAY  
THURSDAY, MARCH 21, 2019

House of Representatives

The House convened at 10 a.m., the Speaker in the Chair.

Roll call showed 69 members present.  
Absent and excused - Boyle. Total - 1.  
Total - 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Audrie Earle, Page.

### 3RD ORDER

#### Approval of Journal

March 21, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Seventy-third Legislative Day and recommend that same be adopted as corrected.

DAYLEY, Chairman

Mr. Dayley moved that the report be adopted. Seconded by Mr. Gannon. Report adopted.

### 4TH ORDER

#### Consideration of Messages from the Governor and the Senate

March 20, 2019

Mr. Speaker:

I transmit herewith enrolled [S 1075](#), as amended, [S 1129](#), as amended, [S 1050](#), [S 1087](#), [S 1088](#), as amended, [S 1093](#), [S 1116](#), [S 1122](#), [S 1123](#), [S 1134](#), [S 1193](#), and [S 1194](#) for the signature of the Speaker.

NOVAK, Secretary

The Speaker announced he was about to sign enrolled [S 1075](#), as amended, [S 1129](#), as amended, [S 1050](#), [S 1087](#), [S 1088](#), as amended, [S 1093](#), [S 1116](#), [S 1122](#), [S 1123](#), [S 1134](#), [S 1193](#), and [S 1194](#) when so signed, ordered them returned to the Senate.

March 20, 2019

Mr. Speaker:

I transmit herewith [SCR 112](#) and [S 1201](#) which have passed the Senate.

NOVAK, Secretary

[SCR 112](#) and [S 1201](#) were filed for first reading.

March 20, 2019

Mr. Speaker:

I return herewith [HCR 18](#), [H 210](#), [H 255](#), [H 256](#), [H 257](#), [H 260](#), [H 261](#), and [H 262](#) which have passed the Senate.

NOVAK, Secretary

[HCR 18](#), [H 210](#), [H 255](#), [H 256](#), [H 257](#), [H 260](#), [H 261](#), and [H 262](#) were referred to the Judiciary, Rules, and Administration Committee for enrolling.

March 19, 2019

Mr. Speaker:

I transmit herewith the Joint Printing Committee report, which has been adopted in the Senate.

NOVAK, Secretary

The Joint Printing Committee report was referred to Report of Select Committees for introduction.

### 5TH ORDER

#### Report of Standing Committees

March 21, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have printed [H 280](#), [H 281](#), [H 282](#), and [H 283](#).

DAYLEY, Chairman

[H 280](#) was referred to the Health and Welfare Committee.

[H 281](#), [H 282](#), and [H 283](#) were filed for second reading.

March 21, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have enrolled [HCR 17](#), [H 192](#), [H 245](#), [H 246](#), [H 177](#), [H 164](#), [H 184](#), [H 201](#), [H 244](#), [H 141](#), [H 207](#), [H 209](#), [H 191](#), and [H 106](#), as amended in the Senate.

DAYLEY, Chairman

The Speaker announced he was about to sign enrolled [HCR 17](#), [H 192](#), [H 245](#), [H 246](#), [H 177](#), [H 164](#), [H 184](#), [H 201](#), [H 244](#), [H 141](#), [H 207](#), [H 209](#), [H 191](#), and [H 106](#), as amended in the Senate, and, when so signed, ordered them transmitted to the Senate for the signature of the President.

March 21, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have engrossed [H 118](#), as amended, as amended in the Senate, and [H 93](#), as amended in the Senate.

DAYLEY, Chairman

[H 118](#), as amended, as amended in the Senate, and [H 93](#), as amended in the Senate, were filed for first reading of engrossed bills.

March 21, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have transmitted enrolled [H 212](#), [H 232](#), [H 234](#), [H 235](#), [H 236](#), [H 237](#), [H 238](#), [H 114](#), [H 117](#), and [H 181](#) to the Governor at 10:20 a.m., as of this date, March 20, 2019.

DAYLEY, Chairman

March 20, 2019

Mr. Speaker:

We, your COMMITTEE ON ENVIRONMENT, ENERGY AND TECHNOLOGY, report that we have had under consideration [S 1073](#) and recommend that it do pass.

VANDER WOUDE, Chairman

[S 1073](#) was filed for second reading.

**6TH ORDER**  
**Report of Select Committees**

House of Representatives  
State of Idaho

March 21, 2019

To: Senate Judiciary and Rules Committee  
House Judiciary, Rules and Administration Committee

Pursuant to Section 67-509, Idaho Code:

The Joint Printing Committee recommends the continued endorsement of limiting the printing of the Idaho Session Laws to a total of 150 volumes per session, given the accessibility and decrease in expenditures associated with online access. The Committee also acknowledges there will be a significant decrease in legislative expenditures from the 2018 publishing price of \$4,682 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 time by their respective presiding officers to continue the process of scanning, reviewing, and uploading historic volumes of Idaho Session Laws to the legislative website during the next two legislative interims.

The Joint Printing Committee  
/s/ Senators Lakey and Burgoyne  
/s/ Representatives Dayley and Gannon  
/s/ Secretary Novak  
/s/ Chief Clerk Maulin

The report of the Joint Printing Committee was referred to the Judiciary, Rules and Administration Committee.

There being no objection, the House returned to the Fourth Order of Business.

**4TH ORDER**  
**Consideration of Messages from the  
Governor and the Senate**

OFFICE OF THE GOVERNOR  
Boise

March 21, 2019

The Honorable Scott Bedke  
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House bills, to wit:

[H 114](#), [H 117](#), [H 153](#), [H 181](#), [H 212](#), [H 232](#), [H 234](#), [H 235](#), [H 236](#),  
[H 237](#), and [H 238](#)

Sincerely,  
/s/ Brad Little  
Governor

There being no objection, the House advanced to the Seventh Order of Business.

**7TH ORDER**  
**Motions, Memorials, and Resolutions**

[SCR 112](#), by Judiciary and Rules Committee, was introduced, read the first time by title, and filed for second reading.

**8TH ORDER**  
**Introduction, First Reading, and Reference  
of Bills and Joint Resolutions**

[S 1201](#), by State Affairs Committee, was introduced, read the first time by title, and referred to the Transportation and Defense Committee.

**9TH ORDER**  
**First Reading of Engrossed Bills**

[H 118](#), as amended, as amended in the Senate, by Judiciary, Rules and Administration Committee, was introduced, read the first time by title, and filed for second reading.

[H 93](#), as amended in the Senate, by Education Committee, was introduced, read the first time by title, and filed for second reading.

**10TH ORDER**  
**Second Reading of Bills and Joint Resolutions**

[S 1074](#), as amended, by Health and Welfare Committee, was read the second time by title and filed for third reading.

[H 275](#), by Ways and Means Committee, was read the second time by title and filed for third reading.

[S 1152](#), [S 1182](#), [SCR 106](#), and [S 1151](#), by State Affairs Committee, were read the second time by title and filed for third reading.

[SJM 105](#), by Judiciary and Rules Committee, was read the second time by title and filed for third reading.

[SJM 106](#), by State Affairs Committee, was read the second time by title and filed for third reading.

[S 1003](#), as amended, [S 1110](#), as amended, and [S 1146](#), by Judiciary and Rules Committee, were read the second time by title and filed for third reading.

[S 1199](#) and [S 1200](#), by Finance Committee, were read the second time by title and filed for third reading.

[S 1180](#), by State Affairs Committee, was read the second time by title and filed for third reading.

[H 277](#), by Health and Welfare Committee, was read the second time by title and filed for third reading.

There being no objection, the House advanced to the Twelfth Order of Business.

### 12TH ORDER Consideration of General Orders

Mr. Moyle moved that the House do now resolve itself into a Committee of the Whole House for the consideration of General Orders. Seconded by Mr. Harris. Motion carried.

Whereupon the House resolved itself into a Committee of the Whole House for the consideration of General Orders with Mr. Monks in the Chair.

When the Committee of the Whole House rose, the Speaker returned to the Chair and the House was in order.

#### Report of the Committee of the Whole House

March 21, 2019

Mr. Speaker:

We, your COMMITTEE OF THE WHOLE HOUSE, report that we have had under consideration [S 1113](#), [S 1057](#), and [S 1060](#), as amended, and report them back without recommendation, amended as follows:

#### HOUSE AMENDMENT TO S.B. NO. 1113

##### AMENDMENT TO SECTION 2

On page 6 of the printed bill, in line 8, delete "five hundred dollars (\$500)" and insert: "~~five hundred dollars (\$500)~~ one thousand dollars (\$1,000)".

##### AMENDMENT TO SECTION 3

On page 6, in line 39, delete "supplemental" and insert: "~~supplemental~~"; and in line 40, delete "67-66098," and insert: "~~67-66097~~".

##### AMENDMENT TO THE BILL

On page 7, delete lines 14 through 49; delete pages 8 and 9; and on page 10, delete lines 1 through 20, and insert:

"SECTION 5. That Section 67-6607, Idaho Code, be, and the same is hereby amended to read as follows:

67-6607. REPORTS OF CONTRIBUTIONS AND EXPENDITURES BY CANDIDATES AND POLITICAL COMMITTEES. (a~~1~~) The political treasurer for each candidate and the political treasurer of each political committee shall file with the secretary of state:

(1) ~~Not more than fourteen (14) days and not less than seven (7) days before the date of a primary election in which the candidate or political committee is involved,~~ a statement of all contributions received and all expenditures or encumbrances made by or on behalf of the candidate or political committee ~~prior to the fifteenth day before the primary election;~~ according to the schedule provided in this section. The statement shall itemize each contribution received and each expenditure or encumbrance made during the reporting period and shall include the following:

(a) Under contributions, the statement shall include a list of all the contributions received, including any funds or property of the candidate used to cover expenditures. The statement shall list the full name and complete address of each person who contributed an aggregate amount of more than fifty dollars (\$50.00) and the amount contributed by that person. The statement may list as a single item the total amount of contributions of fifty dollars (\$50.00) or less; and

(b) Under expenditures, the statement shall include the name and address of each person to whom an expenditure or encumbrance was made in the amount of twenty-five dollars (\$25.00) or more, and the amount, date, and purpose of each such expenditure. Each expenditure or encumbrance in the amount of twenty-five dollars (\$25.00) or more shall be evidenced by an invoice, receipt, or canceled check or an accurate copy thereof. Such evidence shall not be filed with the statement but shall be retained by the committee or candidate for a period of one (1) year after the statement has been filed. The statement may list as a single item the total amount of expenditures and encumbrances of less than twenty-five dollars (\$25.00) without showing the exact amount of or requiring evidence of each such expenditure or encumbrance. Anything of value, other than money, paid for or contributed by any person shall be listed both as an expenditure and as a contribution.

(2) ~~Not more than thirty (30) days after the date of a primary election in which a candidate or a political committee is involved,~~ a statement of all contributions received and all expenditures or encumbrances made by or on behalf of the candidate or political committee to cover the period since the fifteenth day before the primary election to and including the tenth day after the primary election;

(3) ~~For all political committees supporting or opposing measures,~~ a statement of all contributions received and all expenditures or encumbrances made by or on behalf of the measure or any candidate or made by or against the measure or any candidate shall be filed on the same dates provided in paragraphs (1), (2), (4), (5) and (6) of this subsection;

(4) ~~Not later than October 10 immediately preceding a general election in which the candidate or political committee is involved,~~ a statement of all contributions received and all expenditures or encumbrances made by or on behalf of the candidate or political committee since and including the eleventh day after the date of the primary election and to and including September 30;

(5) ~~Not more than fourteen (14) days and not less than seven (7) days before the date of a general election in which the candidate or political committee is involved,~~ a statement of all contributions received and all expenditures or encumbrances made by or on behalf of the candidate or political committee since and including October 1 and to and including the sixteenth day before the general election, together with a cumulative statement showing all such contributions and expenditures or encumbrances to and including the sixteenth day before the general election; and (6) ~~Not more than thirty (30) days after the date of a general election in which the candidate or political committee is involved,~~ a statement of all contributions received and all expenditures or encumbrances made by or on behalf of the candidate or political committee to cover the period since the fifteenth day before the general election to and including the tenth day after the general election.

(b~~2~~) For the first report under this section, the reporting period shall cover the period beginning with the first contribution, expenditure, or encumbrance through the end of the current reporting period. The treasurer for a candidate or political committee or ballot measure shall file the report described under subsection (1) of this section as follows:

(a) In the year of the election, a monthly report shall be filed for each month of the year. Each report shall be filed by the tenth day of the month following the month being reported; and

(b) For the nonelection year, an annual report covering the nonelection year shall be filed by January 10 of the following year.

(e3) Notwithstanding any other reports required under this section, the political treasurer for each any candidate and any political committee shall notify the secretary of state, in writing, of any contribution of one thousand dollars (\$1,000) or more, received by the political treasurer after the sixteenth day before, but more than forty-eight (48) hours before, any primary or general election. This notification shall be made within forty-eight (48) hours after the receipt of such contribution and shall include the name of the candidate, political committee or measure, the identification of the contributor, and the date of receipt and amount of the contribution. The notification shall be in addition to the reporting of these contributions in the postelection report regular reports.

(d4) For aAll reports required pursuant to this section shall be filed online with the secretary of state shall accept the date of a postmark as the date of receipt except for the seven (7) day preelection reports which must be received by no later than 5:00 p.m. on the seventh day preceding the primary or general election, unless a waiver has been provided under section 67-6623, Idaho Code, by no later than midnight on the date the filing is due.

(e5) Any rReports required to be filed under the provisions of this section may also shall be filed by means of an electronic facsimile transmission machine and may be filed by other electronic means as approved by the secretary of state until the account no longer shows any unexpended balance of contributions or expenditure deficit.

SECTION 6. That Section 67-6608, Idaho Code, be, and the same is hereby repealed.

SECTION 7. That Chapter 66, Title 67, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 67-6608, Idaho Code, and to read as follows:

67-6608. SPECIAL PROVISION FOR LOCAL ELECTIONS AND MEASURES. (1) The political treasurer for a candidate for a local government office, or for a political committee that is specifically designated to support or oppose a candidate or local ballot measure, is exempt from filing reports under section 67-6607, Idaho Code, unless and until such time as the candidate receives contributions or expends funds in the amount of five hundred dollars (\$500) or more. Within seven (7) calendar days of the five hundred dollar (\$500) threshold being met, the political treasurer for the candidate shall file a cumulative report covering the period from the first contribution or expenditure to the current date and shall file all subsequent reports according to section 67-6607, Idaho Code, regardless of amounts received or expended.

(2) The political treasurer for a political committee that is not specifically designated to support or oppose any candidate or measure, but that receives contributions and makes expenditures for the purpose of supporting or opposing a candidate for local government office or local ballot measure, is exempt from filing reports under section 67-6607, Idaho Code, unless and until such time as the political committee receives contributions or expends funds in the amount of one thousand dollars (\$1,000) or more. Within seven (7) calendar days of the one thousand dollar (\$1,000) threshold being met, the political treasurer for the political committee shall file a cumulative report covering the period from the first contribution or expenditure to the current date and shall file all subsequent reports according to

section 67-6607, Idaho Code, regardless of amounts received or expended.

SECTION 8. That Section 67-6609, Idaho Code, be, and the same is hereby amended to read as follows:

67-6609. STATEMENT AS TO NO CONTRIBUTION OR EXPENDITURE. If no contribution is received or expenditure made by or on behalf of a candidate or political committee during a period described in section 67-6607 or 67-6608, Idaho Code, the political treasurer for the candidate or political committee shall file with the Secretary of State, at the time required by such section of this act for the period, a statement to that effect.";

and renumber subsequent sections accordingly.

#### AMENDMENT TO THE BILL

On page 12, following line 11, insert:  
"SECTION 11. That Section 67-6612, Idaho Code, be, and the same is hereby repealed.";

and renumber subsequent sections accordingly.

#### AMENDMENT TO SECTION 14

On page 14, in line 48, delete "immediately" and insert: "forty-eight (48) hours".

#### CORRECTION TO TITLE

On page 1, in line 11, following "COMMITTEES;" insert: "REPEALING SECTION 67-6608, IDAHO CODE, RELATING TO THE DISPOSITION OF UNEXPENDED BALANCES;" in line 12, delete "67-6607A" and insert: "67-6608"; delete line 14; in line 15, delete "UNEXPENDED BALANCES OR CAMPAIGN DEBT" and insert: "SECTION 67-6609, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS;" in line 19, following "CORRECTIONS;" insert: "REPEALING SECTION 67-6612, IDAHO CODE, RELATING TO THE CONTENT OF CAMPAIGN FINANCE REPORTS;" and in line 30, following "TO" insert: "REVISE PROVISIONS REGARDING THE ISSUANCE OF A LATE FEE AND TO".

#### HOUSE AMENDMENT TO S.B. NO. 1057

##### AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 25, delete "and"; in line 30, following "tion" insert: "; and"; and delete lines 31 and 32, and insert:

"(vi) Include a report of progress toward the previous year's improvement goals."

#### HOUSE AMENDMENT TO S.B. NO. 1060, As Amended

##### AMENDMENT TO SECTION 1

On page 1 of the engrossed bill, following line 22, insert:  
"(4) "Participation portfolio" means a description of a student's nonacademic and cocurricular activities including, but not limited to, student government, sports, music ensembles, theater, clubs, organizations, work, internships, and volunteering. A participation portfolio should also include any leadership positions a student holds in nonacademic activities.";

delete lines 29 through 31; in line 32, delete "(e)" and insert: "(d)"; also in line 32, delete "." and insert: ","; and following line 32, insert:

"(e) Files with the student's school:

(i) Notification of the student's intent to take a flexible schedule;

- (ii) The student's participation portfolio; and
- (iii) An essay of at least one (1) page explaining why the student wishes to have a flexible schedule and outlining the student's future plans using such flexible schedule; and

(f) Completes:

- (i) The civics test required by section 33-1602, Idaho Code; and
- (ii) The economics credit, government credits, and senior project required under the board's graduation requirements, provided that the student's senior project may describe the student's experience in achieving a college and career readiness score and include a detailed explanation of the student's future plans."

On page 2, following line 2, insert:

"(3) A student with a flexible schedule must adhere to the plans described pursuant to subsection (1)(e) of this section. If the student is under the age of eighteen (18) years, the student's plans may be modified with the approval of the student's parent or guardian.";

in line 6, following "(2)" insert: "(a)"; and delete lines 14 through 16, and insert:

"(e) Files with the student's school:

- (i) Notification of the student's intent to graduate early;
- (ii) The student's participation portfolio; and
- (iii) An essay of at least one (1) page explaining why the student wishes to graduate early and outlining the student's future education or training plans if the student graduates early; and";

and delete lines 30 through 46.

On page 3, delete lines 1 through 11; in line 12, delete "6106" and insert: "6105"; in line 13, delete "and"; following line 13, insert:

"(2) Ensure, through rules established by the board, that any funds distributed pursuant to section 33-6103, Idaho Code, are used for the purpose described in that section; and"; and in line 14, delete "(2)" and insert: "(3)".

#### CORRECTION TO TITLE

On page 1, in line 6, delete "TO PROVIDE FOR CER-"; and in line 7, delete "TAIN FUNDING AVAILABLE TO EARLY GRADUATES AND THEIR HIGH SCHOOLS,".

MONKS, Chairman

Mr. Monks moved that the report be adopted. Seconded by Mr. Erpelding.

Whereupon the Speaker declared the report adopted.

[S 1113](#), as amended in the House, [S 1057](#), as amended in the House, and [S 1060](#), as amended, as amended in the House, were filed for first reading.

The amendments were referred to Judiciary, Rules, and Administration committee for printing.

There being no objection, the House returned to the Seventh Order of Business.

### 7TH ORDER

#### Motions, Memorials, and Resolutions

##### [H 277](#) - MEDICAID

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of [H 277](#) 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 277](#) be read the third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Erpelding.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Blanksma, Chaney, Christensen, Clow, Collins, Crane, Dayley, DeMordaunt, Dixon, Ehardt, Furniss, Gestrin, Gibbs, Giddings, Goesling, Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Scott, Shepherd, Stevenson, Syme, Troy, Vander Woude, Wagoner, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 55.

NAYS—Abernathy, Berch, Chew, Davis, Ellis, Erpelding, Gannon, Green(18), Mason, McCrostie, Rubel, Smith, Toone, Wintrow. Total - 14.

Absent—Boyle. Total - 1.

Total - 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [H 277](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Vander Woude to open debate.

Ms. Chew asked unanimous consent that, pursuant to Rule 22, discussion of [H 249](#) be allowed in debate of [H 277](#). Mr. Palmer objected.

Mr. Moyle moved that the House recess until 3 p.m. Seconded by Mr. Erpelding. Motion carried.

Whereupon the Speaker declared the House at recess until 3 p.m.

#### RECESS

#### Afternoon Session

The House reconvened at 3 p.m., the Speaker in the Chair.

Prior to recess, the House was at the Seventh Order of Business.

Mr. Wood asked unanimous consent that, pursuant to Rule 22, discussion of other pending legislation be allowed in debate of [H 277](#). There being no objection it was so ordered.

Mrs. Blanksma asked unanimous consent that, pursuant to Rule 22, discussion of other pending legislation be allowed in debate of [H 277](#). There being no objection it was so ordered.

The question being, "Shall [H 277](#) pass?"

Roll call resulted as follows:

AYES—Addis, Anderst, Andrus, Armstrong, Barbieri, Blanksma, Boyle, Chaney, Christensen, Clow, Collins, Crane, Dayley, DeMordaunt, Dixon, Ehardt, Furniss, Gestrin, Giddings, Green(2), Harris, Hartgen, Holtzclaw, Horman, Kerby, Marshall, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raymond,



Ricks, Scott, Shepherd, Stevenson, Syme, Vander Woude, Wisniewski, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 45.

NAYS—Abernathy, Amador, Anderson, Berch, Chew, Davis, Ellis, Erpelding, Gannon, Gibbs, Goesling, Green(18), Kauffman, Kingsley, Lickley, Mason, McCrostie, Raybould, Rubel, Smith, Toone, Troy, Wagoner, Wintrow, Wood. Total - 25.

Paired Votes:

AYE - Boyle	NAY - Gibbs
AYE - Chaney	NAY - Amador
AYE - Kerby	NAY - Wagoner

(Pairs enumerated in roll call above.)

Total - 70.

Whereupon the Speaker declared that [H 277](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

### 8TH ORDER

#### Introduction, First Reading, and Reference of Bills and Joint Resolutions

#### HOUSE BILL NO. 284

#### BY APPROPRIATIONS COMMITTEE

AN ACT

RELATING TO THE APPROPRIATION TO THE DIVISION OF FINANCIAL MANAGEMENT FOR FISCAL YEAR 2020; APPROPRIATING ADDITIONAL MONEYS TO THE DIVISION OF FINANCIAL MANAGEMENT FOR FISCAL YEAR 2020; AND AUTHORIZING ADDITIONAL FULL-TIME EQUIVALENT POSITIONS.

#### HOUSE BILL NO. 285

#### BY APPROPRIATIONS COMMITTEE

AN ACT

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF WATER RESOURCES FOR FISCAL YEAR 2019; APPROPRIATING AND TRANSFERRING MONEYS FROM THE GENERAL FUND TO THE WATER MANAGEMENT ACCOUNT FOR FISCAL YEAR 2019; AMENDING SECTION 42-1760, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE WATER MANAGEMENT ACCOUNT; APPROPRIATING AND TRANSFERRING MONEYS FROM THE GENERAL FUND TO THE WATER MANAGEMENT ACCOUNT FOR FLOOD MANAGEMENT FOR FISCAL YEAR 2019; PROVIDING REQUIREMENTS REGARDING WATER QUALITY MONITORING; PROVIDING REQUIREMENTS REGARDING PROJECT PRIORITIZATION; AND DECLARING AN EMERGENCY.

#### HOUSE BILL NO. 286

#### BY APPROPRIATIONS COMMITTEE

AN ACT

RELATING TO THE APPROPRIATION TO THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM'S DIVISION OF TEACHERS FOR FISCAL YEAR 2020; APPROPRIATING ADDITIONAL MONEYS TO THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM'S DIVISION OF TEACHERS FOR FISCAL YEAR 2020.

#### HOUSE BILL NO. 287

#### BY APPROPRIATIONS COMMITTEE

AN ACT

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF LABOR FOR FISCAL YEAR 2020;

APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF LABOR FOR FISCAL YEAR 2020; AND AUTHORIZING AN ADDITIONAL FULL-TIME EQUIVALENT POSITION.

#### HOUSE BILL NO. 288

#### BY APPROPRIATIONS COMMITTEE

AN ACT

RELATING TO THE APPROPRIATION TO THE IDAHO STATE POLICE FOR FISCAL YEAR 2020; APPROPRIATING ADDITIONAL MONEYS TO THE IDAHO STATE POLICE FOR FISCAL YEAR 2020; AND AUTHORIZING AN ADDITIONAL FULL-TIME EQUIVALENT POSITION.

[H 284](#), [H 285](#), [H 286](#), [H 287](#), and [H 288](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House returned to the Fifth Order of Business.

### 5TH ORDER

#### Report of Standing Committees

March 21, 2019

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration [S 1104](#), as amended, and [SCR 111](#) and recommend that they do pass.

CLOW, Chairman

[S 1104](#), as amended, and [SCR 111](#) were filed for second reading.

There being no objection, the House advanced to the Eleventh Order of Business.

### 11TH ORDER

#### Third Reading of Bills and Joint Resolutions

Mr. Moyle asked unanimous consent that [H 265](#) be placed at the top of the Third Reading Calendar. There being no objection, it was so ordered.

#### [H 265](#) - APPROPRIATIONS - STATE TREASURER

[H 265](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Horman to open debate.

Pursuant to Rule 38(3), Mr. Youngblood disclosed a conflict of interest regarding [H 265](#).

The question being, "Shall [H 265](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd,



Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 66.

NAYS–None.

Absent–Boyle, Chaney, Kerby, Wagoner. Total - 4.

Total - 70.

Whereupon the Speaker declared that [H 265](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle asked unanimous consent that [S 1163](#) be placed at the top of the Third Reading Calendar. There being no objection, it was so ordered.

#### [S 1163](#) - APPROPRIATIONS - HEALTH AND WELFARE

[S 1163](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Wintrow to open debate.

The question being, "Shall [S 1163](#) pass?"

Roll call resulted as follows:

AYES–Abernathy, Addis, Amador, Anderson, Anderst, Berch, Chew, Clow, Collins, Davis, Dayley, DeMordaunt, Ellis, Erpelding, Furniss, Gannon, Gibbs, Goesling, Green(18), Hartgen, Holtzclaw, Kauffman, Lickley, Mason, McCrostie, Monks, Moyle, Raybould, Raymond, Ricks, Rubel, Smith, Syme, Toone, Troy, Vander Woude, Wintrow, Wood, Youngblood, Mr. Speaker. Total - 40.

NAYS–Andrus, Armstrong, Barbieri, Christensen, Crane, Dixon, Ehardt, Gestrin, Giddings, Green(2), Harris, Horman, Kingsley, Marshall, Mendive, Moon, Nichols, Palmer, Scott, Shepherd, Stevenson, Wisniewski, Young, Zito, Zollinger. Total - 25.

Absent–Blanksma, Boyle, Chaney, Kerby, Wagoner. Total - 5.

Total - 70.

Whereupon the Speaker declared that [S 1163](#) passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Moyle asked unanimous consent that [S 1185](#) be placed at the top of the Third Reading Calendar. There being no objection, it was so ordered.

#### [S 1185](#) - APPROPRIATIONS - HEALTH AND WELFARE - FAMILY AND COMMUNITY SERVICES

[S 1185](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Amador to open debate.

The question being, "Shall [S 1185](#) pass?"

Roll call resulted as follows:

AYES–Addis, Amador, Anderson, Anderst, Berch, Blanksma, Clow, Collins, Dayley, DeMordaunt, Furniss, Gannon, Gestrin, Gibbs, Goesling, Hartgen, Holtzclaw, Horman, Kauffman, Lickley, Marshall, Mason, McCrostie, Monks, Moyle, Raybould, Raymond, Ricks, Rubel, Shepherd, Syme, Toone, Troy, Vander Woude, Wintrow, Wood, Young, Youngblood, Mr. Speaker. Total - 39.

NAYS–Abernathy, Andrus, Armstrong, Barbieri, Chew, Christensen, Crane, Davis, Dixon, Ehardt, Ellis, Erpelding, Giddings, Green(18), Green(2), Harris, Kingsley, Mendive, Moon, Nichols, Palmer, Scott, Smith, Stevenson, Wisniewski, Zito, Zollinger. Total - 27.

Absent–Boyle, Chaney, Kerby, Wagoner. Total - 4.

Total - 70.

Whereupon the Speaker declared that [S 1185](#) passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Moyle asked unanimous consent that [S 1023](#) be placed at the top of the Third Reading Calendar. There being no objection, it was so ordered.

#### [S 1023](#) - ASSAULT AND BATTERY

[S 1023](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Young to open debate.

The question being, "Shall [S 1023](#) pass?"

Roll call resulted as follows:

AYES–Abernathy, Addis, Amador, Anderson, Anderst, Berch, Blanksma, Chew, Clow, Davis, Dayley, Ellis, Erpelding, Furniss, Gannon, Gibbs, Goesling, Green(18), Hartgen, Kauffman, Kingsley, Lickley, Marshall, Mason, McCrostie, Raybould, Raymond, Rubel, Shepherd, Smith, Toone, Troy, Wintrow, Wood, Young, Youngblood, Mr. Speaker. Total - 37.

NAYS–Andrus, Armstrong, Barbieri, Christensen, Collins, Crane, DeMordaunt, Dixon, Ehardt, Gestrin, Giddings, Green(2), Harris, Holtzclaw, Horman, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Ricks, Scott, Stevenson, Syme, Wisniewski, Zito, Zollinger. Total - 28.

Absent–Boyle, Chaney, Kerby, Vander Woude, Wagoner. Total - 5.

Total - 70.

Whereupon the Speaker declared that [S 1023](#) passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Moyle asked unanimous consent that [S 1091](#), as amended, be placed at the top of the Third Reading Calendar. There being no objection, it was so ordered.

#### [S 1091](#), as amended - HOSPITALIZATION OF MENTALLY ILL

[S 1091](#), as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Gannon to open debate.

The question being, "Shall [S 1091](#), as amended, pass?"

Roll call resulted as follows:

AYES–Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Chew, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Goesling, Green(18), Hartgen, Holtzclaw, Horman, Kauffman, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moyle, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Syme, Toone, Troy, Vander Woude, Wintrow, Wisniewski,

Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 59.

NAYS—Christensen, Giddings, Green(2), Harris, Moon, Nichols, Stevenson. Total - 7.

Absent—Boyle, Chaney, Kerby, Wagoner. Total - 4.  
Total - 70.

Whereupon the Speaker declared that [S 1091](#), as amended, passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Moyle asked unanimous consent that [S 1133](#) be placed at the top of the Third Reading Calendar. There being no objection, it was so ordered.

### [S 1133](#) - SPECIAL COMMITTEE ON CRIMINAL JUSTICE REINVESTMENT OVERSIGHT

[S 1133](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. McCrostie to open debate.

The question being, "Shall [S 1133](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Berch, Chew, Collins, Davis, Dayley, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gibbs, Goesling, Green(18), Hartgen, Horman, Kauffman, Kingsley, Lickley, Marshall, Mason, McCrostie, Raybould, Raymond, Ricks, Rubel, Smith, Toone, Troy, Wood, Youngblood, Zollinger, Mr. Speaker. Total - 37.

NAYS—Andrus, Armstrong, Barbieri, Blanksma, Christensen, Clow, Crane, DeMordaunt, Dixon, Gestrin, Giddings, Green(2), Harris, Holtzclaw, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Scott, Shepherd, Stevenson, Syme, Vander Woude, Wisniewski, Young, Zito. Total - 28.

Absent—Boyle, Chaney, Kerby, Wagoner, Wintrow. Total - 5.  
Total - 70.

Whereupon the Speaker declared that [S 1133](#) passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Moyle asked unanimous consent that [S 1131](#), as amended, be placed at the top of the Third Reading Calendar. There being no objection, it was so ordered.

### [S 1131](#), as amended - TRAFFIC ENFORCEMENT

[S 1131](#), as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Kauffman to open debate.

The question being, "Shall [S 1131](#), as amended, pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Berch, Blanksma, Chew, Clow, Davis, Dayley, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Goesling, Green(18), Hartgen, Holtzclaw, Horman, Kauffman, Lickley, Marshall, Mason, McCrostie, Monks, Palmer, Raybould, Raymond, Ricks, Rubel, Smith, Syme, Toone, Troy, Vander Woude, Wood, Young, Youngblood, Mr. Speaker. Total - 43.

NAYS—Armstrong, Barbieri, Christensen, Collins, Crane, DeMordaunt, Dixon, Ehardt, Giddings, Green(2), Harris,

Kingsley, Mendive, Moon, Moyle, Nichols, Scott, Shepherd, Stevenson, Wisniewski, Zito, Zollinger. Total - 22.

Absent—Boyle, Chaney, Kerby, Wagoner, Wintrow. Total - 5.  
Total - 70.

Whereupon the Speaker declared that [S 1131](#), as amended, passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Moyle asked unanimous consent that [S 1190](#) be placed at the top of the Third Reading Calendar. There being no objection, it was so ordered.

### [S 1190](#) - APPROPRIATIONS - SECRETARY OF STATE

[S 1190](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Anderson to open debate.

The question being, "Shall [S 1190](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Barbieri, Berch, Blanksma, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Giddings, Goesling, Green(18), Green(2), Hartgen, Holtzclaw, Horman, Kauffman, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moyle, Palmer, Raybould, Raymond, Rubel, Scott, Shepherd, Smith, Syme, Toone, Troy, Vander Woude, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 55.

NAYS—Andrus, Armstrong, Gibbs, Harris, Moon, Nichols, Ricks, Stevenson. Total - 8.

Absent—Boyle, Chaney, Chew, Gestrin, Kerby, Wagoner, Wintrow. Total - 7.

Total - 70.

Whereupon the Speaker declared that [S 1190](#) passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Moyle asked unanimous consent that [S 1191](#) be placed at the top of the Third Reading Calendar. There being no objection, it was so ordered.

### [S 1191](#) - APPROPRIATIONS - STATE CONTROLLER

[S 1191](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Anderson to open debate.

The question being, "Shall [S 1191](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 65.

NAYS—None.

Absent—Boyle, Chaney, Kerby, Wagoner, Wintrow. Total - 5.  
Total - 70.

Whereupon the Speaker declared that [S 1191](#) passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Moyle asked unanimous consent that [S 1197](#) be placed at the top of the Third Reading Calendar. There being no objection, it was so ordered.

**[S 1197](#) - APPROPRIATIONS - DEPARTMENT OF AGRICULTURE**

[S 1197](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Raybould to open debate.

Pursuant to Rule 38(3), Mr. Mason disclosed a conflict of interest regarding [S 1197](#).

The question being, "Shall [S 1197](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Toone, Troy, Vander Woude, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 64.

NAYS—Syme. Total - 1.

Absent—Boyle, Chaney, Kerby, Wagoner, Wintrow. Total - 5.  
Total - 70.

Whereupon the Speaker declared that [S 1197](#) passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Moyle asked unanimous consent that [S 1198](#) be placed at the top of the Third Reading Calendar. There being no objection, it was so ordered.

**[S 1198](#) - APPROPRIATIONS - DEPARTMENT OF ADMINISTRATION - PERMANENT BUILDING FUND**

[S 1198](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Raybould to open debate.

The question being, "Shall [S 1198](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Chew, Christensen, Clow, Collins, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Shepherd, Smith, Stevenson,

Toone, Vander Woude, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 60.

NAYS—Crane, Moyle, Syme, Troy. Total - 4.

Absent—Boyle, Chaney, Kerby, Scott, Wagoner, Wintrow. Total - 6.

Total - 70.

Whereupon the Speaker declared that [S 1198](#) passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Moyle asked unanimous consent that [S 1192](#) be placed at the top of the Third Reading Calendar. There being no objection, it was so ordered.

**[S 1192](#) - APPROPRIATIONS - DEPARTMENT OF ADMINISTRATION - BOND PAYMENTS PROGRAM**

[S 1192](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Anderson to open debate.

The question being, "Shall [S 1192](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Berch, Blanksma, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 63.

NAYS—Barbieri, Green(2). Total - 2.

Absent—Boyle, Chaney, Kerby, Wagoner, Wintrow. Total - 5.  
Total - 70.

Whereupon the Speaker declared that [S 1192](#) passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Fifteenth Order of Business.

**15TH ORDER  
Announcements**

Announcements were made to the body.

**16TH ORDER  
Adjournment**

Mr. Moyle moved that the House adjourn until 10 a.m., Friday, March 22, 2019. Seconded by Mr. Erpelding. Motion carried.

Whereupon the Speaker declared the House adjourned at 4:59 p.m.

SCOTT BEDKE, Speaker

ATTEST:

CARRIE MAULIN, Chief Clerk

# HOUSE JOURNAL

OF THE

## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-FIFTH LEGISLATURE

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SEVENTY-FIFTH LEGISLATIVE DAY  
FRIDAY, MARCH 22, 2019

House of Representatives

The House convened at 10 a.m., the Speaker in the Chair.

Roll call showed all 70 members present.

Prayer was offered by Representative Clow.

The Pledge of Allegiance was led by Nathan Henrie, Page.

### 3RD ORDER

#### Approval of Journal

March 22, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Seventy-fourth Legislative Day and recommend that same be adopted as corrected.

DAYLEY, Chairman

Mr. Dayley moved that the report be adopted. Seconded by Mr. Gannon. Report adopted.

### 4TH ORDER

#### Consideration of Messages from the Governor and the Senate

March 21, 2019

Mr. Speaker:

I transmit herewith enrolled [SCR 103](#), [SJM 102](#), [SJM 104](#), [S 1139](#), and [S 1140](#) for the signature of the Speaker.

NOVAK, Secretary

The Speaker announced he was about to sign enrolled [SCR 103](#), [SJM 102](#), [SJM 104](#), [S 1139](#), and [S 1140](#) when so signed, ordered them returned to the Senate.

March 21, 2019

Mr. Speaker:

I return herewith enrolled [H 97](#), [H 180](#), [H 176](#), [H 167](#), [H 168](#), and [H 144](#) which have been signed by the President.

NOVAK, Secretary

Enrolled [H 97](#), [H 180](#), [H 176](#), [H 167](#), [H 168](#), and [H 144](#) were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

March 21, 2019

Mr. Speaker:

I transmit herewith [SCR 113](#), [SCR 114](#), [SCR 115](#), [S 1195](#), and [S 1106](#), as amended, which have passed the Senate.

NOVAK, Secretary

[SCR 113](#), [SCR 114](#), [SCR 115](#), [S 1195](#), and [S 1106](#), as amended, were filed for first reading.

March 21, 2019

Mr. Speaker:

I return herewith [H 107](#), as amended in the Senate, which has failed to pass the Senate.

NOVAK, Secretary

[H 107](#), as amended in the Senate, was ordered filed in the office of the Chief Clerk.

### 5TH ORDER

#### Report of Standing Committees

March 22, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have printed House amendments to [S 1113](#), [S 1057](#), and [S 1060](#), as amended.

DAYLEY, Chairman

March 22, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have printed [H 284](#), [H 285](#), [H 286](#), [H 287](#), and [H 288](#).

DAYLEY, Chairman

[H 284](#), [H 285](#), [H 286](#), [H 287](#), and [H 288](#) were filed for second reading.

March 22, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have enrolled [HCR 18](#), [H 210](#), [H 255](#), [H 256](#), [H 257](#), [H 260](#), [H 261](#), and [H 262](#).

DAYLEY, Chairman

The Speaker announced he was about to sign enrolled [HCR 18](#), [H 210](#), [H 255](#), [H 256](#), [H 257](#), [H 260](#), [H 261](#), and [H 262](#) and, when so signed, ordered them transmitted to the Senate for the signature of the President.

March 21, 2019

Mr. Speaker:

We, your COMMITTEE ON BUSINESS, report that we have had under consideration [S 1006](#) and [S 1007](#), as amended, and recommend that they do pass.

DIXON, Chairman

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

March 21, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have had under consideration [HR 5](#) and recommend that it do pass.

DAYLEY, Chairman

[HR 5](#) was filed for second reading.

March 21, 2019

Mr. Speaker:

We, your COMMITTEE ON COMMERCE AND HUMAN RESOURCES, report that we have had under consideration [S 1138](#), as amended, and recommend that it do pass.

HOLTZCLAW, Chairman

[S 1138](#), as amended, was filed for second reading.

March 21, 2019

Mr. Speaker:

We, your COMMITTEE ON RESOURCES AND CONSERVATION, report that we have had under consideration [S 1056](#), as amended, and [S 1178](#), as amended, and recommend that they do pass.

GIBBS, Chairman

[S 1056](#), as amended, and [S 1178](#), as amended, were filed for second reading.

March 21, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have had under consideration the report of the Joint Printing Committee, and recommend it be adopted.

DAYLEY, Chairman

The Joint Printing Committee report was referred to Motions, Memorials, and Resolutions for further action.

March 22, 2019

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration [SCR 107](#), [SCR 108](#), and [SCR 109](#) and recommend that they do pass.

COLLINS, Chairman

[SCR 107](#), [SCR 108](#), and [SCR 109](#) were filed for second reading.

There being no objection, the House returned to the Fourth Order of Business.

**4TH ORDER**  
**Consideration of Messages from the Governor and the Senate**

OFFICE OF THE GOVERNOR  
Boise

March 21, 2019

The Honorable Scott Bedke  
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House bill, to wit:

[H 182](#)

Sincerely,  
/s/ Brad Little  
Governor

There being no objection, the House advanced to the Seventh Order of Business.

**7TH ORDER**  
**Motions, Memorials, and Resolutions**

Mr. Dayley moved that the report of the Joint Printing Committee be adopted. Seconded by Mr. McCrostie.

Whereupon the Speaker declared the motion adopted by voice vote and the report ordered filed in the Office of the Chief Clerk.

[SCR 113](#), by State Affairs Committee, was introduced, read the first time by title, and referred to the Resources and Conservation Committee.

[SCR 114](#), by State Affairs Committee, was introduced, read the first time by title, and referred to the Business Committee.

[SCR 115](#), by State Affairs Committee, was introduced, read the first time by title, and referred to the State Affairs Committee.

**8TH ORDER**  
**Introduction, First Reading, and Reference of Bills and Joint Resolutions**

**HOUSE BILL NO. 289**  
**BY APPROPRIATIONS COMMITTEE**  
AN ACT

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF ADMINISTRATION FOR THE DIVISION OF PUBLIC WORKS FOR FISCAL YEAR 2019; PROVIDING FOR A GENERAL FUND CASH TRANSFER; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF ADMINISTRATION FOR THE DIVISION OF PUBLIC WORKS FOR FISCAL YEAR 2019; PROVIDING FOR THE RETURN OF UNUSED MONEYS; EXEMPTING THE APPROPRIATION FROM OBJECT TRANSFER LIMITATIONS; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 290**  
**BY HEALTH AND WELFARE COMMITTEE**  
AN ACT

RELATING TO PUBLIC FUNDS; AMENDING SECTION 31-863, IDAHO CODE, TO PROVIDE THAT AN AD VALOREM TAX MAY BE LEVIED ON PROPERTY TO PROVIDE FUNDS FOR MEDICAID EXPANSION AND TO PROVIDE CERTAIN SERVICES, TO PROVIDE THAT COUNTIES SHALL BE RESPONSIBLE FOR THEIR SHARE OF MEDICAID EXPANSION COSTS, TO PROVIDE FOR TRANSFER OF MONEYS TO THE MEDICAID EXPANSION ACCOUNT, AND TO ESTABLISH PROVISIONS REGARDING FAILURE TO COMPLY WITH THE PROVISIONS OF THIS SECTION; AMENDING CHAPTER 35, TITLE 31, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 31-3505H, IDAHO CODE, TO PROVIDE EXCLUSIONS FROM ELIGIBILITY FOR THE COUNTY MEDICALLY INDIGENT PROGRAM AND THE CATASTROPHIC HEALTH CARE COST PROGRAM; AMENDING SECTION 31-4602, IDAHO CODE, TO REVISE PROVISIONS REGARDING A COUNTY JUSTICE FUND; AMENDING SECTION 49-673, IDAHO CODE, TO PROVIDE THAT A PORTION OF A FINE FOR SAFETY RESTRAINT VIOLATION CITATIONS SHALL BE APPORTIONED TO THE MEDICAID EXPANSION ACCOUNT AS OF A CERTAIN DATE AND TO MAKE A TECHNICAL CORRECTION; AND AMENDING SECTION 56-209B,



IDAHO CODE, TO CREATE THE MEDICAID EXPANSION ACCOUNT AND TO MAKE TECHNICAL CORRECTIONS.

[H 289](#) and [H 290](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

[S 1195](#), by State Affairs Committee, was introduced, read the first time by title, and referred to the Business Committee.

[S 1106](#), as amended, by Education Committee, was introduced, read the first time by title, and referred to the Education Committee.

[S 1113](#), as amended in the House, by State Affairs Committee, was introduced, read the first time by title, and filed for second reading.

[S 1057](#), as amended in the House, and [S 1060](#), as amended, as amended in the House, by Education Committee, were introduced, read the first time by title, and filed for second reading.

There being no objection, the House advanced to the Tenth Order of Business.

#### 10TH ORDER

##### Second Reading of Bills and Joint Resolutions

[H 281](#), [H 282](#), and [H 283](#), by Appropriations Committee, were read the second time by title and filed for third reading.

[S 1073](#), by Commerce and Human Resources Committee, was read the second time by title and filed for third reading.

[SCR 112](#), by Judiciary and Rules Committee, was read the second time by title and filed for third reading.

[H 118](#), as amended, as amended in the Senate, by Judiciary, Rules and Administration Committee, was read the second time by title and filed for third reading.

[H 93](#), as amended in the Senate, by Education Committee, was read the second time by title and filed for third reading.

[S 1104](#), as amended, by Education Committee, was read the second time by title and filed for third reading.

[SCR 111](#), by State Affairs Committee, was read the second time by title and filed for third reading.

#### 11TH ORDER

##### Third Reading of Bills and Joint Resolutions

Mr. Moyle asked unanimous consent that [S 1157](#), [S 1166](#), [S 1171](#), [S 1173](#), [S 1174](#), [S 1072](#), [S 1184](#), [S 1061](#), as amended, [S 1187](#), and [S 1003](#), as amended, be placed at the bottom of the Senate bills on the Third Reading Calendar until Monday, March 25, 2019. There being no objection, it was so ordered.

#### [H 275](#) - INSURANCE

[H 275](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Dixon to open debate.

Pursuant to Rule 38(3), Mr. Furniss disclosed a conflict of interest regarding [H 275](#).

Pursuant to Rule 38(3), Ms. Troy disclosed a conflict of interest regarding [H 275](#).

Pursuant to Rule 38(3), Mr. Dixon disclosed a conflict of interest regarding [H 275](#).

The question being, "Shall [H 275](#) pass?"

Roll call resulted as follows:

AYES—Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Blanksma, Boyle, Chaney, Christensen, Clow, Collins, Crane, Dayley, DeMordaunt, Dixon, Ehardt, Furniss, Gestrin, Gibbs, Giddings, Goesling, Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Scott, Shepherd, Smith, Stevenson, Syme, Troy, Vander Woude, Wagoner, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 58.

NAYS—Abernathy, Berch, Davis, Ellis, Erpelding, Gannon, Green(18), Mason, Rubel, Toone, Wintrow. Total - 11.

Absent—Chew. Total - 1.

Total - 70.

Whereupon the Speaker declared that [H 275](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

#### [S 1156](#) - APPROPRIATIONS - ATTORNEY GENERAL

[S 1156](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Horman to open debate.

The question being, "Shall [S 1156](#) pass?"

Roll call resulted as follows:

AYES—Addis, Amador, Anderson, Anderst, Berch, Blanksma, Chaney, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gibbs, Goesling, Green(18), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Lickley, Marshall, Mason, McCrostie, Raybould, Raymond, Ricks, Rubel, Smith, Toone, Troy, Wagoner, Wintrow, Wood, Young, Youngblood, Mr. Speaker. Total - 46.

NAYS—Abernathy, Andrus, Armstrong, Barbieri, Boyle, Gestrin, Giddings, Green(2), Kingsley, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Scott, Shepherd, Stevenson, Vander Woude, Wisniewski, Zito, Zollinger. Total - 22.

Absent—Chew, Syme. Total - 2.

Total - 70.

Whereupon the Speaker declared that [S 1156](#) passed the House. Title was approved and the bill ordered returned to the Senate.

#### [S 1105](#) - EDUCATION

[S 1105](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Kerby to open debate.

The question being, "Shall [S 1105](#) pass?"



Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Berch, Blanksma, Boyle, Clow, Collins, Crane, Davis, Dayley, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Goesling, Green(18), Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Shepherd, Smith, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Mr. Speaker. Total - 55.

NAYS—Armstrong, Barbieri, Chaney, Christensen, Dixon, Giddings, Green(2), Harris, Kingsley, Scott, Stevenson, Zito, Zollinger. Total - 13.

Absent—Chew, DeMordaunt. Total - 2.

Paired Votes:

AYE - Syme

NAY - Barbieri

(Pairs enumerated in roll call above.)

Total - 70.

Whereupon the Speaker declared that [S 1105](#) passed the House. Title was approved and the bill ordered returned to the Senate.

#### [S 1029](#) - SCHOOL TURNAROUND ACT

[S 1029](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Clow to open debate.

The question being, "Shall [S 1029](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Anderst, Berch, Clow, Davis, Ellis, Furniss, Gannon, Green(18), Hartgen, Kauffman, Lickley, Mason, McCrostie, Raymond, Rubel, Toone, Wintrow, Wood, Youngblood. Total - 20.

NAYS—Addis, Amador, Anderson, Andrus, Armstrong, Barbieri, Blanksma, Boyle, Chaney, Christensen, Collins, Crane, Dayley, DeMordaunt, Dixon, Ehardt, Erpelding, Gestrin, Gibbs, Giddings, Goesling, Green(2), Harris, Holtzclaw, Horman, Kerby, Kingsley, Marshall, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Ricks, Scott, Shepherd, Smith, Stevenson, Syme, Troy, Vander Woude, Wagoner, Wisniewski, Young, Zito, Zollinger, Mr. Speaker. Total - 49.

Absent—Chew. Total - 1.

Paired Votes:

AYE - Wood

NAY - Monks

AYE - Kauffman

NAY - Syme

(Pairs enumerated in roll call above.)

Total - 70.

Whereupon the Speaker declared that [S 1029](#) failed to pass the House and ordered the bill returned to the Senate.

#### [S 1188](#) - APPROPRIATIONS - COMMUNITY COLLEGES

[S 1188](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Amador to open debate.

The question being, "Shall [S 1188](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle,

Chaney, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 66.

NAYS—Moon. Total - 1.

Absent—Chew, Green(18), Monks. Total - 3.

Total - 70.

Whereupon the Speaker declared that [S 1188](#) passed the House. Title was approved and the bill ordered returned to the Senate.

#### [S 1189](#) - APPROPRIATIONS - COMMISSION ON THE ARTS

[S 1189](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Wintrow to open debate.

Pursuant to Rule 38(3), Mr. Youngblood disclosed a conflict of interest regarding [S 1189](#).

The question being, "Shall [S 1189](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Berch, Blanksma, Chaney, Clow, Collins, Davis, Dixon, Ellis, Erpelding, Furniss, Gannon, Gibbs, Goesling, Horman, Kauffman, Kerby, Lickley, Marshall, Mason, McCrostie, Raybould, Raymond, Ricks, Rubel, Smith, Syme, Toone, Troy, Wagoner, Wintrow, Wood, Youngblood, Mr. Speaker. Total - 38.

NAYS—Andrus, Armstrong, Barbieri, Boyle, Christensen, Crane, Dayley, DeMordaunt, Ehardt, Gestrin, Giddings, Green(2), Harris, Holtzclaw, Kingsley, Mendive, Moon, Moyle, Nichols, Palmer, Scott, Shepherd, Stevenson, Vander Woude, Wisniewski, Young, Zito, Zollinger. Total - 28.

Absent—Chew, Green(18), Hartgen, Monks. Total - 4.

Total - 70.

Whereupon the Speaker declared that [S 1189](#) passed the House. Title was approved and the bill ordered returned to the Senate.

#### [S 1074](#), as amended - JAILS

[S 1074](#), as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Zito to open debate.

The question being, "Shall [S 1074](#), as amended, pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude,



There being no objection, the House advanced to the Eighth Order of Business.

**8TH ORDER**  
**Introduction, First Reading, and Reference**  
**of Bills and Joint Resolutions**

[S 1159](#), as amended, by State Affairs Committee, was introduced, read the first time by title, and referred to the State Affairs Committee.

There being no objection, the House advanced to the Fifteenth Order of Business.

**15TH ORDER**  
**Announcements**

Announcements were made to the body.

**16TH ORDER**  
**Adjournment**

Mr. Moyle moved that the House adjourn until 10 a.m., Monday, March 25, 2019. Seconded by Mr. Erpelding. Motion carried.

Whereupon the Speaker declared the House adjourned at 12:37 p.m.

SCOTT BEDKE, Speaker

ATTEST:

CARRIE MAULIN, Chief Clerk

# HOUSE JOURNAL

OF THE

## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-FIFTH LEGISLATURE

SEVENTY-EIGHTH LEGISLATIVE DAY  
MONDAY, MARCH 25, 2019

House of Representatives

The House convened at 10 a.m., the Speaker in the Chair.

Roll call showed 69 members present.  
Absent and excused - Addis. Total - 1.  
Total - 70.

Prayer was offered by Representative Ehardt.

The Pledge of Allegiance was led by Cathleen Wonacott,  
Page.

### 3RD ORDER

#### Approval of Journal

March 25, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Seventy-fifth Legislative Day and recommend that same be adopted as corrected.

DAYLEY, Chairman

Mr. Dayley moved that the report be adopted. Seconded by Mr. Gannon. Report adopted.

### 4TH ORDER

#### Consideration of Messages from the Governor and the Senate

March 22, 2019

Mr. Speaker:

I return herewith enrolled [HCR 17](#), [H 192](#), [H 245](#), [H 246](#), [H 177](#), [H 164](#), [H 184](#), [H 201](#), [H 244](#), [H 141](#), [H 207](#), [H 209](#), [H 191](#), and [H 106](#), as amended in the Senate, which have been signed by the President.

NOVAK, Secretary

Enrolled [H 192](#), [H 245](#), [H 246](#), [H 177](#), [H 164](#), [H 184](#), [H 201](#), [H 244](#), [H 141](#), [H 207](#), [H 209](#), [H 191](#), and [H 106](#), as amended in the Senate, were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

Enrolled [HCR 17](#) was referred to the Judiciary, Rules, and Administration Committee for delivery to the Secretary of State.

### 5TH ORDER

#### Report of Standing Committees

March 25, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have printed [H 289](#) and [H 290](#).

DAYLEY, Chairman

[H 289](#) was filed for second reading.

[H 290](#) was referred to the Health and Welfare Committee.

March 25, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have transmitted enrolled [H 97](#), [H 180](#), [H 176](#), [H 167](#), [H 168](#), and [H 144](#) to the Governor at 10:20 a.m., as of this date, March 22, 2019.

DAYLEY, Chairman

March 22, 2019

Mr. Speaker:

We, your COMMITTEE ON RESOURCES AND CONSERVATION, return misdirected [SCR 113](#) to the Desk.

GIBBS, Chairman

[SCR 113](#) was referred to State Affairs Committee.

March 22, 2019

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration [HR 6](#) and [S 1153](#) and recommend that they do pass.

HARRIS, Chairman

[HR 6](#) and [S 1153](#) were filed for second reading.

March 22, 2019

Mr. Speaker:

We, your COMMITTEE ON BUSINESS, return misdirected [SCR 114](#) to the Desk.

DIXON, Chairman

[SCR 114](#) was referred to State Affairs Committee.

There being no objection, the House returned to the Fourth Order of Business.

### 4TH ORDER

#### Consideration of Messages from the Governor and the Senate

OFFICE OF THE GOVERNOR  
Boise

March 22, 2019

The Honorable Scott Bedke  
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House bills, to wit:

[H 97](#), [H 116](#), [H 144](#), [H 167](#), [H 168](#), and [H 180](#).

Sincerely,  
/s/ Brad Little  
Governor

OFFICE OF THE GOVERNOR  
Boise

March 19, 2019

The Honorable Scott Bedke  
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House bill, to wit:

[H 158](#), as amended.

Sincerely,  
/s/ Brad Little  
Governor

There being no objection, the House advanced to the Eighth Order of Business.

**8TH ORDER**  
**Introduction, First Reading, and Reference**  
**of Bills and Joint Resolutions**

**HOUSE BILL NO. 291**  
**BY APPROPRIATIONS COMMITTEE**  
**AN ACT**

RELATING TO THE APPROPRIATION TO THE SUPERINTENDENT OF PUBLIC INSTRUCTION FOR FISCAL YEAR 2020; APPROPRIATING ADDITIONAL MONEYS TO THE SUPERINTENDENT OF PUBLIC INSTRUCTION FOR FISCAL YEAR 2020.

[H 291](#) was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Tenth Order of Business.

**10TH ORDER**  
**Second Reading of Bills and Joint Resolutions**

[H 284](#), [H 285](#), [H 286](#), [H 287](#), and [H 288](#), by Appropriations Committee, were read the second time by title and filed for third reading.

[S 1006](#) and [S 1007](#), as amended, by Commerce and Human Resources Committee, were read the second time by title and filed for third reading.

[HR 5](#), by Ways and Means Committee, was read the second time by title and filed for third reading.

[S 1138](#), as amended, by State Affairs Committee, was read the second time by title and filed for third reading.

[S 1056](#), as amended, by Resources and Environment Committee, was read the second time by title and filed for third reading.

[S 1178](#), as amended, [SCR 107](#), [SCR 108](#), [SCR 109](#), and [S 1113](#), as amended in the House, by State Affairs Committee, were read the second time by title and filed for third reading.

[S 1057](#), as amended in the House, and [S 1060](#), as amended, as amended in the House, by Education Committee, were read the second time by title and filed for third reading.

**11TH ORDER**  
**Third Reading of Bills and Joint Resolutions**

**[H 281](#) - APPROPRIATIONS**

[H 281](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Youngblood to open debate.

The question being, "Shall [H 281](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Amador, Anderson, Anderst, Andrus, Armstrong, Berch, Blanksma, Boyle, Chaney, Chew, Clow, Collins, Crane, Davis, Dayley, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Goesling, Harris, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Shepherd, Smith, Stevenson, Toone, Vander Woude, Wintrow, Wisniewski, Wood, Youngblood, Zollinger, Mr. Speaker. Total - 55.

NAYS—Barbieri, Christensen, Giddings, Green(2), Scott. Total - 5.

Absent—Addis, DeMordaunt, Gibbs, Green(18), Hartgen, Syme, Troy, Wagoner, Young, Zito. Total - 10.

Total - 70.

Whereupon the Speaker declared that [H 281](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle asked unanimous consent that [H 118](#), as amended, as amended in the Senate, be placed at the top of the Third Reading Calendar. There being no objection, it was so ordered.

**[H 118](#), as amended, as amended in the Senate - CRIMINAL PROCEDURE**

[H 118](#), as amended, as amended in the Senate, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Chaney to open debate.

The question being, "Shall [H 118](#), as amended, as amended in the Senate, pass?"

Roll call resulted as follows:

AYES—Abernathy, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Giddings, Goesling, Green(2), Harris, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Toone, Vander Woude, Wintrow, Wisniewski, Wood, Youngblood, Zollinger, Mr. Speaker. Total - 60.



NAYS—None.

Absent—Addis, DeMordaunt, Gibbs, Green(18), Hartgen, Syme, Troy, Wagoner, Young, Zito. Total - 10.  
Total - 70.

Whereupon the Speaker declared [H 118](#), as amended, as amended in the Senate, passed the House. Title was approved and the bill referred to the Judiciary, Rules, and Administration Committee for enrolling.

Mr. Moyle asked unanimous consent that [S 1200](#) be placed at the top of the Third Reading Calendar. There being no objection, it was so ordered.

#### [S 1200](#) - APPROPRIATIONS - DEPARTMENT OF FISH AND GAME

[S 1200](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Kauffman to open debate.

Pursuant to Rule 38(3), Mr. Gannon disclosed a conflict of interest regarding [S 1200](#).

The question being, "Shall [S 1200](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Amador, Anderson, Anderst, Berch, Blanksma, Chew, Clow, Collins, Crane, Davis, Ellis, Erpelding, Gannon, Gestrin, Goesling, Holtzclaw, Horman, Kauffman, Kerby, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moyle, Palmer, Raybould, Raymond, Ricks, Rubel, Smith, Stevenson, Syme, Toone, Vander Woude, Wagoner, Wintrow, Wood, Youngblood, Mr. Speaker. Total - 42.

NAYS—Andrus, Armstrong, Barbieri, Boyle, Chaney, Christensen, Dayley, Dixon, Ehardt, Furniss, Giddings, Green(2), Harris, Kingsley, Moon, Nichols, Scott, Shepherd, Wisniewski, Zollinger. Total - 20.

Absent—Addis, DeMordaunt, Gibbs, Green(18), Hartgen, Troy, Young, Zito. Total - 8.  
Total - 70.

Whereupon the Speaker declared that [S 1200](#) passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Moyle asked unanimous consent that [S 1073](#) be placed at the top of the Third Reading Calendar. There being no objection, it was so ordered.

#### [S 1073](#) - UNDERGROUND FACILITIES DAMAGE PREVENTION

[S 1073](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Raybould to open debate.

The question being, "Shall [S 1073](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Giddings, Goesling, Green(2), Harris, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason,

McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Youngblood, Zollinger, Mr. Speaker. Total - 63.

NAYS—None.

Absent—Addis, Gibbs, Green(18), Hartgen, Troy, Young, Zito. Total - 7.  
Total - 70.

Whereupon the Speaker declared that [S 1073](#) passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Moyle asked unanimous consent that [S 1104](#), as amended, be placed at the top of the Third Reading Calendar. There being no objection, it was so ordered.

#### [S 1104](#), as amended - EDUCATION

[S 1104](#), as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Horman to open debate.

The question being, "Shall [S 1104](#), as amended, pass?"

Roll call resulted as follows:

AYES—Abernathy, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Giddings, Goesling, Green(2), Harris, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Youngblood, Zollinger, Mr. Speaker. Total - 62.

NAYS—None.

Absent—Addis, Gibbs, Green(18), Hartgen, Raybould, Troy, Young, Zito. Total - 8.  
Total - 70.

Whereupon the Speaker declared that [S 1104](#), as amended, passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Moyle asked unanimous consent that [SCR 106](#) be placed at the top of the Third Reading Calendar. There being no objection, it was so ordered.

#### [SCR 106](#) - DIVISION OF BUILDING SAFETY - RULE REJECTION

[SCR 106](#) was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Dixon to open debate.

The question being, "Shall [SCR 106](#) be adopted?"

Whereupon the Speaker declared [SCR 106](#) adopted by voice vote and ordered the resolution returned to the Senate.

Mr. Moyle asked unanimous consent that [SCR 112](#) be placed at the top of the Third Reading Calendar. There being no objection, it was so ordered.



**SCR 112 - OCCUPATIONAL LICENSING**

**SCR 112** was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. DeMordaunt to open debate.

The question being, "Shall **SCR 112** be adopted?"

Roll call resulted as follows:

AYES—Abernathy, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Giddings, Goesling, Green(2), Harris, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Youngblood, Zollinger, Mr. Speaker. Total - 62.

NAYS—Chaney. Total - 1.

Absent—Addis, Gibbs, Green(18), Hartgen, Troy, Young, Zito. Total - 7.

Total - 70.

Whereupon the Speaker declared **SCR 112** adopted and ordered the resolution returned to the Senate.

Mr. Moyle asked unanimous consent that **S 1003**, as amended, be placed at the top of the Third Reading Calendar. There being no objection, it was so ordered.

**S 1003, as amended - HUMAN TRAFFICKING**

**S 1003**, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Wintrow to open debate.

The question being, "Shall **S 1003**, as amended, pass?"

Roll call resulted as follows:

AYES—Abernathy, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Giddings, Goesling, Green(2), Harris, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Youngblood, Zollinger, Mr. Speaker. Total - 63.

NAYS—None.

Absent—Addis, Gibbs, Green(18), Hartgen, Troy, Young, Zito. Total - 7.

Total - 70.

Whereupon the Speaker declared that **S 1003**, as amended, passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Moyle asked unanimous consent that **SJM 106** be placed at the top of the Third Reading Calendar. There being no objection, it was so ordered.

**SJM 106 - WATER RIGHTS**

**SJM 106** was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Gestrin to open debate.

The question being, "Shall **SJM 106** be adopted?"

Roll call resulted as follows:

AYES—Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Blanksma, Boyle, Chaney, Christensen, Clow, Collins, Crane, Dayley, DeMordaunt, Dixon, Ehardt, Furniss, Gestrin, Giddings, Goesling, Green(2), Harris, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Scott, Shepherd, Stevenson, Syme, Vander Woude, Wagoner, Wisniewski, Wood, Youngblood, Zollinger, Mr. Speaker. Total - 50.

NAYS—Abernathy, Berch, Chew, Davis, Ellis, Erpelding, Gannon, Mason, McCrostie, Rubel, Smith, Toone, Wintrow. Total - 13.

Absent—Addis, Gibbs, Green(18), Hartgen, Troy, Young, Zito. Total - 7.

Total - 70.

Whereupon the Speaker declared **SJM 106** adopted and ordered the memorial returned to the Senate.

**H 282 - APPROPRIATIONS - DEPARTMENT OF COMMERCE**

**H 282** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Syme to open debate.

Pursuant to Rule 38(3), Mr. Amador disclosed a conflict of interest regarding **H 282**.

The question being, "Shall **H 282** pass?"

Roll call resulted as follows:

AYES—Abernathy, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Giddings, Goesling, Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Youngblood, Zollinger, Mr. Speaker. Total - 63.

NAYS—None.

Absent—Addis, Berch, Gibbs, Green(18), Troy, Young, Zito. Total - 7.

Total - 70.

Whereupon the Speaker declared that **H 282** passed the House. Title was approved and the bill ordered transmitted to the Senate.

**H 283 - APPROPRIATIONS - WORKFORCE DEVELOPMENT COUNCIL**

**H 283** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Syme to open debate.

Pursuant to Rule 38(3), Mr. Syme disclosed a conflict of interest regarding [H 283](#).

The question being, "Shall [H 283](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Amador, Anderson, Anderst, Andrus, Berch, Blanksma, Chaney, Chew, Clow, Collins, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Goesling, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moyle, Raybould, Raymond, Ricks, Rubel, Shepherd, Smith, Stevenson, Syme, Toone, Wagoner, Wintrow, Wood, Youngblood, Mr. Speaker. Total - 48.

NAYS—Armstrong, Barbieri, Boyle, Christensen, Crane, Gestrin, Giddings, Green(2), Harris, Moon, Nichols, Palmer, Scott, Vander Woude, Wisniewski, Zollinger. Total - 16.

Absent—Addis, Gibbs, Green(18), Troy, Young, Zito. Total - 6.

Total - 70.

Whereupon the Speaker declared that [H 283](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

#### [H 93](#), as amended in the Senate - EDUCATION

[H 93](#), as amended in the Senate, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. DeMordaunt to open debate.

The question being, "Shall [H 93](#), as amended in the Senate, pass?"

Roll call resulted as follows:

AYES—Anderson, Anderst, Andrus, Armstrong, Blanksma, Boyle, Clow, Collins, Dayley, DeMordaunt, Dixon, Ehardt, Erpelding, Gannon, Gestrin, Goesling, Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Mendive, Moyle, Palmer, Raybould, Raymond, Ricks, Shepherd, Stevenson, Syme, Vander Woude, Wagoner, Wood, Youngblood, Zollinger, Mr. Speaker. Total - 39.

NAYS—Abernathy, Amador, Barbieri, Berch, Chaney, Chew, Christensen, Crane, Davis, Ellis, Furniss, Giddings, Green(2), Marshall, Mason, McCrostie, Monks, Moon, Nichols, Rubel, Scott, Smith, Toone, Wintrow, Wisniewski, Young, Zito. Total - 27.

Absent—Addis, Gibbs, Green(18), Troy. Total - 4.

Paired Votes:

AYE - Holtzclaw                      NAY - Young

AYE - Syme                              NAY - Zito

(Pairs enumerated in roll call above.)

Total - 70.

Whereupon the Speaker declared [H 93](#), as amended in the Senate, passed the House. Title was approved and the bill referred to the Judiciary, Rules, and Administration Committee for enrolling.

Mr. Moyle asked unanimous consent that [S 1146](#) be placed at the top of the Third Reading Calendar. There being no objection, it was so ordered.

#### [S 1146](#) - JUDGES

[S 1146](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Hartgen to open debate.

The question being, "Shall [S 1146](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Amador, Anderson, Anderst, Andrus, Armstrong, Berch, Blanksma, Chaney, Chew, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Giddings, Green(18), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Youngblood, Zollinger, Mr. Speaker. Total - 54.

NAYS—Barbieri, Boyle, Christensen, Gestrin, Green(2), Monks, Moon, Moyle, Nichols, Palmer, Stevenson. Total - 11.

Absent—Addis, Gibbs, Goesling, Young, Zito. Total - 5.

Total - 70.

Whereupon the Speaker declared that [S 1146](#) passed the House. Title was approved and the bill ordered returned to the Senate.

#### [S 1110](#), as amended - BAIL ENFORCEMENT AGENTS

[S 1110](#), as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Troy to open debate.

The question being, "Shall [S 1110](#), as amended, pass?"

Roll call resulted as follows:

AYES—Abernathy, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Giddings, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Youngblood, Zollinger, Mr. Speaker. Total - 63.

NAYS—Christensen, Scott. Total - 2.

Absent—Addis, Gibbs, Goesling, Young, Zito. Total - 5.

Total - 70.

Whereupon the Speaker declared that [S 1110](#), as amended, passed the House. Title was approved and the bill ordered returned to the Senate.

#### [S 1199](#) - APPROPRIATIONS - HEALTH AND WELFARE - OTHER PROGRAMS

[S 1199](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Troy to open debate.

The question being, "Shall [S 1199](#) pass?"



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 285](#) be read the third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Erpelding.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Abernathy, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gestrin, Gibbs, Goesling, Green(18), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 64.

NAYS—Giddings, Green(2). Total - 2.

Absent—Addis, Gannon, Shepherd, Wagoner. Total - 4.  
Total - 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [H 285](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Kauffman to open debate.

Pursuant to Rule 38(3), Ms. Raybould disclosed a conflict of interest regarding [H 285](#).

The question being, "Shall [H 285](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 67.

NAYS—None.

Absent—Addis, Shepherd, Wagoner. Total - 3.  
Total - 70.

Whereupon the Speaker declared that [H 285](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

#### [H 286](#) - APPROPRIATIONS - PUBLIC SCHOOLS - TEACHERS DIVISION

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of [H 286](#) 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 286](#) be read the third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Erpelding.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Abernathy, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gestrin, Gibbs, Goesling, Green(18), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 64.

NAYS—Giddings, Green(2). Total - 2.

Absent—Addis, Gannon, Shepherd, Wagoner. Total - 4.  
Total - 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [H 286](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Amador to open debate.

The question being, "Shall [H 286](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Amador, Anderson, Anderst, Andrus, Armstrong, Berch, Blanksma, Boyle, Chaney, Chew, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Goesling, Green(18), Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moyle, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 60.

NAYS—Barbieri, Christensen, Giddings, Green(2), Harris, Moon, Nichols. Total - 7.

Absent—Addis, Shepherd, Wagoner. Total - 3.  
Total - 70.

Whereupon the Speaker declared that [H 286](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

#### [H 287](#) - APPROPRIATIONS - DEPARTMENT OF LABOR

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of [H 287](#) 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 287](#) be read the third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Erpelding.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Abernathy, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gestrin, Gibbs, Goesling, Green(18), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason,



McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 64.

NAYS—Giddings, Green(2). Total - 2.

Absent—Addis, Gannon, Shepherd, Wagoner. Total - 4.

Total - 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [H 287](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Wintrow to open debate.

The question being, "Shall [H 287](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Amador, Anderson, Anderst, Berch, Blanksma, Chaney, Chew, Clow, Collins, Crane, Davis, Dayley, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Goesling, Green(18), Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Lickley, Marshall, Mason, McCrostie, Raybould, Raymond, Ricks, Rubel, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wintrow, Wood, Young, Youngblood, Mr. Speaker. Total - 45.

NAYS—Andrus, Armstrong, Barbieri, Boyle, Christensen, DeMordaunt, Dixon, Ehardt, Giddings, Green(2), Harris, Kingsley, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Scott, Wisniewski, Zito, Zollinger. Total - 22.

Absent—Addis, Shepherd, Wagoner. Total - 3.

Total - 70.

Whereupon the Speaker declared that [H 287](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

#### [H 288](#) - APPROPRIATIONS - IDAHO STATE POLICE

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of [H 288](#) 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 288](#) be read the third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Erpelding.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Abernathy, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gestrin, Gibbs, Goesling, Green(18), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 64.

NAYS—Giddings, Green(2). Total - 2.

Absent—Addis, Gannon, Shepherd, Wagoner. Total - 4.

Total - 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion

carried, the rules were suspended, and [H 288](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Wintrow to open debate.

The question being, "Shall [H 288](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 67.

NAYS—None.

Absent—Addis, Shepherd, Wagoner. Total - 3.

Total - 70.

Whereupon the Speaker declared that [H 288](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

#### [S 1113](#), as amended in the House - CAMPAIGN FINANCE

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of [S 1113](#), 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 1113](#), as amended in the House, be read the third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Erpelding.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Abernathy, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gestrin, Gibbs, Goesling, Green(18), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 64.

NAYS—Giddings, Green(2). Total - 2.

Absent—Addis, Gannon, Shepherd, Wagoner. Total - 4.

Total - 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [S 1113](#), as amended in the House, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Wood to open debate.

Mr. Wood asked unanimous consent that, pursuant to Rule 22, discussion of other pending legislation be allowed in





Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 67.

NAYS—None.

Absent—Addis, Shepherd, Wagoner. Total - 3.

Total - 70.

Whereupon the Speaker declared that [S 1057](#), as amended in the House, passed the House. Title was approved and the bill ordered returned to the Senate.

### [S 1060](#), as amended, as amended in the House - EDUCATION

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of [S 1060](#), 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 1060](#), as amended, as amended in the House, be read the third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Erpelding.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Abernathy, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gestrin, Gibbs, Goesling, Green(18), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 64.

NAYS—Giddings, Green(2). Total - 2.

Absent—Addis, Gannon, Shepherd, Wagoner. Total - 4.

Total - 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [S 1060](#), as amended, as amended in the House, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Mendive to open debate.

The question being, "Shall [S 1060](#), as amended, as amended in the House, pass?"

Roll call resulted as follows:

AYES—Abernathy, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 67.

NAYS—None.

Absent—Addis, Shepherd, Wagoner. Total - 3.

Total - 70.

Whereupon the Speaker declared that [S 1060](#), as amended, as amended in the House, passed the House. Title was approved and the bill ordered returned to the Senate.

There being no objection, the House advanced to the Eleventh Order of Business.

### 11TH ORDER

#### Third Reading of Bills and Joint Resolutions

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Fifteenth Order of Business.

### 15TH ORDER

#### Announcements

Announcements were made to the body.

### 16TH ORDER

#### Adjournment

Mr. Moyle moved that the House adjourn until 10 a.m., Tuesday, March 26, 2019. Seconded by Mr. Erpelding. Motion carried.

Whereupon the Speaker declared the House adjourned at 3:56 p.m.

SCOTT BEDKE, Speaker

ATTEST:

CARRIE MAULIN, Chief Clerk

# HOUSE JOURNAL

OF THE

## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-FIFTH LEGISLATURE

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SEVENTY-NINTH LEGISLATIVE DAY  
TUESDAY, MARCH 26, 2019

House of Representatives

The House convened at 10 a.m., the Speaker in the Chair.

Roll call showed 68 members present.  
Absent and excused - Mason and Wintrow. Total - 2.  
Total - 70.

Prayer was offered by Representative Raymond.

The Pledge of Allegiance was led by Jack Marchant, Page.

### 3RD ORDER

#### Approval of Journal

March 26, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Seventy-eighth Legislative Day and recommend that same be adopted as corrected.

DAYLEY, Chairman

Mr. Dayley moved that the report be adopted. Seconded by Mr. Gannon. Report adopted.

### 4TH ORDER

#### Consideration of Messages from the Governor and the Senate

March 25, 2019

Mr. Speaker:

I transmit herewith enrolled [S 1163](#), [S 1185](#), [S 1023](#), [S 1091](#), as amended, [S 1133](#), [S 1131](#), as amended, [S 1190](#), [S 1191](#), [S 1197](#), [S 1198](#), and [S 1192](#) for the signature of the Speaker.

NOVAK, Secretary

The Speaker announced he was about to sign enrolled [S 1163](#), [S 1185](#), [S 1023](#), [S 1091](#), as amended, [S 1133](#), [S 1131](#), as amended, [S 1190](#), [S 1191](#), [S 1197](#), [S 1198](#), and [S 1192](#) when so signed, ordered them returned to the Senate.

March 25, 2019

Mr. Speaker:

I return herewith enrolled [HCR 18](#), [H 210](#), [H 255](#), [H 256](#), [H 257](#), [H 260](#), [H 261](#), and [H 262](#) which have been signed by the President.

NOVAK, Secretary

Enrolled [H 210](#), [H 255](#), [H 256](#), [H 257](#), [H 260](#), [H 261](#), and [H 262](#) were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

Enrolled [HCR 18](#) was referred to the Judiciary, Rules, and Administration Committee for delivery to the Secretary of State.

### 5TH ORDER

#### Report of Standing Committees

March 26, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have printed [H 291](#).

DAYLEY, Chairman

[H 291](#) was filed for second reading.

March 26, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have enrolled [H 118](#), as amended, as amended in the Senate, and [H 93](#), as amended in the Senate.

DAYLEY, Chairman

The Speaker announced he was about to sign enrolled [H 118](#), as amended, as amended in the Senate, and [H 93](#), as amended in the Senate, and, when so signed, ordered them transmitted to the Senate for the signature of the President.

March 26, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have transmitted enrolled [H 192](#), [H 245](#), [H 246](#), [H 177](#), [H 164](#), [H 184](#), [H 201](#), [H 244](#), [H 141](#), [H 207](#), [H 209](#), [H 191](#), and [H 106](#), as amended in the Senate, to the Governor at 10:15 a.m., as of this date, March 25, 2019.

DAYLEY, Chairman

March 26, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have transmitted enrolled [HCR 17](#) to the Secretary of State at 10:17 a.m., as of this date, March 25, 2019.

DAYLEY, Chairman

March 26, 2019

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration [S 1106](#), as amended, and recommend that it do pass.

CLOW, Chairman

[S 1106](#), as amended, was filed for second reading.

There being no objection, the House returned to the Fourth Order of Business.

**4TH ORDER**  
**Consideration of Messages from the**  
**Governor and the Senate**

OFFICE OF THE GOVERNOR  
Boise

March 25, 2019

The Honorable Scott Bedke  
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House bills, to wit:

[H 164](#), [H 176](#), [H 177](#), [H 184](#), [H 191](#), [H 201](#), [H 207](#), [H 209](#),  
[H 244](#), [H 245](#), and [H 246](#).

Sincerely,  
/s/ Brad Little  
Governor

There being no objection, the House advanced to the Eighth Order of Business.

**8TH ORDER**  
**Introduction, First Reading, and Reference**  
**of Bills and Joint Resolutions**

**HOUSE BILL NO. 292**  
**BY WAYS AND MEANS COMMITTEE**  
AN ACT

RELATING TO HIGHWAY DISTRICTS; PROVIDING A SHORT TITLE; AMENDING SECTION 40-1401, IDAHO CODE, TO PROVIDE THAT EACH COUNTY SHALL BE SERVED BY ONE COUNTYWIDE HIGHWAY DISTRICT, TO PROVIDE FOR EXEMPTIONS, TO PROVIDE FOR APPLICABILITY, AND TO MAKE A TECHNICAL CORRECTION; REPEALING SECTION 40-1403, IDAHO CODE, RELATING TO REJECTION OF PLAN AND INTERVALS FOR NEW ELECTIONS; REPEALING SECTION 40-1404, IDAHO CODE, RELATING TO COMMISSIONERS IN CERTAIN HIGHWAY DISTRICTS; AMENDING SECTION 40-1404A, IDAHO CODE, TO REVISE PROVISIONS REGARDING SUBDISTRICTS, TO PROVIDE FOR COUNTYWIDE HIGHWAY DISTRICT COMMISSIONERS, AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 40-1407, IDAHO CODE, TO REVISE DISSOLUTION PROCEDURES; AMENDING SECTION 40-1410, IDAHO CODE, TO REVISE PROVISIONS FOR TRANSFER OF PROPERTY AND ASSETS AND TO MAKE TECHNICAL CORRECTIONS; AND REPEALING CHAPTER 17, TITLE 40, IDAHO CODE, RELATING TO COUNTY HIGHWAY REORGANIZATION.

**HOUSE BILL NO. 293**  
**BY EDUCATION COMMITTEE**  
AN ACT

RELATING TO EDUCATION; PROVIDING LEGISLATIVE INTENT; AMENDING SECTION 33-1001, IDAHO CODE, TO DEFINE TERMS AND TO REVISE TERMINOLOGY; AMENDING SECTION 33-1002C, IDAHO CODE, TO PROVIDE FOR NIGHT SCHOOL PROGRAMS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING CHAPTER 10, TITLE 33, IDAHO CODE, BY THE ADDITION

OF A NEW SECTION 33-1026, IDAHO CODE, TO PROVIDE FOR PERIODIC REVIEWS OF THE STATE'S PUBLIC SCHOOL FUNDING FORMULA; AMENDING CHAPTER 10, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1027, IDAHO CODE, TO PROVIDE FOR STUDENT ENROLLMENT COUNTS AND RULEMAKING; AMENDING CHAPTER 10, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1028, IDAHO CODE, TO PROVIDE FOR CERTAIN REPORTS; AMENDING SECTION 33-515, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; PROVIDING A SUNSET DATE; AND DECLARING AN EMERGENCY.

[H 292](#) and [H 293](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House returned to the Fifth Order of Business.

**5TH ORDER**  
**Report of Standing Committees**

March 26, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have printed [H 292](#) and [H 293](#).

DAYLEY, Chairman

[H 292](#) was referred to the Ways and Means Committee.

[H 293](#) was referred to the Education Committee.

There being no objection, the House advanced to the Tenth Order of Business.

**10TH ORDER**  
**Second Reading of Bills and Joint Resolutions**

[H 289](#), by Appropriations Committee, was read the second time by title and filed for third reading.

[HR 6](#), by State Affairs Committee, was read the second time by title and filed for third reading.

[S 1153](#), by State Affairs Committee, was read the second time by title and filed for third reading.

**11TH ORDER**  
**Third Reading of Bills and Joint Resolutions**

\*\*\*\*\*

At this time, the Speaker put the House at ease for the House Page program.

\*\*\*\*\*

Mr. Moyle asked unanimous consent that [S 1157](#), [S 1171](#), [S 1173](#), [S 1174](#), [S 1072](#), [S 1184](#), [S 1061](#), as amended, and [SCR 111](#) be placed at the bottom of the Third Reading Calendar. There being no objection, it was so ordered.

[HR 5](#) - HOUSE RULES

[HR 5](#) was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Moyle to open debate.

The question being, "Shall [HR 5](#) be adopted?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wisniewski, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 66.

NAYS—None.

Absent—DeMordaunt, Mason, Wintrow, Wood. Total - 4.  
Total - 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, [HR 5](#) was adopted by the House. Title was approved and the resolution filed in the office of the Chief Clerk.

#### [S 1166](#) - APPROPRIATIONS - IDAHO STATE POLICE

[S 1166](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Syme to open debate.

The question being, "Shall [S 1166](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wisniewski, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 67.

NAYS—None.

Absent—Mason, Wintrow, Wood. Total - 3.  
Total - 70.

Whereupon the Speaker declared that [S 1166](#) passed the House. Title was approved and the bill ordered returned to the Senate.

#### [S 1187](#) - APPROPRIATIONS - MILLENNIUM FUND

[S 1187](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Troy to open debate.

Pursuant to Rule 38(3), Mr. Barbieri disclosed a conflict of interest regarding [S 1187](#).

The question being, "Shall [S 1187](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Berch, Blanksma, Chew, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Ellis, Erpelding, Furniss, Gannon, Gibbs, Goesling, Green(18), Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, McCrostie, Monks, Moyle, Palmer, Raybould, Raymond, Ricks, Rubel, Smith, Syme, Toone, Troy, Wagoner, Young, Youngblood, Mr. Speaker. Total - 45.

NAYS—Andrus, Armstrong, Barbieri, Boyle, Chaney, Christensen, Dixon, Ehardt, Gestrin, Giddings, Green(2), Harris, Mendive, Moon, Nichols, Scott, Shepherd, Stevenson, Vander Woude, Wisniewski, Zito, Zollinger. Total - 22.

Absent—Mason, Wintrow, Wood. Total - 3.  
Total - 70.

Whereupon the Speaker declared that [S 1187](#) passed the House. Title was approved and the bill ordered returned to the Senate.

#### [S 1006](#) - UNIFORM SECURITIES ACT

[S 1006](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Furniss to open debate.

Pursuant to Rule 38(3), Mr. Furniss disclosed a conflict of interest regarding [S 1006](#).

The question being, "Shall [S 1006](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wisniewski, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 67.

NAYS—None.

Absent—Mason, Wintrow, Wood. Total - 3.  
Total - 70.

Whereupon the Speaker declared that [S 1006](#) passed the House. Title was approved and the bill ordered returned to the Senate.

#### [S 1007](#), as amended - COLLECTION AGENCIES

[S 1007](#), as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Furniss to open debate.

Pursuant to Rule 38(3), Mr. Zollinger disclosed a conflict of interest regarding [S 1007](#), as amended.

Mr. Dixon asked unanimous consent that [S 1007](#), as amended, be returned to the Business Committee. There being no objection, it was so ordered.

Mr. Moyle asked unanimous consent that the House recess until 3 p.m.

Without objection, the Speaker declared the House at recess until 3 p.m.

RECESS  
Afternoon Session

The House reconvened at 3 p.m., the Speaker in the Chair.

Prior to recess, the House was at the Eleventh Order of Business.

**S 1138, as amended - ELECTRICAL CONTRACTORS  
AND JOURNEYMEN**

S 1138, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Syme to open debate.

Mr. Crane asked unanimous consent that, pursuant to Rule 22, discussion of other pending legislation be allowed in debate of S 1138, as amended. There being no objection it was so ordered.

The question being, "Shall S 1138, as amended, pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 64.

NAYS—None.

Absent—Anderst, Chaney, Chew, Mason, Wagoner, Wintrow. Total - 6.

Total - 70.

Whereupon the Speaker declared that S 1138, as amended, passed the House. Title was approved and the bill ordered returned to the Senate.

**S 1178, as amended - EXPLODING TARGETS**

S 1178, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Gibbs to open debate.

The question being, "Shall S 1178, as amended, pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Berch, Chew, Clow, Davis, Ellis, Erpelding, Furniss, Gannon, Gibbs, Green(18), Hartgen, Kauffman, Lickley, Mason, McCrostie, Monks, Moyle, Palmer, Raybould, Raymond, Ricks, Rubel, Smith, Syme, Toone, Wintrow, Wood, Youngblood, Mr. Speaker. Total - 33.

NAYS—Andrus, Armstrong, Barbieri, Blanksma, Boyle, Chaney, Christensen, Collins, Crane, Dayley, DeMordaunt,

Dixon, Ehardt, Gestrin, Giddings, Goesling, Green(2), Harris, Holtzclaw, Horman, Kerby, Kingsley, Marshall, Mendive, Moon, Nichols, Scott, Shepherd, Stevenson, Troy, Vander Woude, Wisniewski, Young, Zito, Zollinger. Total - 35.

Absent—Anderst, Wagoner. Total - 2.

Paired Votes:

AYE - Wintrow

NAY - Zito

AYE - Mason

NAY - Zollinger

AYE - Raybould

NAY - Chaney

(Pairs enumerated in roll call above.)

Total - 70.

Whereupon the Speaker declared that S 1178, as amended, failed to pass the House and ordered the bill returned to the Senate.

**SCR 107 - STATE TAX COMMISSION - RULE  
REJECTION**

SCR 107 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Stevenson to open debate.

The question being, "Shall SCR 107 be adopted?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 65.

NAYS—None.

Absent—Anderst, Chaney, Mason, Wagoner, Wintrow. Total - 5.

Total - 70.

Whereupon the Speaker declared SCR 107 adopted and ordered the resolution returned to the Senate.

**SCR 108 - STATE TAX COMMISSION - RULE  
REJECTION**

SCR 108 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Ricks to open debate.

The question being, "Shall SCR 108 be adopted?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Andrus, Armstrong, Barbieri, Berch, Boyle, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 64.



NAYS—None.

Absent—Anderst, Blanksma, Chaney, Mason, Wagoner,  
Wintrow. Total - 6.  
Total - 70.

Whereupon the Speaker declared [SCR 108](#) adopted and ordered the resolution returned to the Senate.

**[SCR 109](#) - STATE TAX COMMISSION - RULE  
REJECTION**

[SCR 109](#) was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Stevenson to open debate.

The question being, "Shall [SCR 109](#) be adopted?"

Whereupon the Speaker declared [SCR 109](#) adopted by voice vote and ordered the resolution returned to the Senate.

**[SJM 105](#) - BEAR LAKE**

[SJM 105](#) was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Gibbs to open debate.

The question being, "Shall [SJM 105](#) be adopted?"

Whereupon the Speaker declared [SJM 105](#) adopted by voice vote and ordered the memorial returned to the Senate.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

There being no objection, the House returned to the Fifth Order of Business.

**5TH ORDER  
Report of Standing Committees**

March 26, 2019

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration [S 1159](#), as amended, and recommend that it do pass.

HARRIS, Chairman

[S 1159](#), as amended, was filed for second reading.

March 26, 2019

Mr. Speaker:

We, your COMMITTEE ON AGRICULTURAL AFFAIRS, report that we have had under consideration [SCR 110](#) and recommend that it do pass.

BOYLE, Chairman

[SCR 110](#) was filed for second reading.

There being no objection, the House advanced to the Fifteenth Order of Business.

**15TH ORDER  
Announcements**

Announcements were made to the body.

**16TH ORDER  
Adjournment**

Mr. Moyle moved that the House adjourn until 10 a.m., Wednesday, March 27, 2019. Seconded by Mr. Erpelding. Motion carried.

Whereupon the Speaker declared the House adjourned at 3:38 p.m.

SCOTT BEDKE, Speaker

ATTEST:

CARRIE MAULIN, Chief Clerk



# HOUSE JOURNAL

OF THE

## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-FIFTH LEGISLATURE

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**EIGHTIETH LEGISLATIVE DAY  
WEDNESDAY, MARCH 27, 2019**

House of Representatives

The House convened at 10 a.m., the Speaker in the Chair.

Roll call showed all 70 members present.

Prayer was offered by Representative Stevenson.

The Pledge of Allegiance was led by Ruth Schenkenberger,  
Page.

### 3RD ORDER

#### Approval of Journal

March 27, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Seventy-ninth Legislative Day and recommend that same be adopted as corrected.

DAYLEY, Chairman

Mr. Dayley moved that the report be adopted. Seconded by Mr. Gannon. Report adopted.

### 4TH ORDER

#### Consideration of Messages from the Governor and the Senate

March 26, 2019

Mr. Speaker:

I transmit herewith enrolled [S 1156](#), [S 1105](#), [S 1188](#), [S 1189](#), [S 1074](#), as amended, [S 1152](#), [S 1182](#), [S 1151](#), [S 1200](#), [S 1073](#), [S 1104](#), as amended, [SCR 106](#), [SCR 112](#), [S 1003](#), as amended, [SJM 106](#), [S 1146](#), [S 1110](#), as amended, [S 1199](#), [S 1180](#), and [S 1056](#), as amended, for the signature of the Speaker.

NOVAK, Secretary

The Speaker announced he was about to sign enrolled [S 1156](#), [S 1105](#), [S 1188](#), [S 1189](#), [S 1074](#), as amended, [S 1152](#), [S 1182](#), [S 1151](#), [S 1200](#), [S 1073](#), [S 1104](#), as amended, [SCR 106](#), [SCR 112](#), [S 1003](#), as amended, [SJM 106](#), [S 1146](#), [S 1110](#), as amended, [S 1199](#), [S 1180](#), and [S 1056](#), as amended, when so signed, ordered them returned to the Senate.

March 26, 2019

Mr. Speaker:

I transmit herewith [SCR 116](#), [S 1202](#), [S 1203](#), and [S 1205](#) which have passed the Senate.

NOVAK, Secretary

[SCR 116](#), [S 1202](#), [S 1203](#), and [S 1205](#) were filed for first reading.

March 26, 2019

Mr. Speaker:

I return herewith [H 254](#), [H 263](#), [H 264](#), [H 267](#), [H 268](#), [H 208](#), [H 248](#), [H 274](#), [H 179](#), as amended, [H 266](#), [H 258](#), [H 189](#), as amended, [H 265](#), [H 199](#), as amended, [H 205](#), and [H 270](#) which have passed the Senate.

NOVAK, Secretary

[H 254](#), [H 263](#), [H 264](#), [H 267](#), [H 268](#), [H 208](#), [H 248](#), [H 274](#), [H 179](#), as amended, [H 266](#), [H 258](#), [H 189](#), as amended, [H 265](#), [H 199](#), as amended, [H 205](#), and [H 270](#) were referred to the Judiciary, Rules, and Administration Committee for enrolling.

March 26, 2019

Mr. Speaker:

I return herewith [H 78](#), as amended, as amended in the Senate, [H 137](#), as amended, as amended in the Senate, and [H 30](#), as amended in the Senate, which have passed the Senate.

NOVAK, Secretary

Pursuant to House Rule 73, [H 78](#), as amended, as amended in the Senate, [H 137](#), as amended, as amended in the Senate, and [H 30](#), as amended in the Senate, were referred to Judiciary, Rules and Administration Committee for concurrence recommendation.

March 26, 2019

Mr. Speaker:

I return herewith [H 149](#), as amended in the Senate, which has passed the Senate.

NOVAK, Secretary

Pursuant to House Rule 73, [H 149](#), as amended in the Senate, was referred to Business Committee for concurrence recommendation.

March 26, 2019

Mr. Speaker:

I return herewith [H 194](#), as amended in the Senate, which has passed the Senate.

NOVAK, Secretary

Pursuant to House Rule 73, [H 194](#), as amended in the Senate, was referred to Education Committee for concurrence recommendation.

March 26, 2019

Mr. Speaker:

I return herewith [H 169](#), as amended in the Senate, which has passed the Senate.

NOVAK, Secretary

Pursuant to House Rule 73, [H 169](#), as amended in the Senate, was referred to State Affairs Committee for concurrence recommendation.

### 5TH ORDER

#### Report of Standing Committees

March 27, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have transmitted enrolled [H 210](#), [H 255](#), [H 256](#), [H 257](#), [H 260](#), [H 261](#), and [H 262](#) to the Governor at 11:05 a.m., as of this date, March 26, 2019.

DAYLEY, Chairman

March 27, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have transmitted enrolled [HCR 18](#) to the Secretary of State at 11:08 a.m., as of this date, March 26, 2019.

DAYLEY, Chairman

March 26, 2019

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration [S 1065](#) and [S 1201](#) and recommend that they do pass.

PALMER, Chairman

[S 1065](#) and [S 1201](#) were filed for second reading.

March 26, 2019

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration [S 1126](#) and report it back to be placed on General Orders.

PALMER, Chairman

[S 1126](#) was placed on General Orders for consideration.

March 27, 2019

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration [SCR 113](#) and [SCR 114](#) and recommend that they do pass.

HARRIS, Chairman

[SCR 113](#) and [SCR 114](#) were filed for second reading.

There being no objection, the House returned to the Fourth Order of Business.

**4TH ORDER**  
**Consideration of Messages from the**  
**Governor and the Senate**

OFFICE OF THE GOVERNOR  
Boise

March 26, 2019

The Honorable Scott Bedke  
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House bills, to wit:

[H 141](#), [H 210](#), [H 255](#), [H 256](#), [H 257](#), [H 260](#), [H 261](#), and [H 262](#)

Sincerely,  
/s/ Brad Little  
Governor

There being no objection, the House advanced to the Seventh Order of Business.

**7TH ORDER**  
**Motions, Memorials, and Resolutions**

[SCR 116](#), by State Affairs Committee, was introduced, read the first time by title, and referred to the Transportation and Defense Committee.

**8TH ORDER**  
**Introduction, First Reading, and Reference**  
**of Bills and Joint Resolutions**

[S 1202](#) and [S 1203](#), by Finance Committee, were introduced, read the first time by title, and filed for second reading.

[S 1205](#), by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the State Affairs Committee.

There being no objection, the House advanced to the Tenth Order of Business.

**10TH ORDER**  
**Second Reading of Bills and Joint Resolutions**

[H 291](#), by Appropriations Committee, was read the second time by title and filed for third reading.

[S 1106](#), as amended, by Education Committee, was read the second time by title and filed for third reading.

[S 1159](#), as amended, by State Affairs Committee, was read the second time by title and filed for third reading.

[SCR 110](#), by Judiciary and Rules Committee, was read the second time by title and filed for third reading.

**11TH ORDER**  
**Third Reading of Bills and Joint Resolutions**

**[H 289](#) - APPROPRIATIONS - DEPARTMENT OF**  
**ADMINISTRATION - PERMANENT BUILDING FUND**

[H 289](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Troy to open debate.

The question being, "Shall [H 289](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Berch, Blanksma, Boyle, Chaney, Chew, Clow, Collins, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Goesling, Green(18), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moyle, Palmer, Raybould, Raymond, Ricks, Rubel, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Young, Youngblood, Zollinger, Mr. Speaker. Total - 60.

NAYS—Barbieri, Christensen, Crane, Giddings, Green(2), Moon, Nichols, Scott, Zito. Total - 9.

Absent—Wood. Total - 1.

Total - 70.

Whereupon the Speaker declared that [H 289](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

**HR 6 - RELIGION**

**HR 6** was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Giddings to open debate.

It was moved by Mr. Gannon, seconded by Mr. Ricks, that **HR 6** be placed on General Orders. The Speaker ruled the motion out of order pursuant to House Rule 46 and Joint Rule 6.

The question being, "Shall **HR 6** be adopted?"

Roll call resulted as follows:

AYES—Addis, Andrus, Armstrong, Barbieri, Boyle, Chaney, Christensen, Crane, Dixon, Ehardt, Gestrin, Giddings, Green(2), Harris, Holtzclaw, Kerby, Kingsley, Mendive, Monks, Moyle, Nichols, Palmer, Scott, Shepherd, Stevenson, Syme, Vander Woude, Wisniewski, Young, Youngblood, Zito. Total - 31.

NAYS—Abernathy, Amador, Anderson, Anderst, Berch, Blanksma, Chew, Clow, Collins, Davis, Dayley, DeMordaunt, Ellis, Erpelding, Furniss, Gannon, Gibbs, Goesling, Green(18), Hartgen, Horman, Kauffman, Lickley, Marshall, Mason, McCrostie, Moon, Raybould, Raymond, Ricks, Rubel, Smith, Toone, Troy, Wagoner, Wintrow, Wood, Zollinger, Mr. Speaker. Total - 39.

Total - 70.

Whereupon the Speaker declared **HR 6** failed to be adopted and ordered the resolution filed in the office of the Chief Clerk.

**S 1153 - LOBBYING**

**S 1153** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Barbieri to open debate.

The question being, "Shall **S 1153** pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Clow, Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 70.

Whereupon the Speaker declared that **S 1153** passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Moyle moved that the House recess until 3 p.m. Seconded by Mr. Erpelding. Motion carried.

Whereupon the Speaker declared the House at recess until 3 p.m.

RECESS  
Afternoon Session

The House reconvened at 3 p.m., the Speaker in the Chair.

Prior to recess, the House was at the Eleventh Order of Business.

Mr. Moyle asked unanimous consent that **S 1174** be placed at the top of the Third Reading Calendar. There being no objection, it was so ordered.

**S 1174 - APPROPRIATIONS - HEALTH AND WELFARE - WELFARE DIVISION**

**S 1174** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Wintrow to open debate.

The question being, "Shall **S 1174** pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Berch, Chew, Clow, Collins, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moyle, Raybould, Raymond, Ricks, Rubel, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Wintrow, Wisniewski, Wood, Young, Youngblood, Zollinger, Mr. Speaker. Total - 55.

NAYS—Barbieri, Boyle, Christensen, Crane, Green(2), Harris, Moon, Nichols, Palmer, Scott, Zito. Total - 11.

Absent—Blanksma, Chaney, Vander Woude, Wagoner. Total - 4.

Total - 70.

Whereupon the Speaker declared that **S 1174** passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

There being no objection, the House returned to the Seventh Order of Business.

**7TH ORDER****Motions, Memorials, and Resolutions****HOUSE JOINT MEMORIAL NO. 10  
BY WAYS AND MEANS 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, TO THE CONGRESSIONAL DELEGATION REPRESENTING THE STATE OF IDAHO IN THE CONGRESS OF THE UNITED STATES, TO THE SECRETARY OF THE UNITED STATES DEPARTMENT OF AGRICULTURE, TO THE CHIEF OF THE UNITED STATES FOREST SERVICE, TO THE GOVERNOR OF THE STATE OF IDAHO, AND TO THE LIEUTENANT GOVERNOR OF THE STATE OF IDAHO.

We, your Memorialists, the House of Representatives and the Senate of the State of Idaho assembled in the First Regular Session of the Sixty-fifth Idaho Legislature, do hereby respectfully represent that:

WHEREAS, the United States House of Representatives, the United States Senate, and agencies and offices of the United States Department of Agriculture regularly inventory, evaluate, and, where appropriate, recommend specified public land, waters, and areas as potential additions to the National Wilderness

Preservation System, often referred to as Recommended Wilderness Areas (RWAs); and

WHEREAS, the policy of the United States Forest Service (USFS) for managing RWAs involves determinations of whether specific motorized and mechanized activity, such as mountain biking, snowmobiling, and off-road vehicle riding, in any way compromises the area's future potential for designation as wilderness; and

WHEREAS, the USFS Northern Region, designated as Region 1, encompasses 25 million acres spread over 5 states, including 12 National Forests located within the perimeter of northeastern Washington, northern Idaho, and Montana, and the National Grasslands in North Dakota and northwestern South Dakota. The policy for managing RWAs is to manage them as if they were congressionally designated wilderness managed under the strict prescriptions of the Wilderness Act of 1964, 16 U.S.C. 1131-1136; and

WHEREAS, in 2006, with no direction from Congress, no rule, and no policy, the USFS Region 1 adopted a policy that resulted in "administratively created wilderness"; and

WHEREAS, currently in Idaho there are 4,796,559 acres of congressionally designated wilderness and 392,919 acres of administratively created wilderness; and

WHEREAS, additional acres of administratively created wilderness will be added as National Forests complete their required forest planning, which will inevitably only result in the loss of roads, trails, and areas historically open and available for motorized and mechanized activity; and

WHEREAS, rural communities that turned to recreation for economic survival since the economic decline of the timber and mining industries will once again struggle to survive as a result of administratively created wilderness.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-fifth Idaho Legislature, the House of Representatives and the Senate concurring therein, that we advise, recommend, urge, and instruct the United States Secretary of Agriculture to immediately adopt, implement, and enforce a Secretarial Order concerning Allowable Uses in Recommended Wilderness Areas and on other public lands identified as potential additions to the National Wilderness Preservation System for the purposes of effectuating the following:

(1) Declaring and recognizing that Congress has the sole authority to designate wilderness under the Wilderness Act of 1964 and that no agency or office of the United States Department of Agriculture has the authority to manage public lands in a manner that administratively creates wilderness without congressional authorization; and

(2) Directing that every agency or office of the United States Department of Agriculture:

(a) Apply only the blanket restrictions upon motorized and mechanized activity to those public lands formally designated by Congress to be within the National Wilderness Preservation System; and

(b) Protect the physical resources and attributes of RWAs that make such lands candidates for addition to the National Wilderness Preservation System, while simultaneously providing for multiple use of those areas, including by motorized and mechanized activity, in a manner that does not diminish wilderness potential; and

(c) Refrain from managing any RWA as wilderness or otherwise treat or refer to it as such until such time as Congress enacts, and the President signs, legislation formally designating such RWA as wilderness; and

(d) Refrain from prohibiting any use, activity, project, or equipment in an RWA on the grounds that the same would not be allowed in a formally designated wilderness area; and

(e) Presume that established uses, such as hunting, use of firearms, motorized recreation, mechanized recreation, aviation, grazing of livestock, and construction of range improvements occurring in an RWA prior to a designation as an RWA, shall be allowed to continue at historic levels without long-term impairment of suitability for designation as wilderness; and

(f) Take such actions and make such changes in agency and office regulations, policies, procedures, guidelines, and handbooks as are necessary and appropriate to bring the agencies and office into compliance with these provisions within three months; and

(g) Examine all currently designated RWAs and make immediate changes in management plans and directions to comply with these provisions, including the restoration of historic uses.

BE IT FURTHER RESOLVED that we call upon the Governor of the State of Idaho and the members of the Idaho congressional delegation to act in cooperation with one another, and with others, to effectuate the issuance of a Secretarial Order concerning Allowable Uses in Recommended Wilderness Areas and on other public lands identified as potential additions to the National Wilderness Preservation System in a manner consistent with the provisions of this Joint Memorial.

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives be, and she is hereby authorized and directed to forward a copy of this Memorial to the President of the United States, 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, to the Secretary of the United States Department of Agriculture, to the Chief of the United States Forest Service, to the Governor of the State of Idaho, and to the Lieutenant Governor of the State of Idaho.

[HJM 10](#) was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

## 8TH ORDER

### Introduction, First Reading, and Reference of Bills and Joint Resolutions

#### HOUSE BILL NO. 294

#### BY WAYS AND MEANS COMMITTEE

#### AN ACT

RELATING TO SALES TAX; AMENDING SECTION 63-3638, IDAHO CODE, TO CLARIFY THE DISTRIBUTION PROCESS OF SALES TAX REVENUE TO THE TRANSPORTATION EXPANSION AND CONGESTION MITIGATION PROGRAM, TO CLARIFY THE USES THAT MAY BE MADE OF CERTAIN FUNDS BY SPECIAL PURPOSE TAXING DISTRICTS, AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 49-306, IDAHO CODE, TO REVISE THE DISTRIBUTION OF CERTAIN DRIVER'S LICENSE AND INSTRUCTION PERMIT FEES; AMENDING SECTION 49-306, IDAHO CODE, AS AMENDED BY SECTION 2, CHAPTER 113, LAWS OF 2018, TO REVISE THE DISTRIBUTION OF CERTAIN DRIVER'S LICENSE AND INSTRUCTION PERMIT FEES; AND PROVIDING AN EFFECTIVE DATE.

[H 294](#) was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House returned to the Fifth Order of Business.

**5TH ORDER**  
**Report of Standing Committees**

March 27, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have printed [HJM 10](#) and [H 294](#).

DAYLEY, Chairman

[HJM 10](#) was referred to the Ways and Means Committee.

[H 294](#) was referred to the Revenue and Taxation Committee.

March 27, 2019

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration [H 293](#) and recommend that it do pass.

CLOW, Chairman

[H 293](#) was filed for second reading.

March 27, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have had under consideration [H 30](#), as amended in the Senate, and recommend concurrence with Senate Amendments.

DAYLEY, Chairman

Mr. Ricks asked unanimous consent that the House concur in the Senate amendments to [H 30](#), as amended in the Senate, as recommended by the committee. There being no objection, it was so ordered.

March 27, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have had under consideration [H 78](#), as amended, as amended in the Senate, and recommend concurrence with Senate Amendments.

DAYLEY, Chairman

Mr. Kerby asked unanimous consent that the House concur in the Senate amendments to [H 78](#), as amended, as amended in the Senate, as recommended by the committee. There being no objection, it was so ordered.

March 27, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have had under consideration [H 137](#), as amended, as amended in the Senate, and recommend concurrence with Senate Amendments.

DAYLEY, Chairman

Mr. Moyle asked unanimous consent that the House concur in the Senate amendments to [H 137](#), as amended, as amended in

the Senate, as recommended by the committee. There being no objection, it was so ordered.

[H 30](#), as amended in the Senate, [H 78](#), as amended, as amended in the Senate, and [H 137](#), as amended, as amended in the Senate, were referred to the Judiciary, Rules, and Administration Committee for engrossing.

March 27, 2019

Mr. Speaker:

We, your COMMITTEE ON BUSINESS, report that we have had under consideration [H 149](#), as amended in the Senate, and recommend concurrence with Senate Amendments.

DIXON, Chairman

Mr. Furniss asked unanimous consent that the House concur in the Senate amendments to [H 149](#), as amended in the Senate, as recommended by the committee. There being no objection, it was so ordered.

[H 149](#), as amended in the Senate, was referred to the Judiciary, Rules, and Administration Committee for engrossing.

March 27, 2019

Mr. Speaker:

We, your COMMITTEE ON BUSINESS, report that we have had under consideration [S 1195](#) and report it back to be placed on General Orders.

DIXON, Chairman

[S 1195](#) was placed on General Orders for consideration.

There being no objection, the House advanced to the Fifteenth Order of Business.

**15TH ORDER**  
**Announcements**

Announcements were made to the body.

**16TH ORDER**  
**Adjournment**

Mr. Moyle moved that the House adjourn until 10 a.m., Thursday, March 28, 2019. Seconded by Mr. Erpelding. Motion carried.

Whereupon the Speaker declared the House adjourned at 3:24 p.m.

SCOTT BEDKE, Speaker

ATTEST:

CARRIE MAULIN, Chief Clerk



# HOUSE JOURNAL

OF THE

## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-FIFTH LEGISLATURE

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**EIGHTY-FIRST LEGISLATIVE DAY**  
**THURSDAY, MARCH 28, 2019**

House of Representatives

The House convened at 10 a.m., the Speaker in the Chair.

Roll call showed all 70 members present.

Prayer was offered by Representative Furniss.

The Pledge of Allegiance was led by Daniel Smith, Page.

### 3RD ORDER

#### Approval of Journal

March 28, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Eightieth Legislative Day and recommend that same be adopted as corrected.

DAYLEY, Chairman

Mr. Dayley moved that the report be adopted. Seconded by Mr. Gannon. Report adopted.

### 4TH ORDER

#### Consideration of Messages from the Governor and the Senate

THE OFFICE OF THE GOVERNOR

#### CERTIFICATE OF APPOINTMENT

**KNOW ALL MEN**, that pursuant to the provisions of Section 59-917, Idaho Code, CHRIS ABERNATHY, State Representative, District 29, Seat A, Bannock County, State of Idaho, has nominated, EVA NYE, of P.O. Box N, Pocatello, ID 83205, to perform the duties of this office temporarily as Acting State Representative, District 29, Seat A.

**NOW, THEREFORE, I, BRAD LITTLE**, Governor of the State of Idaho, by virtue of the authority vested in me do hereby appoint Eva Nye of Pocatello, Idaho, to the office of Acting State Representative, District 29, Seat A, for a term commencing March 28, 2019, 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 27th day of March, in the year of our Lord two thousand and nineteen, and of the Independence of the

United States of America, the two hundred and forty-third year and of the Statehood of Idaho the one hundred twenty-ninth.

/s/ BRAD LITTLE  
Governor  
/s/ LAWERENCE DENNEY  
Secretary of State

The Certificate of Appointment was ordered filed in the office of the Chief Clerk.

The Speaker announced the oath of office had previously been administered to Eva Nye.

OFFICE OF THE GOVERNOR  
Boise

March 27, 2019

The Honorable Scott Bedke  
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House bill, to wit:

[H 106](#), as amended in the Senate

Sincerely,  
/s/ Brad Little  
Governor

March 27, 2019

Mr. Speaker:

I transmit herewith enrolled [S 1166](#), [S 1187](#), [S 1006](#), [S 1138](#), as amended, [SCR 107](#), [SCR 108](#), [SCR 109](#), and [SJM 105](#) for the signature of the Speaker.

NOVAK, Secretary

The Speaker announced he was about to sign enrolled [S 1166](#), [S 1187](#), [S 1006](#), [S 1138](#), as amended, [SCR 107](#), [SCR 108](#), [SCR 109](#), and [SJM 105](#) when so signed, ordered them returned to the Senate.

March 27, 2019

Mr. Speaker:

I return herewith enrolled [H 118](#), as amended, as amended in the Senate, and [H 93](#), as amended in the Senate, which have been signed by the President.

NOVAK, Secretary

Enrolled [H 118](#), as amended, as amended in the Senate, and [H 93](#), as amended in the Senate, were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

March 27, 2019

Mr. Speaker:

I transmit herewith [S 1206](#) and [S 1207](#) which have passed the Senate.

NOVAK, Secretary

[S 1206](#) and [S 1207](#) were filed for first reading.



March 27, 2019

Mr. Speaker:

I return herewith [H 139](#), [H 193](#), as amended, [H 251](#), [H 206](#), and [H 183](#) which have passed the Senate.

NOVAK, Secretary

[H 139](#), [H 193](#), as amended, [H 251](#), [H 206](#), and [H 183](#) were referred to the Judiciary, Rules, and Administration Committee for enrolling.

March 27, 2019

Mr. Speaker:

I return herewith [H 217](#), as amended in the Senate, which has passed the Senate.

NOVAK, Secretary

Pursuant to House Rule 73, [H 217](#), as amended in the Senate, was referred to Revenue and Taxation Committee for concurrence recommendation.

#### 5TH ORDER Report of Standing Committees

March 28, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have enrolled [H 254](#), [H 263](#), [H 264](#), [H 267](#), [H 268](#), [H 208](#), [H 248](#), [H 274](#), [H 179](#), as amended, [H 266](#), [H 258](#), [H 189](#), as amended, [H 265](#), [H 199](#), as amended, [H 205](#), and [H 270](#).

DAYLEY, Chairman

The Speaker announced he was about to sign enrolled [H 254](#), [H 263](#), [H 264](#), [H 267](#), [H 268](#), [H 208](#), [H 248](#), [H 274](#), [H 179](#), as amended, [H 266](#), [H 258](#), [H 189](#), as amended, [H 265](#), [H 199](#), as amended, [H 205](#), and [H 270](#) and, when so signed, ordered them transmitted to the Senate for the signature of the President.

March 28, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have engrossed [H 30](#), as amended in the Senate, [H 78](#), as amended, as amended in the Senate, [H 137](#), as amended, as amended in the Senate, and [H 149](#), as amended in the Senate.

DAYLEY, Chairman

[H 30](#), as amended in the Senate, [H 78](#), as amended, as amended in the Senate, [H 137](#), as amended, as amended in the Senate, and [H 149](#), as amended in the Senate, were filed for first reading of engrossed bills.

March 28, 2019

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration [H 169](#), as amended in the Senate, and recommend concurrence with Senate Amendments.

HARRIS, Chairman

Mr. Monks asked unanimous consent that the House concur in the Senate amendments to [H 169](#), as amended in the Senate, as recommended by the committee. There being no objection, it was so ordered.

[H 169](#), as amended in the Senate, was referred to the Judiciary, Rules, and Administration Committee for engrossing.

March 28, 2019

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration [H 294](#) and recommend that it do pass.

COLLINS, Chairman

[H 294](#) was filed for second reading.

There being no objection, the House advanced to the Eighth Order of Business.

#### 8TH ORDER Introduction, First Reading, and Reference of Bills and Joint Resolutions

##### HOUSE BILL NO. 295 BY EDUCATION COMMITTEE AN ACT

RELATING TO EDUCATION; AMENDING SECTION 33-1616, IDAHO CODE, TO PROVIDE FOR THE USE OF ADAPTIVE LEARNING TECHNOLOGY LITERACY INTERVENTION TOOLS AS PART OF A LITERACY INTERVENTION PROGRAM, TO REVISE TERMINOLOGY, AND TO MAKE TECHNICAL CORRECTIONS.

##### HOUSE BILL NO. 296 BY WAYS AND MEANS COMMITTEE AN ACT

RELATING TO INITIATIVES; AMENDING SECTION 34-1802, IDAHO CODE, AS AMENDED IN SECTION 2 OF SENATE BILL NO. 1159, AS AMENDED, AS ENACTED BY THE FIRST REGULAR SESSION OF THE SIXTY-FIFTH IDAHO LEGISLATURE, TO REVISE THE TIME FOR GATHERING AND SUBMITTING SIGNATURES FOR AN INITIATIVE PETITION; AMENDING SECTION 34-1805, IDAHO CODE, AS AMENDED IN SECTION 4 OF SENATE BILL NO. 1159, AS AMENDED, AS ENACTED BY THE FIRST REGULAR SESSION OF THE SIXTY-FIFTH IDAHO LEGISLATURE, TO REVISE THE NUMBER OF LEGISLATIVE DISTRICTS FROM WHICH A CERTAIN NUMBER OF SIGNATURES MUST BE OBTAINED; PROVIDING SEVERABILITY; AND DECLARING AN EMERGENCY.

[H 295](#) and [H 296](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

[S 1206](#) and [S 1207](#), by Finance Committee, were introduced, read the first time by title, and filed for second reading.

#### 9TH ORDER First Reading of Engrossed Bills

[H 30](#), as amended in the Senate, [H 78](#), as amended, as amended in the Senate, and [H 137](#), as amended, as amended in the Senate, by Judiciary, Rules and Administration Committee, were introduced, read the first time by title, and filed for second reading.

[H 149](#), as amended in the Senate, by Business Committee, was introduced, read the first time by title, and filed for second reading.

**10TH ORDER****Second Reading of Bills and Joint Resolutions**

[S 1065](#), by Transportation Committee, was read the second time by title and filed for third reading.

[S 1201](#), [SCR 113](#), and [SCR 114](#), by State Affairs Committee, were read the second time by title and filed for third reading.

[S 1202](#) and [S 1203](#), by Finance Committee, were read the second time by title and filed for third reading.

[H 293](#), by Education Committee, was read the second time by title and filed for third reading.

There being no objection, the House returned to the Fourth Order of Business.

**4TH ORDER****Consideration of Messages from the Governor and the Senate**

March 28, 2019

Mr. Speaker:

I return herewith [H 259](#), as amended in the Senate, which has passed the Senate.

NOVAK, Secretary

Pursuant to House Rule 73, [H 259](#), as amended in the Senate, was referred to Revenue and Taxation Committee for concurrence recommendation.

**5TH ORDER****Report of Standing Committees**

March 28, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have printed [H 295](#) and [H 296](#).

DAYLEY, Chairman

[H 296](#) was filed for second reading.

[H 295](#) was referred to the Education Committee.

March 28, 2019

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration [H 194](#), as amended in the Senate, and recommend concurrence with Senate Amendments.

CLOW, Chairman

Mr. Clow asked unanimous consent that the House concur in the Senate amendments to [H 194](#), as amended in the Senate, as recommended by the committee. There being no objection, it was so ordered.

[H 194](#), as amended in the Senate, was referred to the Judiciary, Rules, and Administration Committee for engrossing.

There being no objection, the House advanced to the Eleventh Order of Business.

**11TH ORDER****Third Reading of Bills and Joint Resolutions**

Mr. Moyle asked unanimous consent that [S 1106](#), as amended, be placed at the top of the Third Reading Calendar. There being no objection, it was so ordered.

Mr. Clow asked unanimous consent that [S 1106](#), as amended, be placed on General Orders for consideration. Ms. Boyle objected.

**[S 1106](#), as amended - EDUCATION**

[S 1106](#), as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Boyle and Mrs. DeMordaunt to open debate.

The question being, "Shall [S 1106](#), as amended, pass?"

Roll call resulted as follows:

AYES—Abernathy(Nye), Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Blanksma, Boyle, Chaney, Christensen, Clow, Collins, Crane, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gestrin, Gibbs, Giddings, Goesling, Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mendive, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Scott, Shepherd, Smith, Stevenson, Syme, Troy, Vander Woude, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 58.

NAYS—Berch, Chew, Davis, Gannon, Green(18), Mason, McCrostie, Rubel, Toone, Wintrow. Total - 10.

Absent—Monks, Wagoner. Total - 2.

Total - 70.

Whereupon the Speaker declared that [S 1106](#), as amended, passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Moyle asked unanimous consent that [SCR 110](#) be placed at the top of the Third Reading Calendar. There being no objection, it was so ordered.

Mr. Clow asked unanimous consent that [S 1061](#), as amended, be placed on General Orders for consideration. There being no objection it was so ordered.

**[SCR 110](#) - IDAHO SOIL AND WATER CONSERVATION COMMISSION - RULE REJECTION**

[SCR 110](#) was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Troy to open debate.

The question being, "Shall [SCR 110](#) be adopted?"

Whereupon the Speaker declared [SCR 110](#) adopted by voice vote and ordered the resolution returned to the Senate.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Fifteenth Order of Business.

**15TH ORDER  
Announcements**

Announcements were made to the body.

**16TH ORDER  
Adjournment**

Mr. Moyle moved that the House adjourn until 9 a.m., Friday, March 29, 2019. Seconded by Mr. Erpelding. Motion carried.

Whereupon the Speaker declared the House adjourned at 3:38 p.m.

SCOTT BEDKE, Speaker

ATTEST:

CARRIE MAULIN, Chief Clerk

# HOUSE JOURNAL

OF THE

## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-FIFTH LEGISLATURE

**EIGHTY-SECOND LEGISLATIVE DAY**  
**FRIDAY, MARCH 29, 2019**

House of Representatives

The House convened at 9 a.m., the Speaker in the Chair.

Roll call showed 69 members present.

Absent and excused - DeMordaunt. Total - 1.

Total - 70.

Prayer was offered by Representative Chaney.

The Pledge of Allegiance was led by Nathan Henrie, Page.

### 3RD ORDER

#### Approval of Journal

March 29, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Eighty-first Legislative Day and recommend that same be adopted as corrected.

DAYLEY, Chairman

Mr. Dayley moved that the report be adopted. Seconded by Mr. Gannon. Report adopted.

### 4TH ORDER

#### Consideration of Messages from the Governor and the Senate

OFFICE OF THE GOVERNOR  
Boise

March 28, 2019

The Honorable Scott Bedke  
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House bill, to wit:

[H 192](#)

Sincerely,  
/s/ Brad Little  
Governor

March 28, 2019

Mr. Speaker:

I transmit herewith [SCR 117](#) which has passed the Senate.  
NOVAK, Secretary

[SCR 117](#) was filed for first reading.

March 28, 2019

Mr. Speaker:

I return herewith [H 281](#), [H 282](#), [H 283](#), [H 284](#), and [H 285](#) which have passed the Senate.

NOVAK, Secretary

[H 281](#), [H 282](#), [H 283](#), [H 284](#), and [H 285](#) were referred to the Judiciary, Rules, and Administration Committee for enrolling.

### 5TH ORDER

#### Report of Standing Committees

March 29, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have enrolled [H 139](#), [H 193](#), as amended, [H 251](#), [H 206](#), and [H 183](#).

DAYLEY, Chairman

The Speaker announced he was about to sign enrolled [H 139](#), [H 193](#), as amended, [H 251](#), [H 206](#), and [H 183](#) and, when so signed, ordered them transmitted to the Senate for the signature of the President.

March 29, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have engrossed [H 169](#), as amended in the Senate, and [H 194](#), as amended in the Senate.

DAYLEY, Chairman

[H 169](#), as amended in the Senate, and [H 194](#), as amended in the Senate, were filed for first reading of engrossed bills.

March 29, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have transmitted enrolled [H 118](#), as amended, as amended in the Senate, and [H 93](#), as amended in the Senate, to the Governor at 10:30 a.m., as of this date, March 28, 2019.

DAYLEY, Chairman

There being no objection, the House advanced to the Seventh Order of Business.

### 7TH ORDER

#### Motions, Memorials, and Resolutions

[SCR 117](#), by State Affairs Committee, was introduced, read the first time by title, and referred to the State Affairs Committee.

There being no objection, the House advanced to the Ninth Order of Business.

### 9TH ORDER

#### First Reading of Engrossed Bills

[H 169](#), as amended in the Senate, by State Affairs Committee, was introduced, read the first time by title, and filed for second reading.

[H 194](#), as amended in the Senate, by Education Committee, was introduced, read the first time by title, and filed for second reading.

### 10TH ORDER

#### Second Reading of Bills and Joint Resolutions

[H 294](#), by Ways and Means Committee, was read the second time by title and filed for third reading.

[S 1206](#) and [S 1207](#), by Finance Committee, were read the second time by title and filed for third reading.

[H 30](#), as amended in the Senate, [H 78](#), as amended, as amended in the Senate, and [H 137](#), as amended, as amended in the Senate, by Judiciary, Rules and Administration Committee, were read the second time by title and filed for third reading.

[H 149](#), as amended in the Senate, by Business Committee, was read the second time by title and filed for third reading.

[H 296](#), by Ways and Means Committee, was read the second time by title and filed for third reading.

### 11TH ORDER

#### Third Reading of Bills and Joint Resolutions

Mr. Moyle asked unanimous consent that [S 1159](#), as amended, be moved to the top of the Third Reading Calendar. Mr. Erpelding objected.

Mr. Moyle moved that [S 1159](#), as amended, be moved to the top of the Third Reading Calendar, seconded by Mr. Monks.

Roll call resulted as follows:

AYES—Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Blanksma, Boyle, Chaney, Christensen, Clow, Collins, Crane, Dayley, Dixon, Ehardt, Furniss, Gestrin, Gibbs, Giddings, Goesling, Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Scott, Shepherd, Stevenson, Syme, Troy, Vander Woude, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 54.

NAYS—Abernathy(Nye), Berch, Chew, Davis, Ellis, Erpelding, Gannon, Mason, McCrostie, Rubel, Smith, Toone, Wintrow. Total - 13.

Absent—DeMordaunt, Green(18), Wagoner. Total - 3.  
Total - 70.

Whereupon, the Speaker declared the motion passed.

#### [S 1159](#), as amended - INITIATIVES

[S 1159](#), as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Dixon to open debate.

Mr. Dixon asked unanimous consent that, pursuant to Rule 22, discussion of other pending legislation be allowed in debate of [S 1159](#), as amended. Mr. Erpelding objected.

Mr. Dixon moved that, pursuant to Rule 22, he be allowed to reference pending legislation in the debate of [S 1159](#), as amended, seconded by Mr. Crane.

Mr. Erpelding offered a substitute motion, pursuant to Rule 35, to Lay [S 1159](#), as amended, on the Table.

Roll call resulted as follows:

AYES—Abernathy(Nye), Berch, Chew, Davis, Ellis, Erpelding, Gannon, Green(18), Mason, McCrostie, Rubel, Smith, Toone, Wintrow. Total - 14.

NAYS—Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Blanksma, Boyle, Chaney, Christensen, Clow, Collins, Crane, Dayley, Dixon, Ehardt, Furniss, Gestrin, Gibbs, Giddings, Goesling, Green(2), Harris, Hartgen,

Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Scott, Shepherd, Stevenson, Syme, Troy, Vander Woude, Wagoner, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 55.

Absent—DeMordaunt. Total - 1.

Total - 70.

Whereupon, the Speaker declared the substitute motion failed.

The motion to allow discussion of pending legislation in debate of [S 1159](#), as amended, pursuant to Rule 22, was before the body.

Roll call resulted as follows:

AYES—Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Blanksma, Boyle, Chaney, Christensen, Clow, Collins, Crane, Dayley, Dixon, Ehardt, Furniss, Gestrin, Gibbs, Giddings, Goesling, Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Scott, Shepherd, Stevenson, Syme, Troy, Vander Woude, Wagoner, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 55.

NAYS—Abernathy(Nye), Berch, Chew, Davis, Ellis, Erpelding, Gannon, Green(18), Mason, McCrostie, Rubel, Smith, Toone, Wintrow. Total - 14.

Absent—DeMordaunt. Total - 1.

Total - 70.

Whereupon, the Speaker declared the motion passed.

The question being, "Shall [S 1159](#), as amended, pass?"

Roll call resulted as follows:

AYES—Andrus, Armstrong, Barbieri, Blanksma, Boyle, Chaney, Christensen, Collins, Crane, Dayley, DeMordaunt, Dixon, Ehardt, Furniss, Gestrin, Green(2), Harris, Holtzclaw, Kauffman, Kerby, Kingsley, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raymond, Ricks, Shepherd, Stevenson, Syme, Vander Woude, Wagoner, Wisniewski, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 40.

NAYS—Abernathy(Nye), Addis, Amador, Anderson, Anderst, Berch, Chew, Clow, Davis, Ellis, Erpelding, Gannon, Gibbs, Giddings, Goesling, Green(18), Hartgen, Horman, Lickley, Marshall, Mason, McCrostie, Raybould, Rubel, Scott, Smith, Toone, Troy, Wintrow, Wood. Total - 30.

Paired Votes:

AYE - DeMordaunt                      NAY - Wood

(Pairs enumerated in roll call above.)

Total - 70.

Whereupon the Speaker declared that [S 1159](#), as amended, passed the House. Title was approved and the bill ordered returned to the Senate.

There being no objection, the House returned to the Seventh Order of Business.

### 7TH ORDER

#### Motions, Memorials, and Resolutions

#### [H 296](#) - INITIATIVES

Mr. Moyle asked unanimous consent that all rules of the House interfering with the immediate consideration of [H 296](#) 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 296** be read the third time at length, section by section, and placed before the House for final consideration. Mr. Erpelding objected.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **H 296** 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 296** be read the third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Monks.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Blanksma, Boyle, Chaney, Christensen, Clow, Collins, Crane, Dayley, Dixon, Ehardt, Furniss, Gestrin, Gibbs, Goesling, Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Scott, Shepherd, Stevenson, Syme, Troy, Vander Woude, Wagoner, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 54.

NAYS—Abernathy(Nye), Berch, Chew, Davis, Ellis, Erpelding, Gannon, Giddings, Green(18), Mason, McCrostie, Rubel, Smith, Toone, Wintrow. Total - 15.

Absent—DeMordaunt. Total - 1.

Paired Votes:

AYE - DeMordaunt                      NAY - Wood

(Pairs enumerated in roll call above.)

Total - 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 296** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Dixon to open debate.

Mr. Erpelding asked unanimous consent that, pursuant to Rule 22, discussion of other pending legislation be allowed in debate of **H 296**. There being no objection it was so ordered.

The question being, "Shall **H 296** pass?"

Roll call resulted as follows:

AYES—Addis, Amador, Anderst, Andrus, Armstrong, Barbieri, Blanksma, Boyle, Chaney, Christensen, Collins, Crane, Dayley, DeMordaunt, Dixon, Ehardt, Furniss, Gestrin, Gibbs, Green(2), Harris, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Shepherd, Stevenson, Syme, Vander Woude, Wagoner, Wisniewski, Young, Youngblood, Zollinger, Mr. Speaker. Total - 47.

NAYS—Abernathy(Nye), Anderson, Berch, Chew, Clow, Davis, Ellis, Gannon, Giddings, Goesling, Green(18), Hartgen, Mason, McCrostie, Rubel, Scott, Smith, Toone, Troy, Wintrow, Wood, Zito. Total - 22.

Absent—Erpelding. Total - 1.

Paired Votes:

AYE - Kauffman                              NAY - Chew

AYE - Stevenson                              NAY - Troy

AYE - DeMordaunt                              NAY - Wood

(Pairs enumerated in roll call above.)

Total - 70.

Whereupon the Speaker declared that **H 296** passed the House. Title was approved and the bill ordered transmitted to the Senate.

There being no objection, the House advanced to the Eleventh Order of Business.

#### 11TH ORDER

##### Third Reading of Bills and Joint Resolutions

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places until Monday, April 1, 2019. There being no objection, it was so ordered.

There being no objection, the House advanced to the Fifteenth Order of Business.

#### 15TH ORDER

##### Announcements

Announcements were made to the body.

#### 16TH ORDER

##### Adjournment

Mr. Moyle moved that the House adjourn until 10 a.m., Monday, April 1, 2019. Seconded by Ms. Rubel. Motion carried.

Whereupon the Speaker declared the House adjourned at 12:15 p.m.

SCOTT BEDKE, Speaker

ATTEST:

CARRIE MAULIN, Chief Clerk



# HOUSE JOURNAL OF THE IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-FIFTH LEGISLATURE

**EIGHTY-FIFTH LEGISLATIVE DAY  
MONDAY, APRIL 1, 2019**

House of Representatives

The House convened at 10 a.m., the Speaker in the Chair.

Roll call showed 69 members present.  
Absent and excused - Chew. Total - 1.  
Total - 70.

Prayer was offered by Representative Raybould.

The Pledge of Allegiance was led by Elbia Christensen, Page.

### 3RD ORDER Approval of Journal

April 1, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Eighty-second Legislative Day and recommend that same be adopted as corrected.

DAYLEY, Chairman

Mr. Dayley moved that the report be adopted. Seconded by Mr. Gannon. Report adopted.

### 4TH ORDER Consideration of Messages from the Governor and the Senate

THE OFFICE OF THE GOVERNOR

#### CERTIFICATE OF APPOINTMENT

**KNOW ALL MEN**, that pursuant to the provisions of Section 59-917, Idaho Code, MUFFY DAVIS, State Representative, District 26, Seat A, Blaine, Camas, Gooding, and Lincoln Counties, State of Idaho, has nominated, MOLLY F. PAGE, of 416 N. 2nd Ave., Hailey, ID 83333, to perform the duties of this office temporarily as Acting State Representative, District 26, Seat A.

**NOW, THEREFORE, I, BRAD LITTLE**, Governor of the State of Idaho, by virtue of the authority vested in me do hereby appoint Molly F. Page of Hailey, Idaho, to the office of Acting State Representative, District 26, Seat A, for a term commencing April 1, 2019, and continuing 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 28th day of March, in the year of our

Lord two thousand and nineteen, and of the Independence of the United States of America, the two hundred and forty-third year and of the Statehood of Idaho the one hundred twenty-ninth.

/s/ BRAD LITTLE  
Governor  
/s/ LAWERENCE DENNEY  
Secretary of State

The Certificate of Appointment was ordered filed in the office of the Chief Clerk.

The Speaker announced the oath of office had previously been administered to Molly F. Page.

OFFICE OF THE GOVERNOR  
Boise

March 28, 2019

The Honorable Scott Bedke  
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House bill, to wit:

H 118, as amended, as amended in the Senate

Sincerely,  
/s/ Brad Little  
Governor

OFFICE OF THE GOVERNOR  
Boise

March 29, 2019

The Honorable Scott Bedke  
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House bill, to wit:

H 93, as amended in the Senate

Sincerely,  
/s/ Brad Little  
Governor

March 29, 2019

Mr. Speaker:

I transmit herewith enrolled S 1153, S 1174, S 1113, as amended in the House, S 1057, as amended in the House, and S 1060, as amended, as amended in the House, for the signature of the Speaker.

NOVAK, Secretary

The Speaker announced he was about to sign enrolled S 1153, S 1174, S 1113, as amended in the House, S 1057, as amended in the House, and S 1060, as amended, as amended in the House, when so signed, ordered them returned to the Senate.

March 29, 2019

Mr. Speaker:

I return herewith enrolled [H 254](#), [H 263](#), [H 264](#), [H 267](#), [H 268](#), [H 208](#), [H 248](#), [H 274](#), [H 179](#), as amended, [H 266](#), [H 258](#), [H 189](#), as amended, [H 265](#), [H 199](#), as amended, [H 205](#), and [H 270](#) which have been signed by the President.

NOVAK, Secretary

Enrolled [H 254](#), [H 263](#), [H 264](#), [H 267](#), [H 268](#), [H 208](#), [H 248](#), [H 274](#), [H 179](#), as amended, [H 266](#), [H 258](#), [H 189](#), as amended, [H 265](#), [H 199](#), as amended, [H 205](#), and [H 270](#) were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

March 29, 2019

Mr. Speaker:

I return herewith [H 286](#), [H 287](#), [H 288](#), and [H 275](#) which have passed the Senate.

NOVAK, Secretary

[H 286](#), [H 287](#), [H 288](#), and [H 275](#) were referred to the Judiciary, Rules, and Administration Committee for enrolling.

There being no objection, the House advanced to the Eighth Order of Business.

**8TH ORDER**  
**Introduction, First Reading, and Reference**  
**of Bills and Joint Resolutions**

**HOUSE BILL NO. 297**  
**BY APPROPRIATIONS COMMITTEE**  
**AN ACT**

RELATING TO THE APPROPRIATION TO THE OFFICE OF THE STATE BOARD OF EDUCATION FOR FISCAL YEAR 2020; APPROPRIATING MONEYS TO THE OFFICE OF THE STATE BOARD OF EDUCATION FOR FISCAL YEAR 2020; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING REAPPROPRIATION AUTHORITY; PROVIDING REQUIREMENTS REGARDING ANNUAL REPORTING OF PAYMENTS TO THE IDAHO STATE BUILDING AUTHORITY; AND PROVIDING REQUIREMENTS REGARDING EXTERNAL PROGRAM EVALUATIONS.

[H 297](#) was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House returned to the Fifth Order of Business.

**5TH ORDER**  
**Report of Standing Committees**

April 1, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have printed [H 297](#).

DAYLEY, Chairman

[H 297](#) was filed for second reading.

April 1, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have enrolled [H 281](#), [H 282](#), [H 283](#), [H 284](#), and [H 285](#).

DAYLEY, Chairman

The Speaker announced he was about to sign enrolled [H 281](#), [H 282](#), [H 283](#), [H 284](#), and [H 285](#) and, when so signed, ordered them transmitted to the Senate for the signature of the President.

March 29, 2019

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration [H 217](#), as amended in the Senate, and recommend concurrence with Senate Amendments.

COLLINS, Chairman

Mr. Anderst asked unanimous consent that, pursuant to Rule 22, discussion of other pending legislation be allowed during the concurrence debate of [H 217](#), as amended in the Senate. There being no objection it was so ordered.

Mr. Anderst asked unanimous consent that the House concur in the Senate amendments to [H 217](#), as amended in the Senate, as recommended by the committee. Mr. Mason objected.

Mr. Anderst moved that the House concur in the Senate amendments to [H 217](#), as amended in the Senate. Mr. Monks seconded the motion.

The question being ""Shall the motion pass?""

Roll call resulted as follows:

AYES—Addis, Amador, Anderson, Anderst, Barbieri, Blanksma, Boyle, Chaney, Christensen, Clow, Collins, Crane, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Furniss, Gestrin, Gibbs, Giddings, Goesling, Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Scott, Shepherd, Stevenson, Syme, Troy, Vander Woude, Wagoner, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 55.

NAYS—Abernathy(Nye), Andrus, Armstrong, Berch, Davis(Page), Erpelding, Gannon, Green(18), Mason, McCrostie, Rubel, Smith, Toone, Wintrow. Total - 14.

Absent—Chew. Total - 1.

Total - 70.

Whereupon the Speaker declared the motion passed and the House concurred in the Senate amendments to [H 217](#), as amended in the Senate.

[H 217](#), as amended in the Senate, was referred to the Judiciary, Rules, and Administration Committee for engrossing.

March 29, 2019

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration [H 259](#), as amended in the Senate, and recommend concurrence with Senate Amendments.

COLLINS, Chairman

Mr. Moyle asked unanimous consent that the House concur in the Senate amendments to [H 259](#), as amended in the Senate,

as recommended by the committee. There being no objection, it was so ordered.

**H 259**, as amended in the Senate, was referred to the Judiciary, Rules, and Administration Committee for engrossing.

April 1, 2019

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **SCR 117** and recommend that it do pass.

HARRIS, Chairman

**SCR 117** was filed for second reading.

There being no objection, the House advanced to the Tenth Order of Business.

### 10TH ORDER

#### Second Reading of Bills and Joint Resolutions

**H 169**, as amended in the Senate, by State Affairs Committee, was read the second time by title and filed for third reading.

**H 194**, as amended in the Senate, by Education Committee, was read the second time by title and filed for third reading.

There being no objection, the House advanced to the Twelfth Order of Business.

### 12TH ORDER

#### Consideration of General Orders

Mr. Moyle moved that the House do now resolve itself into a Committee of the Whole House for the consideration of General Orders. Seconded by Mr. Erpelding. Motion carried.

Whereupon the House resolved itself into a Committee of the Whole House for the consideration of General Orders with Mr. Monks in the Chair.

When the Committee of the Whole House rose, the Speaker returned to the Chair and the House was in order.

#### Report of the Committee of the Whole House

April 1, 2019

Mr. Speaker:

We, your COMMITTEE OF THE WHOLE HOUSE, report that we have had under consideration **S 1061**, as amended, and report it back without recommendation, amended as follows:

#### HOUSE AMENDMENT TO S.B. NO. 1061, As Amended

##### AMENDMENT TO THE BILL

On page 5 of the engrossed bill, following line 16, insert:

"SECTION 5. That Section 33-308, Idaho Code, be, and the same is hereby amended to read as follows:

33-308. EXCISION AND ANNEXATION OF TERRITORY. (1) A board of trustees of any school district, including a specially chartered school district, or one-fourth (1/4) or more of the school district electors, residing in an area of not more than fifty (50) square miles within which there is no schoolhouse or facility necessary for the operation of a school district, may petition in writing proposing the annexation of the area to another and contiguous school district.

(2) Such petition shall be in duplicate, one (1) copy of which shall be presented to the board of trustees of the district from which the area is proposed to be excised, and the other to the board of trustees of the district to which the area is proposed to be annexed. The petition shall contain:

- (a) The names and addresses of the petitioners;
- (b) A legal description of the area proposed to be excised from one (1) district and annexed to another contiguous district. Such legal description shall be prepared by a licensed attorney, licensed professional land surveyor or licensed professional engineer professionally trained and experienced in legal descriptions of real property;
- (c) Maps showing the boundaries of the districts as they presently appear and as they would appear should the excision and annexation be approved;
- (d) The names of the school districts from and to which the area is proposed to be excised and annexed;
- (e) A description of reasons for which the petition is being submitted; and
- (f) An estimate of the number of children residing in the area described in the petition.

(3) The board of trustees of each school district, no later than ten (10) days after its first regular meeting held subsequent to receipt of the petition, shall transmit the petition, with recommendations, to the state department of education.

(4) The state board of education shall approve the proposal, provided:

- (a) The excision and annexation is in the best interests of the children residing in the area described in the petition; and
- (b) The excision of the territory, as proposed, would not leave a school district with a bonded debt in excess of the limit then prescribed by law.

If either condition is not met, the state board shall disapprove the proposal. The approval or disapproval shall be expressed in writing to the board of trustees of each school district named in the petition.

(5) If the state board of education shall approve the proposal, it shall ~~be submitted to the school district electors residing in the area described in the petition,~~ submit the ballot questions to the appropriate voters as described in subsections (6) and (7) of this section at an election held in the manner provided in chapter 14, title 34, Idaho Code. Such election shall be held on the date authorized in section 34-106, Idaho Code, ~~which that~~ is nearest to sixty (60) days after the state board approves the proposal.

(6) At the election there shall be submitted to the electors having the qualifications of electors in a school district bond election and residing in the area proposed to be annexed:

- (a) The question of whether the area described in the petition shall be excised from school district no. ( ) and annexed to contiguous school district no. ( ); and
- (b) The question of assumption of the appropriate proportion of any bonded debt, and the interest thereon, of the proposed annexing school district.

(7) Also at the election, there shall be submitted a question to the electors having the qualifications of electors in a school district bond election and residing in the area remaining in the district from which the area is proposed to be excised. The question shall ask such electors whether they approve the assumption of the portion of the school district bond and the interest thereon held by the electors proposing to leave the school district. This subsection shall apply only to a proposed excision from a school district that has a bonded indebtedness and where the proposed excision would subtract ten percent (10%) or more of the market value for assessment purposes on the property in the school district from which the area is proposed to be excised.

(8) If a majority of the school district electors in the area described in the petition, voting in the election, shall vote in favor of the proposal to excise and annex the said area, and if in the area the electors voting on the ~~question~~ questions of the assumption of bonded debt and interest set forth in subsections (6) and (7) of this section, if applicable, have approved such assumption by the proportion of votes cast as is required by section 3, article VIII, of the constitution of the state of Idaho, the proposal shall carry and be approved. Otherwise, it shall fail.

(89) If the proposal shall be approved by the electors in the manner prescribed, the board of canvassers shall thereupon promptly notify the state department of education and the affected school districts of such results. The superintendent of public instruction shall make an appropriate order for the boundaries of the affected school districts to be altered, and the legal descriptions of the school districts shall be altered, as prescribed in section 33-307, Idaho Code.

SECTION 6. An emergency existing therefor, which emergency is hereby declared to exist, the provisions of Section 5 of this act shall be in full force and effect on and after passage and approval. Sections 1 through 4 of this act shall be in full force and effect on and after July 1, 2019."

#### CORRECTION TO TITLE

On page 1, in line 5, delete "AND"; and in line 6, following "REFERENCES" insert: "; AMENDING SECTION 33-308, IDAHO CODE, TO REVISE PROVISIONS REGARDING CERTAIN VOTER APPROVAL OF THE ASSUMPTION OF BONDED INDEBTEDNESS AND INTEREST WITH REGARD TO SCHOOL DISTRICT EXCISIONS AND ANNEXATIONS AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY AND PROVIDING EFFECTIVE DATES".

#### HOUSE AMENDMENT TO S.B. NO. 1061, as Amended

##### AMENDMENT TO SECTION 1

On page 2 of the engrossed bill, delete lines 3 through 18, and insert:

"(§2)(a) The board of trustees of any school district that has, for at least seven (7) consecutive years, been authorized through an election held to certify a supplemental levy that has ~~annually been equal to or greater than twenty percent (20%) of the total general maintenance and operation fund,~~ may submit the question of an indefinite term supplemental levy to the electors of the school district the question of a levy with the term of three (3) to ten (10) years. Such question shall clearly state the dollar amount that will be certified annually and that the duration of the levy will be for an indefinite number of years. The question must be approved by a majority of the district electors voting on the question in an election held subject to the provisions of section 34-106, Idaho Code, and pursuant to title 34, Idaho Code.

(b) In the event that the levy rate resulting from the original levy approved pursuant to paragraph (a) of this subsection increases by more than three percent (3%) after the first two (2) years of the duration of the levy, the board of trustees shall hold an election according to section 34-106, Idaho Code, during that same fiscal year, to put to the voters the question of whether to reauthorize the continuance of the levy. The reauthorization of the levy must be approved by a majority of the district electors voting on the question. Voter approval to reauthorize the continuance of the levy shall be required for every two (2) year period in which the levy rate exceeds the

original levy rate by more than three percent (3%). If the levy is not reauthorized by the voters pursuant to this paragraph, the levy shall terminate at the end of the same fiscal year.

(c) An indefinite term supplemental levy in effect on or before July 1, 2019, shall remain in effect.

(d) Any The levy approved pursuant to this subsection may be reduced by a majority vote of the board of trustees during any fiscal year."

We have also had under consideration [S 1126](#) and [S 1195](#), report progress and beg leave to sit again.

MONKS, Chairman

Mr. Monks moved that the report be adopted. Seconded by Mr. Erpelding.

Whereupon the Speaker declared the report adopted.

[S 1061](#), as amended, as amended in the House, was filed for first reading.

[S 1126](#) and [S 1195](#) were retained on General Orders.

The amendments were referred to Judiciary, Rules, and Administration committee for printing.

There being no objection, the House returned to the Eleventh Order of Business.

#### 11TH ORDER

##### Third Reading of Bills and Joint Resolutions

Mr. Moyle asked unanimous consent that [H 294](#) be placed at the bottom of the Third Reading Calendar. There being no objection, it was so ordered.

#### [H 291](#) - APPROPRIATIONS - SUPERINTENDENT OF PUBLIC INSTRUCTION

[H 291](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Horman to open debate.

The question being, "Shall [H 291](#) pass?"

Roll call resulted as follows:

AYES—Abernathy(Nye), Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Blanksma, Boyle, Chaney, Clow, Collins, Crane, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Goesling, Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, Mendive, Monks, Moyle, Palmer, Raybould, Raymond, Ricks, Rubel, Shepherd, Smith, Stevenson, Syme, Troy, Vander Woude, Wagoner, Wintrow, Wood, Young, Youngblood, Zollinger, Mr. Speaker. Total - 54.

NAYS—Barbieri, Berch, Christensen, Davis(Page), Dayley, Giddings, Green(18), Green(2), McCrostie, Moon, Nichols, Scott, Toone, Wisniewski, Zito. Total - 15.

Absent—Chew. Total - 1.

Total - 70.

Whereupon the Speaker declared that [H 291](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.



**H 293 - EDUCATION**

**H 293** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Goesling to open debate.

The question being, "Shall **H 293** pass?"

Roll call resulted as follows:

AYES—Abernathy(Nye), Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Blanksma, Boyle, Chaney, Christensen, Clow, Collins, Davis(Page), Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 67.

NAYS—Berch, Crane. Total - 2.

Absent—Chew. Total - 1.

Total - 70.

Whereupon the Speaker declared that **H 293** passed the House. Title was approved and the bill ordered transmitted to the Senate.

**H 30, as amended in the Senate - CRIMES**

**H 30**, as amended in the Senate, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Ricks to open debate.

The question being, "Shall **H 30**, as amended in the Senate, pass?"

Roll call resulted as follows:

AYES—Abernathy(Nye), Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Christensen, Clow, Collins, Crane, Davis(Page), Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 69.

NAYS—None.

Absent—Chew. Total - 1.

Total - 70.

Whereupon the Speaker declared **H 30**, as amended in the Senate, passed the House. Title was approved and the bill referred to the Judiciary, Rules, and Administration Committee for enrolling.

**H 78, as amended, as amended in the Senate - CRIMES AND PUNISHMENTS**

**H 78**, as amended, as amended in the Senate, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Kerby to open debate.

The question being, "Shall **H 78**, as amended, as amended in the Senate, pass?"

Roll call resulted as follows:

AYES—Abernathy(Nye), Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Christensen, Clow, Collins, Crane, Davis(Page), Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 69.

NAYS—None.

Absent—Chew. Total - 1.

Total - 70.

Whereupon the Speaker declared **H 78**, as amended, as amended in the Senate, passed the House. Title was approved and the bill referred to the Judiciary, Rules, and Administration Committee for enrolling.

**H 137, as amended, as amended in the Senate - DANGEROUS AND AT-RISK DOGS**

**H 137**, as amended, as amended in the Senate, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Moyle to open debate.

The question being, "Shall **H 137**, as amended, as amended in the Senate, pass?"

Roll call resulted as follows:

AYES—Abernathy(Nye), Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Christensen, Clow, Collins, Crane, Davis(Page), Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 69.

NAYS—None.

Absent—Chew. Total - 1.

Total - 70.

Whereupon the Speaker declared **H 137**, as amended, as amended in the Senate, passed the House. Title was approved and the bill referred to the Judiciary, Rules, and Administration Committee for enrolling.

Mr. Moyle asked unanimous consent that **S 1202** be placed at the top of the Third Reading Calendar. There being no objection, it was so ordered.

**S 1202 - APPROPRIATIONS - STATE TAX COMMISSION**

**S 1202** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Anderson to open debate.

Mr. Moyle asked unanimous consent that, pursuant to Rule 38, he be excused from voting on [S 1202](#) due to a conflict of interest. There being no objection, it was so ordered.

The question being, "Shall [S 1202](#) pass?"

Roll call resulted as follows:

AYES—Abernathy(Nye), Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Clow, Collins, Crane, Davis(Page), Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 66.

NAYS—Christensen. Total - 1.

Absent—Chew, Green(18). Total - 2.

Excused from voting—Moyle. Total - 1.

Total - 70.

Whereupon the Speaker declared that [S 1202](#) passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Moyle asked unanimous consent that [S 1201](#) be placed at the top of the Third Reading Calendar. There being no objection, it was so ordered.

### [S 1201](#) - TRANSPORTATION

[S 1201](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Palmer to open debate.

Pursuant to Rule 38(3), Mrs. Green(18) disclosed a conflict of interest regarding [S 1201](#).

The question being, "Shall [S 1201](#) pass?"

Roll call resulted as follows:

AYES—Addis, Amador, Anderst, Andrus, Armstrong, Barbieri, Blanksma, Boyle, Chaney, Christensen, Clow, Collins, Crane, Dayley, DeMordaunt, Dixon, Ehardt, Furniss, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Scott, Shepherd, Stevenson, Syme, Troy, Vander Woude, Wagoner, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 56.

NAYS—Abernathy(Nye), Anderson, Berch, Davis(Page), Ellis, Erpelding, Gannon, Mason, McCrostie, Rubel, Smith, Toone, Wintrow. Total - 13.

Absent—Chew. Total - 1.

Total - 70.

Whereupon the Speaker declared that [S 1201](#) passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Moyle asked unanimous consent that [S 1203](#) be placed at the top of the Third Reading Calendar. There being no objection, it was so ordered.

### [S 1203](#) - APPROPRIATIONS - DEPARTMENT OF LABOR

[S 1203](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Troy to open debate.

The question being, "Shall [S 1203](#) pass?"

Roll call resulted as follows:

AYES—Abernathy(Nye), Addis, Amador, Anderson, Anderst, Berch, Blanksma, Chaney, Clow, Collins, Crane, Davis(Page), Dayley, DeMordaunt, Dixon, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Goesling, Green(18), Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Lickley, Marshall, Mason, McCrostie, Monks, Moyle, Palmer, Raybould, Raymond, Ricks, Rubel, Shepherd, Smith, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wood, Young, Youngblood, Mr. Speaker. Total - 51.

NAYS—Andrus, Armstrong, Barbieri, Boyle, Christensen, Ehardt, Giddings, Green(2), Harris, Kingsley, Mendive, Moon, Nichols, Scott, Stevenson, Wisniewski, Zito, Zollinger. Total - 18.

Absent—Chew. Total - 1.

Total - 70.

Whereupon the Speaker declared that [S 1203](#) passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Moyle asked unanimous consent that [S 1206](#) be placed at the top of the Third Reading Calendar. There being no objection, it was so ordered.

### [S 1206](#) - APPROPRIATIONS - SUPREME COURT

[S 1206](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Raybould to open debate.

The question being, "Shall [S 1206](#) pass?"

Roll call resulted as follows:

AYES—Abernathy(Nye), Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Berch, Blanksma, Chaney, Clow, Collins, Crane, Davis(Page), Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moyle, Palmer, Raybould, Raymond, Ricks, Rubel, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 62.

NAYS—Barbieri, Boyle, Christensen, Green(2), Moon, Nichols, Scott. Total - 7.

Absent—Chew. Total - 1.

Total - 70.

Whereupon the Speaker declared that [S 1206](#) passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Moyle asked unanimous consent that [S 1207](#) be placed at the top of the Third Reading Calendar. There being no objection, it was so ordered.



**S 1207 - APPROPRIATIONS - SUPREME COURT**

**S 1207** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Wintrow to open debate.

The question being, "Shall **S 1207** pass?"

Roll call resulted as follows:

AYES—Abernathy(Nye), Addis, Amador, Anderson, Anderst, Armstrong, Berch, Blanksma, Chaney, Clow, Collins, Crane, Davis(Page), Dayley, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Hartgen, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Raybould, Raymond, Ricks, Rubel, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wood, Young, Youngblood, Zollinger, Mr. Speaker. Total - 49.

NAYS—Andrus, Barbieri, Boyle, Christensen, DeMordaunt, Dixon, Ehardt, Green(2), Harris, Holtzclaw, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Scott, Shepherd, Wisniewski, Zito. Total - 20.

Absent—Chew. Total - 1.  
Total - 70.

Whereupon the Speaker declared that **S 1207** passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Moyle asked unanimous consent that **SCR 113** be placed at the top of the Third Reading Calendar. There being no objection, it was so ordered.

**SCR 113 - TEMPORARY RULES**

**SCR 113** was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Palmer to open debate.

The question being, "Shall **SCR 113** be adopted?"

Whereupon the Speaker declared **SCR 113** adopted by voice vote and ordered the resolution returned to the Senate.

Mr. Moyle asked unanimous consent that **SCR 114** be placed at the top of the Third Reading Calendar. There being no objection, it was so ordered.

**SCR 114 - FEE RULES**

**SCR 114** was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Palmer to open debate.

The question being, "Shall **SCR 114** be adopted?"

Roll call resulted as follows:

AYES—Abernathy(Nye), Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Berch, Blanksma, Boyle, Chaney, Christensen, Clow, Collins, Davis(Page), Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott,

Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 67.

NAYS—Barbieri. Total - 1.

Absent—Chew, Crane. Total - 2.

Total - 70.

Whereupon the Speaker declared **SCR 114** adopted and ordered the resolution returned to the Senate.

Mr. Moyle moved that the House recess until 3 p.m. Seconded by Mr. Erpelding. Motion carried.

Whereupon the Speaker declared the House at recess until 3 p.m.

RECESS  
Afternoon Session

The House reconvened at 3 p.m., the Speaker in the Chair.

Prior to recess, the House was at the Eleventh Order of Business.

Mr. Moyle asked unanimous consent that **H 149**, as amended in the Senate, **S 1157**, **S 1171**, **S 1173**, **S 1072**, **S 1184**, **S 1065**, and **SCR 111** retain their places on the Third Reading Calendar for one legislative day. There being no objection, it was so ordered.

There being no objection, the House returned to the Fourth Order of Business.

**4TH ORDER**  
**Consideration of Messages from the**  
**Governor and the Senate**

April 1, 2019

Mr. Speaker:

I return herewith **H 122**, as amended in the Senate, which has passed the Senate.

NOVAK, Secretary

Pursuant to House Rule 73, **H 122**, as amended in the Senate, was referred to Agricultural Affairs Committee for concurrence recommendation.

There being no objection, the House advanced to the Twelfth Order of Business.

**12TH ORDER**  
**Consideration of General Orders**

Mr. Moyle moved that the House do now resolve itself into a Committee of the Whole House for the consideration of General Orders. Seconded by Mr. Erpelding. Motion carried.

Whereupon the House resolved itself into a Committee of the Whole House for the consideration of General Orders with Mr. Monks in the Chair.

When the Committee of the Whole House rose, the Speaker returned to the Chair and the House was in order.

**Report of the Committee of the Whole House**

April 1, 2019

Mr. Speaker:

We, your COMMITTEE OF THE WHOLE HOUSE, report that we have had under consideration **S 1126** and report it back without recommendation, amended as follows:

**HOUSE AMENDMENT TO S.B. NO. 1126****AMENDMENT TO THE BILL**

On page 1 of the printed bill, delete lines 9 through 42.  
Delete pages 2 and 3, and insert:

"SECTION 1. That Chapter 35, Title 67, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 67-3522, Idaho Code, and to read as follows:

67-3522. ECONOMIC RESERVE AND INVESTMENT FUND. (1) There is hereby created in the state treasury the economic reserve and investment fund for the following purposes: for providing moneys for the strategic initiatives program fund established pursuant to section 40-719, Idaho Code, for meeting general fund revenue shortfalls, or for meeting expenses incurred as the result of a major disaster declared by the governor. The fund shall consist of moneys pursuant to subsections (2) through (4) of this section, including earnings, and any other appropriated moneys as set by the legislature. The state treasurer is hereby granted the authority to invest the assets of the fund as permitted by sections 67-1210 and 67-1210A, Idaho Code, in accordance with the uniform prudent investor act, chapter 5, title 68, Idaho Code.

(2) On June 1, 2019, or as soon thereafter as practicable, the state controller shall transfer any and all remaining moneys in the economic recovery reserve fund to the economic reserve and investment fund.

(3) On July 1, 2019, or as soon thereafter as practicable, the state controller shall transfer two hundred seventy-two million dollars (\$272,000,000) from the budget stabilization fund to the economic reserve and investment fund, notwithstanding section 57-814, Idaho Code, or any other law to the contrary.

(4) After the close of the fiscal year, the state controller shall determine any excess cash balance in the general fund. When calculating any excess cash balance, the state controller shall first provide for the ending balance as determined by the legislative record to be carried over into the next fiscal year or sixty million dollars (\$60,000,000), whichever is greater, plus an amount sufficient to cover encumbrances as approved by the division of financial management, and an amount sufficient to cover any reappropriation as authorized by the legislature. On July 1, or as soon thereafter as practicable, the state controller shall transfer any general fund excess to the economic reserve and investment fund.

(5) On July 15, 2019, or as soon thereafter as practicable, the state controller shall transfer thirty-eight million two hundred thousand dollars (\$38,200,000) from the economic reserve and investment fund to the strategic initiatives program fund established pursuant to section 40-719, Idaho Code.

(6) On July 15, 2020, or as soon thereafter as practicable, the state controller shall transfer one dollar (\$1.00) from the economic reserve and investment fund to the strategic initiatives program fund established pursuant to section 40-719, Idaho Code.

(7) Beginning on July 1, 2021, or as soon thereafter as practicable, and on the first business day of each July thereafter, the state controller shall transfer an amount not exceeding five percent (5%) of the average monthly fair market value of the economic reserve and investment fund for the first twelve (12) months of the preceding twenty-four (24) months to the strategic initiatives program fund established pursuant to section 40-719, Idaho Code. Provided, distributions shall not exceed the fund's fair market value on the first business day in July.

(8) If the fund balance in the budget stabilization fund established pursuant to section 57-814, Idaho Code, is less than one and one-half percent (1.5%) of general fund revenues for the year just ended, the state controller shall not make the transfer described in subsection (7) of this section.

(9) Except as provided in this section, no appropriations from the economic reserve and investment fund nor any transfers out of the fund shall be made without the consent of the legislature by at least a majority of the members of each house concurring therein at an ordinary session or at an extraordinary session of the legislature called by the governor.

(10) In the event of a general fund revenue shortfall or a major disaster declared by the governor, it is the intent of the legislature that the economic reserve and investment fund created in this section be used only after utilizing all funds in the budget stabilization fund provided in section 57-814, Idaho Code.

SECTION 2. That Section 67-3520, Idaho Code, be, and the same is hereby repealed.

SECTION 3. That Chapter 8, Title 57, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 57-814, Idaho Code, and to read as follows:

57-814. BUDGET STABILIZATION FUND. (1) There is hereby created in the state treasury the budget stabilization fund for the purpose of meeting general fund revenue shortfalls and to meet expenses incurred as the result of a major disaster declared by the governor. The fund shall consist of moneys pursuant to subsection (2) of this section, including earnings, and any other appropriated moneys as set by the legislature. Interest earnings from the investment of moneys in this fund shall be credited to the budget stabilization fund, subject to the provisions of section 67-1210, Idaho Code.

(2) Subject to the requirements of section 63-3203, Idaho Code, the state controller shall annually transfer moneys from the general fund to the budget stabilization fund if the state controller certifies that the receipts to the general fund for the fiscal year just ending have exceeded the receipts of the previous fiscal year by more than four percent (4%), then the state controller shall transfer all general fund collections in excess of four percent (4%) to the budget stabilization fund, up to a maximum of one percent (1%) of the actual general fund collections of the prior fiscal year. The state controller shall make the transfer upon the financial close of the current fiscal year.

(3) Appropriations of moneys from the budget stabilization fund in any year shall be limited to fifty percent (50%) of the current fund balance.

SECTION 4. That Section 40-719, Idaho Code, be, and the same is hereby amended to read as follows:

40-719. STRATEGIC INITIATIVES PROGRAM. (1) The Idaho transportation department shall establish and maintain a strategic initiatives program. The purpose of the program is to fund transportation projects that are proposed by the department's six (6) districts and local units of government. Proposed projects shall compete for strategic initiative program selection and funding on a statewide basis based on an analysis of their return on investment in the following categories:

- (a) Safety, including the projected reduction of crashes, injuries and fatalities;
- (b) Mobility, including projected traffic-flow improvements for freight and passenger cars;

- (c) Economic opportunity, including the projected cost-benefit ratio for users and businesses;
- (d) The repair and maintenance of bridges; and
- (e) The purchase of public rights-of-way; and
- ~~(f) Children pedestrian safety on the state and local system.~~

(2) There is hereby established in the state treasury the strategic initiatives program fund to which shall be deposited:

~~(a) Notwithstanding the provisions of section 57-814, Idaho Code, the provisions of this paragraph shall only be in effect from the effective date of this act through May 31, 2019. After the close of the fiscal year, the state controller shall determine any excess cash balance in the general fund. When calculating any excess cash balance the state controller shall first provide for the ending balance as determined by the legislative record to be carried over into the next fiscal year, plus an amount sufficient to cover encumbrances as approved by the division of financial management, and an amount sufficient to cover any reappropriation as authorized by the legislature. On July 1, or as soon thereafter as is practicable, the state controller shall transfer fifty percent (50%) of any general fund excess to the strategic initiatives fund. Distributions from the economic reserve and investment fund established pursuant to section 67-3522, Idaho Code.~~

(b) Any other appropriated moneys for funding of the strategic initiatives program.

(c) Unless otherwise specified, moneys transferred into the strategic initiatives program fund after May 30~~1~~, 2017~~9~~, shall be apportioned as follows:

(i) Two million dollars (\$2,000,000), or four and one-half percent (4.5%) of the apportionment provided for in this paragraph, whichever is less, shall be used for the purpose of funding children pedestrian safety projects on the state and local system.

(ii) Following the allocation made in subparagraph (i) of this paragraph, sSixty percent (60%) to projects proposed by the Idaho transportation department's six (6) districts; and

(iii) Following the allocation made in subparagraph (i) of this paragraph, fForty percent (40%) to local units of government for the purpose of operating a strategic initiatives program administered by the local highway technical assistance council established in section 40-2401, Idaho Code, for the purpose of issuing strategic initiatives program grants to local units of government. Provided however, a single countywide highway district formed pursuant to chapter 14, title 40, Idaho Code, may opt, in lieu of applying for a grant under this subparagraph, to receive moneys from the allocation under this subparagraph in the same proportion by which it received funding pursuant to section 40-709, Idaho Code, or by agreement, in the previous state fiscal year, if it provides notice of such decision to the local highway technical assistance council by September 1. Such decision shall remain in effect for the district's next two (2) fiscal years. Such district's funds shall not be limited to the categories provided in paragraphs (a) through (e) of subsection (1) of this section.

(d) The strategic initiatives program for local units of government shall be exempt from the requirements contained in subsection (1)(c) of this section.

(3) Interest earned on the investment of idle moneys in the fund shall be paid to the fund. All moneys in the fund shall be used for funding the strategic initiatives program according to this section.

SECTION 5. That Section 63-3638, Idaho Code, be, and the same is hereby amended to read as follows:

63-3638. SALES TAX – DISTRIBUTION. All moneys collected under this chapter, except as may otherwise be required in sections 63-3203 and 63-3709, Idaho Code, and except as provided in subsection (16) of this section, shall be distributed by the state tax commission as follows:

(1) An amount of money shall be distributed to the state refund account sufficient to pay current refund claims. All refunds authorized under this chapter by the state tax commission shall be paid through the state refund account, and those moneys are continuously appropriated.

(2) ~~Five~~ Ten million dollars (\$~~5~~10,000,000) per year is continuously appropriated and shall be distributed to the permanent building fund, provided by section 57-1108, Idaho Code.

(3) Four million eight hundred thousand dollars (\$4,800,000) per year is continuously appropriated and shall be distributed to the water pollution control account [fund] established by section 39-3628, Idaho Code.

(4) An amount equal to the sum required to be certified by the chairman of the Idaho housing and finance association to the state tax commission pursuant to section 67-6211, Idaho Code, in each year is continuously appropriated and shall be paid to any capital reserve fund, established by the Idaho housing and finance association pursuant to section 67-6211, Idaho Code. Such amounts, if any, as may be appropriated hereunder to the capital reserve fund of the Idaho housing and finance association shall be repaid for distribution under the provisions of this section, subject to the provisions of section 67-6215, Idaho Code, by the Idaho housing and finance association, as soon as possible, from any moneys available therefor and in excess of the amounts which the association determines will keep it self-supporting.

(5) An amount equal to the sum required by the provisions of sections 63-709 and 63-717, Idaho Code, after allowance for the amount appropriated by section 63-718(3), Idaho Code, is continuously appropriated and shall be paid as provided by sections 63-709 and 63-717, Idaho Code.

(6) An amount required by the provisions of chapter 53, title 33, Idaho Code.

(7) An amount required by the provisions of chapter 87, title 67, Idaho Code.

(8) For fiscal year 2011, and each fiscal year thereafter, four million one hundred thousand dollars (\$4,100,000), of which two million two hundred thousand dollars (\$2,200,000) shall be distributed to each of the forty-four (44) counties in equal amounts, and one million nine hundred thousand dollars (\$1,900,000) of which shall be distributed to the forty-four (44) counties in the proportion that the population of the county bears to the population of the state. For fiscal year 2012, and for each fiscal year thereafter, the amount distributed pursuant to this subsection, shall be adjusted annually by the state tax commission in accordance with the consumer price index for all urban consumers (CPI-U) as published by the U.S. department of labor, bureau of labor statistics, but in no fiscal year shall the total amount allocated for counties under this subsection, be less than four million one hundred thousand dollars (\$4,100,000). Any increase resulting from the adjustment required in this section shall be distributed to each county in the proportion that the population of the county bears to the population of the state. Each county shall establish a special election fund to which shall be deposited all revenues received from the distribution pursuant to this subsection. All such revenues shall be used exclusively to defray the costs associated with conducting elections as required

of county clerks by the provisions of section 34-1401, Idaho Code.

(9) One dollar (\$1.00) on each application for certificate of title or initial application for registration of a motor vehicle, snowmobile, all-terrain vehicle or other vehicle processed by the county assessor or the Idaho transportation department excepting those applications in which any sales or use taxes due have been previously collected by a retailer, shall be a fee for the services of the assessor of the county or the Idaho transportation department in collecting such taxes, and shall be paid into the current expense fund of the county or state highway account established in section 40-702, Idaho Code.

(10) Eleven and five-tenths percent (11.5%) is continuously appropriated and shall be distributed to the revenue sharing account which is created in the state treasury, and the moneys in the revenue sharing account will be paid in installments each calendar quarter by the state tax commission as follows:

(a) Twenty-eight and two-tenths percent (28.2%) shall be paid to the various cities as follows:

- (i) Fifty percent (50%) of such amount shall be paid to the various cities, and each city shall be entitled to an amount in the proportion that the population of that city bears to the population of all cities within the state; and
- (ii) Fifty percent (50%) of such amount shall be paid to the various cities, and each city shall be entitled to an amount in the proportion that the preceding year's market value for assessment purposes for that city bears to the preceding year's market value for assessment purposes for all cities within the state.

(b) Twenty-eight and two-tenths percent (28.2%) shall be paid to the various counties as follows:

- (i) One million three hundred twenty thousand dollars (\$1,320,000) annually shall be distributed one forty-fourth (1/44) to each of the various counties; and
- (ii) The balance of such amount shall be paid to the various counties, and each county shall be entitled to an amount in the proportion that the population of that county bears to the population of the state;

(c) Thirty-five and nine-tenths percent (35.9%) of the amount appropriated in this subsection shall be paid to the several counties for distribution to the cities and counties as follows:

- (i) Each city and county which received a payment under the provisions of section 63-3638(e), Idaho Code, during the fourth quarter of calendar year 1999, shall be entitled to a like amount during succeeding calendar quarters.
- (ii) If the dollar amount of money available under this subsection (10)(c) in any quarter does not equal the amount paid in the fourth quarter of calendar year 1999, each city's and county's payment shall be reduced proportionately.
- (iii) If the dollar amount of money available under this subsection (10)(c) in any quarter exceeds the amount paid in the fourth quarter of calendar year 1999, each city and county shall be entitled to a proportionately increased payment, but such increase shall not exceed one hundred five percent (105%) of the total payment made in the fourth quarter of calendar year 1999.
- (iv) If the dollar amount of money available under this subsection (10)(c) in any quarter exceeds one hundred five percent (105%) of the total payment made in the fourth quarter of calendar year 1999, any amount over and above such one hundred five percent (105%) shall be paid fifty percent (50%) to the various cities in the

proportion that the population of the city bears to the population of all cities within the state, and fifty percent (50%) to the various counties in the proportion that the population of a county bears to the population of the state; and

(d) Seven and seven-tenths percent (7.7%) of the amount appropriated in this subsection shall be paid to the several counties for distribution to special purpose taxing districts as follows:

(i) Each such district which received a payment under the provisions of section 63-3638(e), Idaho Code, as such subsection existed immediately prior to July 1, 2000, during the fourth quarter of calendar year 1999, shall be entitled to a like amount during succeeding calendar quarters.

(ii) If the dollar amount of money available under this subsection (10)(d) in any quarter does not equal the amount paid in the fourth quarter of calendar year 1999, each special purpose taxing district's payment shall be reduced proportionately.

(iii) If the dollar amount of money available under this subsection (10)(d) in any quarter exceeds the amount distributed under paragraph (i) of this subsection (10)(d), each special purpose taxing district shall be entitled to a share of the excess based on the proportion each such district's current property tax budget bears to the sum of the current property tax budgets of all such districts in the state. The state tax commission shall calculate district current property tax budgets to include any unrecovered foregone amounts as determined under section 63-802(1)(e), Idaho Code. When a special purpose taxing district is situated in more than one (1) county, the state tax commission shall determine the portion attributable to the special purpose taxing district from each county in which it is situated.

(iv) If special purpose taxing districts are consolidated, the resulting district is entitled to a base amount equal to the sum of the base amounts which were received in the last calendar quarter by each district prior to the consolidation.

(v) If a special purpose taxing district is dissolved or discontinued, the state tax commission shall continuously distribute to the board of county commissioners an amount equal to the last quarter's distribution prior to dissolution or discontinuation. The board of county commissioners shall determine any redistribution of moneys so received.

(vi) Taxing districts formed after January 1, 2001, are not entitled to a payment under the provisions of this subsection (10)(d).

(vii) For purposes of this subsection (10)(d), a special purpose taxing district is any taxing district which is not a city, a county or a school district.

(11) Amounts calculated in accordance with section 2, chapter 356, laws of 2001, for annual distribution to counties and other taxing districts beginning in October 2001 for replacement of property tax on farm machinery and equipment exempted pursuant to section 63-602EE, Idaho Code. For nonschool districts, the state tax commission shall distribute one-fourth (1/4) of this amount certified quarterly to each county. For school districts, the state tax commission shall distribute one-fourth (1/4) of the amount certified quarterly to each school district. For nonschool districts, the county auditor shall distribute to each district within thirty (30) calendar days from receipt of moneys from the state tax commission. Moneys received by each taxing district for replacement shall be utilized in the same manner

and in the same proportions as revenues from property taxation. The moneys remitted to the county treasurer for replacement of property exempt from taxation pursuant to section 63-602EE, Idaho Code, may be considered by the counties and other taxing districts and budgeted at the same time, in the same manner and in the same year as revenues from taxation on personal property which these moneys replace. If taxing districts are consolidated, the resulting district is entitled to an amount equal to the sum of the amounts which were received in the last calendar quarter by each district pursuant to this subsection prior to the consolidation. If a taxing district is dissolved or disincorporated, the state tax commission shall continuously distribute to the board of county commissioners an amount equal to the last quarter's distribution prior to dissolution or disincorporation. The board of county commissioners shall determine any redistribution of moneys so received. If a taxing district annexes territory, the distribution of moneys received pursuant to this subsection shall be unaffected. Taxing districts formed after January 1, 2001, are not entitled to a payment under the provisions of this subsection. School districts shall receive an amount determined by multiplying the sum of the year 2000 school district levy minus .004 times the market value on December 31, 2000, in the district of the property exempt from taxation pursuant to section 63-602EE, Idaho Code, provided that the result of these calculations shall not be less than zero (0). The result of these school district calculations shall be further increased by six percent (6%). For purposes of the limitation provided by section 63-802, Idaho Code, moneys received pursuant to this section as property tax replacement for property exempt from taxation pursuant to section 63-602EE, Idaho Code, shall be treated as property tax revenues.

(12) Amounts necessary to pay refunds as provided in section 63-3641, Idaho Code, to a developer of a retail complex shall be remitted to the demonstration pilot project fund created in section 63-3641, Idaho Code.

(13) Amounts calculated in accordance with subsection (4) of section 63-602KK, Idaho Code, for annual distribution to counties and other taxing districts for replacement of property tax on personal property tax exemptions pursuant to subsection (2) of section 63-602KK, Idaho Code, which amounts are continuously appropriated unless the legislature enacts a different appropriation for a particular fiscal year. For purposes of the limitation provided by section 63-802, Idaho Code, moneys received pursuant to this section as property tax replacement for property exempt from taxation pursuant to section 63-602KK, Idaho Code, shall be treated as property tax revenues. If taxing districts are consolidated, the resulting district is entitled to an amount equal to the sum of the amounts that were received in the last calendar year by each district pursuant to this subsection prior to the consolidation. If a taxing district or revenue allocation area annexes territory, the distribution of moneys received pursuant to this subsection shall be unaffected. Taxing districts and revenue allocation areas formed after January 1, 2013, are not entitled to a payment under the provisions of this subsection.

(14) Amounts collected from purchasers and paid to the state of Idaho by retailers that are not engaged in business in this state and which retailer would not have been required to collect the sales tax, less amounts otherwise distributed in subsections (1) and (10) of this section, shall be distributed to the tax relief fund created in section 57-811, Idaho Code. The state tax commission will determine the amounts to be distributed under this subsection.

(15) Any moneys remaining over and above those necessary to meet and reserve for payments under other subsections of this section shall be distributed to the general fund.

(16) One percent (1%) shall be distributed to the transportation expansion and congestion mitigation program

established in section 40-720, Idaho Code. The distribution provided for in this subsection must immediately follow the distribution provided for in subsection (10) of this section.

SECTION 6. That Section 57-814, Idaho Code, as enacted by section 9, Chapter 341, Laws of 2015, be, and the same is hereby repealed.

SECTION 7. That Section 13, Chapter 322, Laws of 2017, be, and the same is hereby amended to read as follows:

SECTION 17. An emergency existing therefor, which emergency is hereby declared to exist, Sections 6 and 7 of this act shall be in full force and effect on and after passage and approval. Sections 1, 2, 3, 4, 5, 10, 11, 12, 13, 14, 15 and 16 of this act shall be in full force and effect on and after July 1, 2015. Section 7 of this act shall be null, void and of no force and effect on and after May 31, 2019. Sections 8 and 9 of this act shall be in full force and effect on and after May 31, 2019.

SECTION 8. An emergency existing therefor, which emergency is hereby declared to exist, Sections 1, 3, 4, 6, and 7 of this act shall be in full force and effect on and after June 1, 2019. Section 2 of this act shall be in full force and effect on and after September 1, 2019. Section 5 of this act shall be in full force and effect on and after July 1, 2019."

#### CORRECTION TO TITLE

On page 1, delete lines 2 through 7, and insert:  
 "RELATING TO MONEYS FOR TRANSPORTATION;  
 AMENDING CHAPTER 35, TITLE 67, IDAHO CODE,  
 BY THE ADDITION OF A NEW SECTION 67-3522,  
 IDAHO CODE, TO PROVIDE FOR THE ECONOMIC  
 RESERVE AND INVESTMENT FUND; REPEALING  
 SECTION 67-3520, IDAHO CODE, RELATING TO  
 THE ECONOMIC RECOVERY RESERVE FUND;  
 AMENDING CHAPTER 8, TITLE 57, IDAHO  
 CODE, BY THE ADDITION OF A NEW SECTION  
 57-814, IDAHO CODE, REGARDING THE BUDGET  
 STABILIZATION FUND; AMENDING SECTION  
 40-719, IDAHO CODE, TO PROVIDE MONEYS FOR  
 THE STRATEGIC INITIATIVES PROGRAM AND  
 TO PROVIDE FOR CERTAIN DISTRIBUTION OF  
 STRATEGIC INITIATIVES PROGRAM MONEYS;  
 AMENDING SECTION 63-3638, IDAHO CODE,  
 TO INCREASE THE DISTRIBUTION OF CERTAIN  
 SALES TAX MONEYS TO THE PERMANENT  
 BUILDING FUND; REPEALING SECTION 57-814,  
 IDAHO CODE, AS ENACTED BY SECTION 9,  
 CHAPTER 341, LAWS OF 2015, RELATING TO  
 THE BUDGET STABILIZATION FUND; AMENDING  
 SECTION 13, CHAPTER 322, LAWS OF 2017, TO  
 REMOVE AN EFFECTIVE DATE; AND DECLARING  
 AN EMERGENCY AND PROVIDING EFFECTIVE  
 DATES."

We have also had under consideration [S 1195](#), report progress and beg leave to sit again.

MONKS, Chairman

Mr. Monks moved that the report be adopted. Seconded by Mr. Erpelding.

Whereupon the Speaker declared the report adopted.

[S 1126](#), as amended in the House, was filed for first reading.

[S 1195](#) was retained on General Orders.

The amendments were referred to Judiciary, Rules, and Administration committee for printing.

There being no objection, the House returned to the Fifth Order of Business.

**5TH ORDER**  
**Report of Standing Committees**

April 1, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have printed House amendments to [S 1061](#), as amended, and [S 1126](#).  
DAYLEY, Chairman

There being no objection, the House advanced to the Eighth Order of Business.

**8TH ORDER**  
**Introduction, First Reading, and Reference  
of Bills and Joint Resolutions**

[S 1061](#), as amended, as amended in the House, by Education Committee, was introduced, read the first time by title, and filed for second reading.

[S 1126](#), as amended in the House, by State Affairs Committee, was introduced, read the first time by title, and filed for second reading.

There being no objection, the House advanced to the Fifteenth Order of Business.

**15TH ORDER**  
**Announcements**

Announcements were made to the body.

**16TH ORDER**  
**Adjournment**

Mr. Moyle moved that the House adjourn until 10 a.m., Tuesday, April 2, 2019. Seconded by Mr. Erpelding. Motion carried.

Whereupon the Speaker declared the House adjourned at 4:34 p.m.

SCOTT BEDKE, Speaker

ATTEST:

CARRIE MAULIN, Chief Clerk



# HOUSE JOURNAL

OF THE

## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-FIFTH LEGISLATURE

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**EIGHTY-SIXTH LEGISLATIVE DAY**  
**TUESDAY, APRIL 2, 2019**

House of Representatives

The House convened at 10 a.m., the Speaker in the Chair.

Roll call showed 68 members present.

Absent and excused - Christensen and Wagoner. Total - 2.  
Total - 70.

Prayer was offered by Representative Armstrong.

The Pledge of Allegiance was led by Cathleen Wonacott,  
Page.

### 3RD ORDER

#### Approval of Journal

April 2, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Eighty-fifth Legislative Day and recommend that same be adopted as corrected.

DAYLEY, Chairman

Mr. Dayley moved that the report be adopted. Seconded by Mr. Gannon. Report adopted.

### 4TH ORDER

#### Consideration of Messages from the Governor and the Senate

THE OFFICE OF THE GOVERNOR

#### CERTIFICATE OF APPOINTMENT

**KNOW ALL MEN**, that pursuant to the provisions of Section 59-917, Idaho Code, SUE CHEW, State Representative, District 17, Seat B, Ada County, State of Idaho, has nominated, SARAH TOEVS, of 3604 W. Kootenai Rd., Boise, ID 83705, to perform the duties of this office temporarily as Acting State Representative, District 17, Seat B.

**NOW, THEREFORE, I, BRAD LITTLE**, Governor of the State of Idaho, by virtue of the authority vested in me do hereby appoint Sarah Toevs of Boise, Idaho, to the office of Acting State Representative, District 17, Seat B, for a term commencing April 2, 2019 through Wednesday, April 3, 2019.

**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 1st day of April, in the year of our Lord two thousand and nineteen, and of the Independence of the

United States of America, the two hundred and forty-third year and of the Statehood of Idaho the one hundred twenty-ninth.

/s/ BRAD LITTLE

Governor

/s/ LAWRENCE DENNEY

Secretary of State

The Certificate of Appointment was ordered filed in the office of the Chief Clerk.

The Speaker announced the oath of office had previously been administered to Sarah Toevs.

April 1, 2019

Mr. Speaker:

I transmit herewith enrolled [S 1106](#), as amended, [SCR 110](#), and [S 1159](#), as amended, for the signature of the Speaker.

NOVAK, Secretary

The Speaker announced he was about to sign enrolled [S 1106](#), as amended, [SCR 110](#), and [S 1159](#), as amended, when so signed, ordered them returned to the Senate.

April 1, 2019

Mr. Speaker:

I return herewith enrolled [H 139](#), [H 193](#), as amended, [H 251](#), [H 206](#), and [H 183](#) which have been signed by the President.

NOVAK, Secretary

Enrolled [H 139](#), [H 193](#), as amended, [H 251](#), [H 206](#), and [H 183](#) were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

April 1, 2019

Mr. Speaker:

I return herewith [H 289](#) which has failed to pass the Senate.

NOVAK, Secretary

[H 289](#) was ordered filed in the office of the Chief Clerk.

### 5TH ORDER

#### Report of Standing Committees

April 2, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have enrolled [H 286](#), [H 287](#), [H 288](#), [H 275](#), [H 30](#), as amended in the Senate, [H 78](#), as amended, as amended in the Senate, and [H 137](#), as amended, as amended in the Senate.

DAYLEY, Chairman

The Speaker announced he was about to sign enrolled [H 286](#), [H 287](#), [H 288](#), [H 275](#), [H 30](#), as amended in the Senate, [H 78](#), as amended, as amended in the Senate, and [H 137](#), as amended, as amended in the Senate, and, when so signed, ordered them transmitted to the Senate for the signature of the President.

April 2, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have engrossed [H 217](#), as amended in the Senate, and [H 259](#), as amended in the Senate.

DAYLEY, Chairman

[H 217](#), as amended in the Senate, and [H 259](#), as amended in the Senate, were filed for first reading of engrossed bills.

April 2, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have transmitted enrolled [H 254](#), [H 263](#), [H 264](#), [H 267](#), [H 268](#), [H 208](#), [H 248](#), [H 274](#), [H 179](#), as amended, [H 266](#), [H 258](#), [H 189](#), as amended, [H 265](#), [H 199](#), as amended, [H 205](#), and [H 270](#) to the Governor at 10:10 a.m., as of this date, April 1, 2019.

DAYLEY, Chairman

April 2, 2019

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration [S 1205](#) and report it back to be placed on General Orders.

HARRIS, Chairman

[S 1205](#) was placed on General Orders for consideration.

There being no objection, the House advanced to the Ninth Order of Business.

### 9TH ORDER

#### First Reading of Engrossed Bills

[H 217](#), as amended in the Senate, and [H 259](#), as amended in the Senate, by Revenue and Taxation Committee, were introduced, read the first time by title, and filed for second reading.

### 10TH ORDER

#### Second Reading of Bills and Joint Resolutions

[H 297](#), by Appropriations Committee, was read the second time by title and filed for third reading.

[SCR 117](#), by State Affairs Committee, was read the second time by title and filed for third reading.

[S 1061](#), as amended, as amended in the House, by Education Committee, was read the second time by title and filed for third reading.

[S 1126](#), as amended in the House, by State Affairs Committee, was read the second time by title and filed for third reading.

### 11TH ORDER

#### Third Reading of Bills and Joint Resolutions

#### [H 194](#), as amended in the Senate - PUBLIC LIBRARIES

[H 194](#), as amended in the Senate, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Clow to open debate.

The question being, "Shall [H 194](#), as amended in the Senate, pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew(Toevs), Clow, Collins, Crane, Davis(Page), Dayley, DeMordaunt, Dixon, Ehardt, Erpelding, Furniss, Gannon,

Gestrin, Gibbs, Goesling, Green(18), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wintrow, Wisniewski, Wood, Young, Youngblood, Zollinger, Mr. Speaker. Total - 63.

NAYS—Ellis, Giddings, Green(2), Scott, Zito. Total - 5.

Absent—Christensen, Wagoner. Total - 2.

Total - 70.

Whereupon the Speaker declared [H 194](#), as amended in the Senate, passed the House. Title was approved and the bill referred to the Judiciary, Rules, and Administration Committee for enrolling.

#### [H 169](#), as amended in the Senate - FEDERALISM

[H 169](#), as amended in the Senate, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Monks to open debate.

The question being, "Shall [H 169](#), as amended in the Senate, pass?"

Roll call resulted as follows:

AYES—Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Blanksma, Boyle, Chaney, Clow, Collins, Crane, Dayley, DeMordaunt, Dixon, Ehardt, Furniss, Gestrin, Gibbs, Giddings, Goesling, Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Scott, Shepherd, Stevenson, Syme, Troy, Vander Woude, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 54.

NAYS—Abernathy, Berch, Chew(Toevs), Davis(Page), Ellis, Erpelding, Gannon, Green(18), Mason, McCrostie, Rubel, Smith, Toone, Wintrow. Total - 14.

Absent—Christensen, Wagoner. Total - 2.

Total - 70.

Whereupon the Speaker declared [H 169](#), as amended in the Senate, passed the House. Title was approved and the bill referred to the Judiciary, Rules, and Administration Committee for enrolling.

#### [H 149](#), as amended in the Senate - SELF-FUNDED HEALTH CARE PLANS

[H 149](#), as amended in the Senate, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Furniss to open debate.

Pursuant to Rule 38(3), Mr. Furniss disclosed a conflict of interest regarding [H 149](#), as amended in the Senate.

Pursuant to Rule 38(3), Ms. Troy disclosed a conflict of interest regarding [H 149](#), as amended in the Senate.

Pursuant to Rule 38(3), Mr. Dixon disclosed a conflict of interest regarding [H 149](#), as amended in the Senate.

Pursuant to Rule 38(3), Mr. Wood disclosed a conflict of interest regarding [H 149](#), as amended in the Senate.

The question being, "Shall [H 149](#), as amended in the Senate, pass?"

Roll call resulted as follows:

AYES—Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Blanksma, Boyle, Chaney, Chew(Toevs), Clow, Collins, Crane, Davis(Page), Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 64.

NAYS—Abernathy, Berch, Erpelding, Wintrow. Total - 4.

Absent—Christensen, Wagoner. Total - 2.

Total - 70.

Whereupon the Speaker declared [H 149](#), as amended in the Senate, passed the House. Title was approved and the bill referred to the Judiciary, Rules, and Administration Committee for enrolling.

Mr. Moyle asked unanimous consent that [S 1065](#) be placed at the top of the Third Reading Calendar. There being no objection, it was so ordered.

#### [S 1065](#) - TRANSPORTATION

[S 1065](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Monks to open debate.

Pursuant to Rule 38(3), Mrs. Green(18) disclosed a conflict of interest regarding [S 1065](#).

The question being, "Shall [S 1065](#) pass?"

Roll call resulted as follows:

AYES—Addis, Amador, Anderson, Anderst, Blanksma, Boyle, Clow, Collins, Crane, Dayley, DeMordaunt, Dixon, Ellis, Erpelding, Furniss, Gestrin, Green(18), Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Lickley, Marshall, Mason, Monks, Moyle, Palmer, Raybould, Raymond, Ricks, Shepherd, Troy, Vander Woude, Wood, Youngblood, Mr. Speaker. Total - 37.

NAYS—Abernathy, Andrus, Armstrong, Barbieri, Berch, Chaney, Chew(Toevs), Christensen, Davis(Page), Ehardt, Gannon, Gibbs, Giddings, Goesling, Green(2), Harris, Kingsley, McCrostie, Mendive, Moon, Nichols, Rubel, Scott, Smith, Stevenson, Syme, Toone, Wintrow, Wisniewski, Young, Zito, Zollinger. Total - 32.

Absent—Wagoner. Total - 1.

Paired Votes:

AYE - Blanksma                      NAY - Christensen

(Pairs enumerated in roll call above.)

Total - 70.

Whereupon the Speaker declared that [S 1065](#) passed the House. Title was approved and the bill ordered returned to the Senate.

There being no objection, the House returned to the Seventh Order of Business.

#### 7TH ORDER Motions, Memorials, and Resolutions

Mr. Moyle asked unanimous consent that the House recess until 2 p.m.

Without objection, the Speaker declared the House at recess until 2 p.m.

#### RECESS

#### Afternoon Session

The House reconvened at 2 p.m., the Speaker in the Chair.

Prior to recess, the House was at the Seventh Order of Business.

#### [SCR 117](#) - MEDICAID

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of [SCR 117](#) 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 [SCR 117](#) be read the third time at length, and placed before the House for final consideration. Seconded by Mr. Erpelding.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew(Toevs), Clow, Collins, Crane, Davis(Page), Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Goesling, Green(18), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 65.

NAYS—Giddings, Green(2). Total - 2.

Absent—Andrus, Christensen, Wagoner. Total - 3.

Total - 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [SCR 117](#) was read the third time at length, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Wood to open debate.

The question being, "Shall [SCR 117](#) be adopted?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew(Toevs), Clow, Collins, Crane, Davis(Page), Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 67.

NAYS—Giddings. Total - 1.  
 Absent—Christensen, Wagoner. Total - 2.  
 Total - 70.

Whereupon the Speaker declared [SCR 117](#) adopted and ordered the resolution returned to the Senate.

**[S 1061](#), as amended, as amended in the House - EDUCATION**

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of [S 1061](#), 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 1061](#), as amended, as amended in the House, be read the third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Erpelding.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew(Toevs), Clow, Collins, Crane, Davis(Page), Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Goesling, Green(18), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 65.

NAYS—Giddings, Green(2). Total - 2.  
 Absent—Andrus, Christensen, Wagoner. Total - 3.  
 Total - 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [S 1061](#), as amended, as amended in the House, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. McCrostie to open debate.

The question being, "Shall [S 1061](#), as amended, as amended in the House, pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew(Toevs), Clow, Collins, Crane, Davis(Page), Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 68.

NAYS—None.  
 Absent—Christensen, Wagoner. Total - 2.  
 Total - 70.

Whereupon the Speaker declared that [S 1061](#), as amended, as amended in the House, passed the House. Title was approved and the bill ordered returned to the Senate.

**[S 1126](#), as amended in the House - TRANSPORTATION FUNDING**

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of [S 1126](#), 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 1126](#), as amended in the House, be read the third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Erpelding.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew(Toevs), Clow, Collins, Crane, Davis(Page), Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Goesling, Green(18), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 65.

NAYS—Giddings, Green(2). Total - 2.  
 Absent—Andrus, Christensen, Wagoner. Total - 3.  
 Total - 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [S 1126](#), as amended in the House, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Palmer to open debate.

Pursuant to Rule 38(3), Mrs. Green(18) disclosed a conflict of interest regarding [S 1126](#), as amended in the House.

Pursuant to Rule 38(3), Mr. Youngblood disclosed a conflict of interest regarding [S 1126](#), as amended in the House.

The question being, "Shall [S 1126](#), as amended in the House, pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew(Toevs), Clow, Collins, Crane, Davis(Page), Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 68.

NAYS—None.  
 Absent—Christensen, Wagoner. Total - 2.  
 Total - 70.

Whereupon the Speaker declared that [S 1126](#), as amended in the House, passed the House. Title was approved and the bill ordered returned to the Senate.

There being no objection, the House returned to the Fourth Order of Business.

**4TH ORDER**  
**Consideration of Messages from the Governor and the Senate**

April 2, 2019

Mr. Speaker:

I return herewith enrolled [H 281](#), [H 282](#), [H 283](#), [H 284](#), and [H 285](#) which have been signed by the President.

NOVAK, Secretary

Enrolled [H 281](#), [H 282](#), [H 283](#), [H 284](#), and [H 285](#) were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

**5TH ORDER**  
**Report of Standing Committees**

April 2, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have transmitted enrolled [H 139](#), [H 193](#), as amended, [H 251](#), [H 206](#), and [H 183](#) to the Governor at 10:15 a.m., as of this date, April 2, 2019.

DAYLEY, Chairman

There being no objection, the House advanced to the Eleventh Order of Business.

**11TH ORDER**  
**Third Reading of Bills and Joint Resolutions**

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Fifteenth Order of Business.

**15TH ORDER**  
**Announcements**

Announcements were made to the body.

**16TH ORDER**  
**Adjournment**

Mr. Moyle moved that the House adjourn until 8 a.m., Wednesday, April 3, 2019. Seconded by Mr. Erpelding. Motion carried.

Whereupon the Speaker declared the House adjourned at 2:32 p.m.

SCOTT BEDKE, Speaker

ATTEST:

CARRIE MAULIN, Chief Clerk



# HOUSE JOURNAL

OF THE

## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-FIFTH LEGISLATURE

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**EIGHTY-SEVENTH LEGISLATIVE DAY**  
**WEDNESDAY, APRIL 3, 2019**

House of Representatives

The House convened at 8 a.m., the Speaker in the Chair.

Roll call showed 68 members present.  
Absent and excused - Christensen and Shepherd. Total - 2.  
Total - 70.

Prayer was offered by Representative Horman.

The Pledge of Allegiance was led by Jack Marchant, Page.

### 3RD ORDER

#### Approval of Journal

April 3, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Eighty-sixth Legislative Day and recommend that same be adopted as corrected.

DAYLEY, Chairman

Mr. Dayley moved that the report be adopted. Seconded by Mr. Gannon. Report adopted.

### 4TH ORDER

#### Consideration of Messages from the Governor and the Senate

OFFICE OF THE GOVERNOR  
Boise

April 2, 2019

The Honorable Scott Bedke  
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House bills, to wit:

[H 179](#), as amended, [H 189](#), as amended, [H 193](#), as amended, [H 199](#), as amended, [H 206](#), [H 208](#), [H 254](#), [H 258](#), [H 263](#), [H 264](#), [H 265](#), [H 266](#), [H 267](#), [H 268](#), [H 270](#), and [H 274](#)

Sincerely,  
/s/ Brad Little  
Governor

April 2, 2019  
Mr. Speaker:

I transmit herewith enrolled [S 1202](#), [S 1201](#), [S 1203](#), [S 1206](#), [S 1207](#), [SCR 113](#), and [SCR 114](#) for the signature of the Speaker.  
NOVAK, Secretary

The Speaker announced he was about to sign enrolled [S 1202](#), [S 1201](#), [S 1203](#), [S 1206](#), [S 1207](#), [SCR 113](#), and [SCR 114](#) when so signed, ordered them returned to the Senate.

April 2, 2019

Mr. Speaker:

I return herewith enrolled [H 286](#), [H 287](#), [H 288](#), [H 275](#), [H 30](#), as amended in the Senate, [H 78](#), as amended, as amended in the Senate, and [H 137](#), as amended, as amended in the Senate, which have been signed by the President.

NOVAK, Secretary

Enrolled [H 286](#), [H 287](#), [H 288](#), [H 275](#), [H 30](#), as amended in the Senate, [H 78](#), as amended, as amended in the Senate, and [H 137](#), as amended, as amended in the Senate, were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

April 2, 2019

Mr. Speaker:

I transmit herewith [S 1204](#), as amended, which has passed the Senate.

NOVAK, Secretary

[S 1204](#), as amended, was filed for first reading.

There being no objection, the House advanced to the Eighth Order of Business.

### 8TH ORDER

#### Introduction, First Reading, and Reference of Bills and Joint Resolutions

[S 1204](#), as amended, by State Affairs Committee, was introduced, read the first time by title, and referred to the Health and Welfare Committee.

There being no objection, the House returned to the Fifth Order of Business.

### 5TH ORDER

#### Report of Standing Committees

Mr. Moyle moved that the House recess until 11 a.m. Seconded by Mr. Erpelding. Motion carried.

Whereupon the Speaker declared the House at recess until 11 a.m.

RECESS  
Mid-Morning Session

The House reconvened at 11 a.m., the Speaker in the Chair.

Prior to recess, the House was at the Fifth Order of Business.

April 3, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have enrolled [H 194](#), as amended in the Senate, [H 169](#), as amended in the Senate, and [H 149](#), as amended in the Senate.

DAYLEY, Chairman



The Speaker announced he was about to sign enrolled [H 194](#), as amended in the Senate, [H 169](#), as amended in the Senate, and [H 149](#), as amended in the Senate, and, when so signed, ordered them transmitted to the Senate for the signature of the President.

April 3, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have transmitted enrolled [H 281](#), [H 282](#), [H 283](#), [H 284](#), and [H 285](#) to the Governor at 2:30 p.m., as of this date, April 2, 2019.

DAYLEY, Chairman

April 3, 2019

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration [S 1204](#), as amended, and report it back to be placed on General Orders.

WOOD, Chairman

[S 1204](#), as amended, was placed on General Orders for consideration.

There being no objection, the House advanced to the Tenth Order of Business.

#### 10TH ORDER

##### Second Reading of Bills and Joint Resolutions

[H 217](#), as amended in the Senate, and [H 259](#), as amended in the Senate, by Revenue and Taxation Committee, were read the second time by title and filed for third reading.

There being no objection, the House returned to the Seventh Order of Business.

#### 7TH ORDER

##### Motions, Memorials, and Resolutions

##### [H 217](#), as amended in the Senate - LOCAL ECONOMIC DEVELOPMENT ACT

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of [H 217](#), as amended in the Senate, 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 217](#), as amended in the Senate, be read the third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Erpelding.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chew(Toevs), Clow, Collins, Crane, Davis(Page), Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Raybould, Raymond, Ricks, Rubel, Scott, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 65.

NAYS—None.

Absent—Chaney, Christensen, Gannon, Palmer, Shepherd. Total - 5.

Total - 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [H 217](#), as amended in the Senate, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Anderst to open debate.

The question being, "Shall [H 217](#), as amended in the Senate, pass?"

Roll call resulted as follows:

AYES—Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Blanksma, Boyle, Chaney, Clow, Collins, Crane, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Furniss, Gestrin, Gibbs, Giddings, Goesling, Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Scott, Stevenson, Syme, Troy, Vander Woude, Wagoner, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 55.

NAYS—Abernathy, Berch, Chew(Toevs), Davis(Page), Erpelding, Gannon, Green(18), Mason, McCrostie, Rubel, Smith, Toone, Wintrow. Total - 13.

Absent—Christensen, Shepherd. Total - 2.

Paired Votes:

AYE - Palmer NAY - Green(18)

AYE - Chaney NAY - Toone

(Pairs enumerated in roll call above.)

Total - 70.

Whereupon the Speaker declared [H 217](#), as amended in the Senate, passed the House. Title was approved and the bill referred to the Judiciary, Rules, and Administration Committee for enrolling.

##### [H 259](#), as amended in the Senate - SALES TAX

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of [H 259](#), as amended in the Senate, 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 259](#), as amended in the Senate, be read the third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Erpelding.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chew(Toevs), Clow, Collins, Crane, Davis(Page), Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Raybould, Raymond, Ricks, Rubel, Scott, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 65.

NAYS—None.

Absent—Chaney, Christensen, Gannon, Palmer, Shepherd. Total - 5.

Total - 70.



**HOUSE BILL NO. 300**  
**BY WAYS AND MEANS COMMITTEE**  
AN ACT

RELATING TO HEMP; AMENDING CHAPTER 29, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-2920, IDAHO CODE, TO PROVIDE FOR THE INTERSTATE TRANSPORT OF HEMP, TO DEFINE TERMS, AND TO PROVIDE FOR THE HEMP DEVELOPMENT FUND; AND DECLARING AN EMERGENCY.

[H 298](#), [H 299](#), and [H 300](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House returned to the Fifth Order of Business.

**5TH ORDER**  
**Report of Standing Committees**

April 3, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have printed [H 298](#), [H 299](#), and [H 300](#).

DAYLEY, Chairman

[H 298](#) was referred to the Revenue and Taxation Committee.

[H 299](#) was referred to the Health and Welfare Committee.

[H 300](#) was referred to the Transportation and Defense Committee.

There being no objection, the House advanced to the Fifteenth Order of Business.

**15TH ORDER**  
**Announcements**

Announcements were made to the body.

**16TH ORDER**  
**Adjournment**

Mr. Moyle moved that the House adjourn until 10 a.m., Thursday, April 4, 2019. Seconded by Mr. Erpelding. Motion carried.

Whereupon the Speaker declared the House adjourned at 4:20 p.m.

SCOTT BEDKE, Speaker

ATTEST:

CARRIE MAULIN, Chief Clerk

# HOUSE JOURNAL

OF THE

## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-FIFTH LEGISLATURE

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**EIGHTY-EIGHTH LEGISLATIVE DAY**  
**THURSDAY, APRIL 4, 2019**

House of Representatives

The House convened at 10 a.m., the Speaker in the Chair.

Roll call showed 69 members present.  
Absent and excused - Wagoner. Total - 1.  
Total - 70.

Prayer was offered by Representative Wintrow.

The Pledge of Allegiance was led by Nathan Henrie, Page.

### 3RD ORDER

#### Approval of Journal

April 4, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Eighty-seventh Legislative Day and recommend that same be adopted as corrected.

DAYLEY, Chairman

Mr. Dayley moved that the report be adopted. Seconded by Mr. Gannon. Report adopted.

### 4TH ORDER

#### Consideration of Messages from the Governor and the Senate

OFFICE OF THE GOVERNOR  
Boise

April 3, 2019

The Honorable Scott Bedke  
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House bills, to wit:

[H 139](#), [H 183](#), [H 205](#), and [H 248](#)

Sincerely,  
/s/ Brad Little  
Governor

Mr. Speaker:

I transmit herewith enrolled [SCR 117](#) for the signature of the Speaker.

NOVAK, Secretary

The Speaker announced he was about to sign enrolled [SCR 117](#) when so signed, ordered it returned to the Senate.

April 3, 2019

Mr. Speaker:

I return herewith [H 293](#) which has passed the Senate.

NOVAK, Secretary

[H 293](#) was referred to the Judiciary, Rules, and Administration Committee for enrolling.

### 5TH ORDER

#### Report of Standing Committees

April 4, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have enrolled [H 217](#), as amended in the Senate, [H 259](#), as amended in the Senate, [H 291](#), and [H 296](#).

DAYLEY, Chairman

The Speaker announced he was about to sign enrolled [H 217](#), as amended in the Senate, [H 259](#), as amended in the Senate, [H 291](#), and [H 296](#) and, when so signed, ordered them transmitted to the Senate for the signature of the President.

April 4, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have transmitted enrolled [H 286](#), [H 287](#), [H 288](#), [H 275](#), [H 30](#), as amended in the Senate, [H 78](#), as amended, as amended in the Senate, and [H 137](#), as amended, as amended in the Senate, to the Governor at 8:10 a.m., as of this date, April 3, 2019.

DAYLEY, Chairman

April 4, 2019

Pursuant to Rule 73 and with the time having expired, [H 122](#), as amended in the Senate, was returned to the desk without recommendation on concurrence on the Senate amendments.

[H 122](#), as amended in the Senate, was held at the desk.

Mr. Moyle moved that the House recess until 1:30 p.m. Seconded by Mr. Erpelding. Motion carried.

Whereupon the Speaker declared the House at recess until 1:30 p.m.

RECESS

Afternoon Session

The House reconvened at 1:30 p.m., the Speaker in the Chair.

Prior to recess, the House was at the Fifth Order of Business.

There being no objection, the House returned to the Fourth Order of Business.

**4TH ORDER**  
**Consideration of Messages from the**  
**Governor and the Senate**

April 4, 2019

Mr. Speaker:

I return herewith enrolled [H 194](#), as amended in the Senate, [H 169](#), as amended in the Senate, and [H 149](#), as amended in the Senate, which have been signed by the President.

NOVAK, Secretary

Enrolled [H 194](#), as amended in the Senate, [H 169](#), as amended in the Senate, and [H 149](#), as amended in the Senate, were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

There being no objection, the House advanced to the Twelfth Order of Business.

**12TH ORDER**  
**Consideration of General Orders**

Mr. Moyle moved that the House do now resolve itself into a Committee of the Whole House for the consideration of General Orders. Seconded by Mr. Erpelding. Motion carried.

Whereupon the House resolved itself into a Committee of the Whole House for the consideration of General Orders with Mr. Monks in the Chair.

When the Committee of the Whole House rose, the Speaker returned to the Chair and the House was in order.

**Report of the Committee of the Whole House**

April 4, 2019

Mr. Speaker:

We, your COMMITTEE OF THE WHOLE HOUSE, report that we have had under consideration [S 1204](#), as amended, and report it back without recommendation, amended as follows:

**HOUSE AMENDMENT TO S.B. NO. 1204, As Amended**

AMENDMENT TO SECTION 1

On page 2 of the engrossed bill, in line 19, following "provide" delete "the"; and delete lines 20 through 25, and insert: "that persons eligible for medicaid pursuant to section 56-267, Idaho Code, who have a modified adjusted gross income at or above one hundred percent (100%) of the federal poverty level shall receive the advance premium tax credit to purchase a qualified health plan through the Idaho health insurance exchange established by chapter 61, title 41, Idaho Code, instead of enrolling in medicaid, except as provided in paragraph (a) of this subsection.

(a) A person described in this subsection may choose to enroll in medicaid instead of receiving the advance premium tax credit to purchase a qualified health plan.

(b) If the waivers described in this subsection are not approved before January 1, 2020, then the persons described in this subsection shall be enrolled in medicaid."

On page 3, in line 3, delete "unfit for employment" and insert: "unable to work"; and delete lines 22 through 29, and insert:

"(c) The department shall verify a medicaid participant's compliance with paragraph (a) of this subsection every six (6) months and shall promulgate rules based on federal

final waiver approval relating to the requirements of this subsection. A person who fails to comply with paragraph (a) of this subsection shall:

(i) Be ineligible for medicaid but may reapply for medicaid two (2) months after such determination is made or earlier if in compliance; or

(ii) If the provisions of subparagraph (i) of this paragraph are not federally approved or are found unlawful by a court of competent jurisdiction, be subject to the maximum allowable copayments on covered Idaho medicaid services for a period of six (6) months or until the person complies with paragraph (a) of this subsection, whichever is earlier.

(d) It is the intent of the legislature, in enacting the requirements of this subsection, to enable coverage of medicaid participants while also promoting the participants' health and financial independence."

AMENDMENT TO SECTION 2

On page 4, in line 11, delete "may" and insert: "shall".

AMENDMENT TO SECTION 4

On page 5, in line 43, delete "reports" and insert: "report".

CORRECTION TO TITLE

On page 1, in line 11, delete "MAY" and insert: "SHALL".

We have also had under consideration [S 1195](#) and [S 1205](#), report progress and beg leave to sit again.

MONKS, Chairman

Mr. Monks moved that the report be adopted. Seconded by Mr. Erpelding.

Whereupon the Speaker declared the report adopted.

[S 1204](#), as amended, as amended in the House, was filed for first reading.

[S 1195](#) and [S 1205](#) were retained on General Orders.

The amendments were referred to Judiciary, Rules, and Administration committee for printing.

There being no objection, the House returned to the Fifth Order of Business.

**5TH ORDER**  
**Report of Standing Committees**

April 4, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have printed House amendment to [S 1204](#), as amended.

DAYLEY, Chairman

There being no objection, the House advanced to the Eighth Order of Business.

**8TH ORDER**  
**Introduction, First Reading, and Reference**  
**of Bills and Joint Resolutions**

[S 1204](#), as amended, as amended in the House, by State Affairs Committee, was introduced, read the first time by title, and filed for second reading.

There being no objection, the House returned to the Seventh Order of Business.

**7TH ORDER**  
**Motions, Memorials, and Resolutions**

**S 1204, as amended, as amended in the House - MEDICAID**

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of S 1204, 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 1204, as amended, as amended in the House, be read the second time by title and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Erpelding.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Chew(Toevs), Clow, Collins, Crane, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Goesling, Green(2), Harris, Hartgen, Holtzclaw, Horman, Kerby, Kingsley, Marshall, Mason, Mendive, Monks, Moyle, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Stevenson, Syme, Toone, Vander Woude, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 53.

NAYS—Abernathy, Davis(Page), Giddings, Green(18), McCrostie, Smith, Wintrow. Total - 7.

Absent—Boyle, Chaney, Christensen, Kauffman, Lickley, Moon, Nichols, Shepherd, Troy, Wagoner. Total - 10.  
Total - 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and S 1204, as amended, as amended in the House, was read the second time by title and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Vander Woude to open debate.

The question being, "Shall S 1204, as amended, as amended in the House, pass?"

Roll call resulted as follows:

AYES—Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Blanksma, Boyle, Chaney, Christensen, Clow, Collins, Crane, Dayley, DeMordaunt, Dixon, Ehardt, Furniss, Gestrin, Gibbs, Giddings, Green(2), Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Marshall, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Scott, Stevenson, Syme, Vander Woude, Wisniewski, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 49.

NAYS—Abernathy, Berch, Chew(Toevs), Davis(Page), Ellis, Erpelding, Gannon, Goesling, Green(18), Kingsley, Lickley, Mason, McCrostie, Rubel, Smith, Toone, Troy, Wagoner, Wintrow, Wood. Total - 20.

Absent—Shepherd. Total - 1.

Paired Votes:

AYE - Kauffman	NAY - Toone
AYE - Chaney	NAY - Mason

AYE - Andrus	NAY - Wagoner
AYE - Raybould	NAY - Lickley

(Pairs enumerated in roll call above.)  
Total - 70.

Whereupon the Speaker declared that S 1204, as amended, as amended in the House, passed the House. Title was approved and the bill ordered returned to the Senate.

There being no objection, the House advanced to the Eleventh Order of Business.

**11TH ORDER**  
**Third Reading of Bills and Joint Resolutions**

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Fifteenth Order of Business.

**15TH ORDER**  
**Announcements**

Announcements were made to the body.

**16TH ORDER**  
**Adjournment**

Mr. Moyle moved that the House adjourn until 9 a.m., Friday, April 5, 2019. Seconded by Mr. Erpelding. Motion carried.

Whereupon the Speaker declared the House adjourned at 5:27 p.m.

SCOTT BEDKE, Speaker

ATTEST:

CARRIE MAULIN, Chief Clerk



# HOUSE JOURNAL OF THE IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-FIFTH LEGISLATURE

**EIGHTY-NINTH LEGISLATIVE DAY  
FRIDAY, APRIL 5, 2019**

House of Representatives

The House convened at 9 a.m., the Speaker in the Chair.

Roll call showed 67 members present.

Absent and excused - Abernathy, Chew, and Green(2).

Total - 3.

Total - 70.

Prayer was offered by Representative Andrus.

The Pledge of Allegiance was led by Cathleen Wonacott, Page.

### 3RD ORDER Approval of Journal

April 5, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Eighty-eighth Legislative Day and recommend that same be adopted as corrected.

DAYLEY, Chairman

Mr. Dayley moved that the report be adopted. Seconded by Mr. Gannon. Report adopted.

There being no objection, the House advanced to the Eighth Order of Business.

### 8TH ORDER Introduction, First Reading, and Reference of Bills and Joint Resolutions

#### HOUSE BILL NO. 301 BY APPROPRIATIONS COMMITTEE AN ACT

RELATING TO THE APPROPRIATION TO THE IDAHO TRANSPORTATION DEPARTMENT FOR FISCAL YEAR 2020; APPROPRIATING ADDITIONAL MONEYS TO THE IDAHO TRANSPORTATION DEPARTMENT FOR FISCAL YEAR 2020.

#### HOUSE BILL NO. 302 BY APPROPRIATIONS COMMITTEE AN ACT

RELATING TO THE BOARD OF EXAMINERS; AUTHORIZING A TRANSFER OF MONEYS FROM THE BUDGET STABILIZATION FUND TO THE GENERAL FUND FOR FISCAL YEAR 2019 UNDER CERTAIN CIRCUMSTANCES; AND DECLARING AN EMERGENCY.

[H 301](#) and [H 302](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House returned to the Fifth Order of Business.

### 5TH ORDER Report of Standing Committees

April 5, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have printed [H 301](#) and [H 302](#).

DAYLEY, Chairman

[H 301](#) and [H 302](#) were filed for second reading.

April 5, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have enrolled [H 293](#).

DAYLEY, Chairman

The Speaker announced he was about to sign enrolled [H 293](#) and, when so signed, ordered it transmitted to the Senate for the signature of the President.

April 5, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have transmitted enrolled [H 194](#), as amended in the Senate, [H 169](#), as amended in the Senate, and [H 149](#), as amended in the Senate, to the Governor at 1:50 p.m., as of this date, April 4, 2019.

DAYLEY, Chairman

April 5, 2019

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration [H 300](#) and recommend that it do pass.

PALMER, Chairman

[H 300](#) was filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

### 7TH ORDER Motions, Memorials, and Resolutions

#### HOUSE RESOLUTION NO. 7 BY WAYS AND MEANS COMMITTEE A HOUSE RESOLUTION

STATING FINDINGS OF THE HOUSE OF REPRESENTATIVES AND RESOLVING THAT IT IS THE POLICY OF THIS STATE TO ALLOW AND ENCOURAGE THE DEVELOPMENT, RESEARCH, AND PRODUCTION OF HEMP IN IDAHO, THAT IT IS THE INTENT OF THE LEGISLATURE TO ADOPT THE UNITED STATES DEPARTMENT OF AGRICULTURE HEMP GROWING

PLAN AND ANY REGULATIONS DEVELOPED UNDER THE AUTHORITY OF THE FEDERAL AGRICULTURE IMPROVEMENT ACT OF 2018, SO THAT IDAHO PRODUCERS MAY GROW HEMP STARTING IN THE 2020 GROWING SEASON TO THE MAXIMUM EXTENT ALLOWED BY FEDERAL LAW, AND THAT A GROWING HEMP INDUSTRY ALSO HAS THE POTENTIAL TO CREATE JOBS IN PRODUCTION, PROCESSING, AND RESEARCH, AND THAT IDAHOANS WILL BENEFIT FROM NUMEROUS CONSUMER PRODUCTS MADE FROM HEMP.

Be It Resolved by the House of Representatives of the State of Idaho:

WHEREAS, the House of Representatives expresses the following Legislative intent: It is the policy of this state to allow and encourage the development, research, and production of hemp in Idaho. The Legislature finds that the Cannabis sativa L. plant used for the production of hemp is separate and distinct from the forms of cannabis used to produce marijuana. The federal agriculture improvement act of 2018, P. L. 115-334, has removed hemp from schedule I of the federal controlled substances act and eliminated other barriers at the federal level to hemp research, development, and production. It is the intent of the Legislature to adopt the United States Department of Agriculture hemp growing plan and any regulations developed under the authority of the federal agriculture improvement act of 2018, P. L. 115-334, so that Idaho producers may grow hemp starting in the 2020 growing season to the maximum extent allowed by federal law.

WHEREAS, hemp is used in products such as building materials, cordage, fiber, food, floor coverings, fuel, paint, animal feed, paper, particle board, plastics, seed meal, cosmetics, seed, derivatives, extracts, and yarn. The University of Idaho, in fulfillment of its land grant mission, leads the nation in many areas of agricultural research and is encouraged to research and study this burgeoning field. Hemp has the potential to be an alternate crop in Idaho's thriving agricultural economy. A growing hemp industry also has the potential to create jobs in production, processing, and research, and Idahoans will benefit from numerous consumer products made from hemp.

NOW, THEREFORE, BE IT RESOLVED by the members of the House of Representatives, assembled in the First Regular Session of the Sixty-fifth Idaho Legislature, that it is the policy of this state to allow and encourage the development, research, and production of hemp in Idaho.

BE IT FURTHER RESOLVED that it is the intent of the Legislature to adopt the United States Department of Agriculture hemp growing plan and any regulations developed under the authority of the federal agriculture improvement act of 2018, P. L. 115-334, so that Idaho producers may grow hemp starting in the 2020 growing season to the maximum extent allowed by federal law.

BE IT FURTHER RESOLVED that a growing hemp industry also has the potential to create jobs in production, processing, and research, and that Idahoans will benefit from numerous consumer products made from hemp.

[HR 7](#) was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House returned to the Fifth Order of Business.

## 5TH ORDER Report of Standing Committees

April 5, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have printed [HR 7](#).

DAYLEY, Chairman

[HR 7](#) was filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

## 7TH ORDER Motions, Memorials, and Resolutions

### [H 300](#) - HEMP

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of [H 300](#) 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 300](#) be read the second time by title and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Erpelding.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Christensen, Clow, Crane, Davis(Page), Dayley, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Goesling, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 61.

NAYS—Giddings, Green(18). Total - 2.

Absent—Abernathy, Chew, Collins, DeMordaunt, Green(2), Harris, Wagoner. Total - 7.

Total - 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [H 300](#) was read the second time by title and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Boyle to open debate.

The question being, "Shall [H 300](#) pass?"

Roll call resulted as follows:

AYES—Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Berch, Blanksma, Boyle, Chaney, Clow, Collins, Crane, Davis(Page), Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Goesling, Green(18), Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Shepherd, Smith, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wood, Youngblood, Mr. Speaker. Total - 56.

NAYS—Barbieri, Christensen, Giddings, Green(2), Kingsley, Scott, Stevenson, Wisniewski, Young, Zito, Zollinger. Total - 11.

Absent–Abernathy, Chew, Harris. Total - 3.  
Paired Votes:  
AYE - Wood NAY - Green(2)  
(Pairs enumerated in roll call above.)  
Total - 70.

**4TH ORDER**  
**Consideration of Messages from the**  
**Governor and the Senate**

OFFICE OF THE GOVERNOR  
Boise

Whereupon the Speaker declared that [H 300](#) passed the House. The bill was approved and the bill ordered transmitted to the Senate.

April 4, 2019

The Honorable Scott Bedke  
Speaker of the House

**HR 7 - HEMP**

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of [HR 7](#) 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 [HR 7](#) be read the second time by title and third time at length, and placed before the House for final consideration. Seconded by Mr. Erpelding.

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House bills, to wit:

[H 30](#), as amended in the Senate, [H 137](#), as amended, as amended in the Senate, [H 275](#), [H 286](#), [H 287](#), and [H 288](#)

Sincerely,  
/s/ Brad Little  
Governor

The question being, "Shall the rules be suspended?"

OFFICE OF THE GOVERNOR  
Boise

April 4, 2019

The Honorable Scott Bedke  
Speaker of the House

Roll call resulted as follows:

AYES–Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Christensen, Clow, Crane, Davis(Page), Dayley, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Goesling, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wintrow, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 61.

NAYS–Giddings, Green(18). Total - 2.

Absent–Abernathy, Chew, Collins, DeMordaunt, Green(2), Harris, Wagoner. Total - 7.

Total - 70.

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House bills, to wit:

[H 78](#), as amended, as amended in the Senate, and [H 149](#), as amended in the Senate

Sincerely,  
/s/ Brad Little  
Governor

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [HR 7](#) was read the second time by title and third time at length, and placed before the House for final consideration.

OFFICE OF THE GOVERNOR  
Boise

April 4, 2019

The Honorable Scott Bedke  
Speaker of the House

At this time, the Speaker recognized Ms. Boyle and Mrs. Moon to open debate.

The question being, "Shall [HR 7](#) be adopted?"

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House bill, to wit:

[H 194](#), as amended in the Senate

Sincerely,  
/s/ Brad Little  
Governor

Whereupon the Speaker declared [HR 7](#) failed to be adopted by voice vote and ordered the resolution filed in the office of the Chief Clerk.

There being no objection, the House returned to the Fourth Order of Business.



# HOUSE JOURNAL OF THE IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-FIFTH LEGISLATURE

**NINETY-SECOND LEGISLATIVE DAY  
MONDAY, APRIL 8, 2019**

House of Representatives

The House convened at 10 a.m., the Speaker in the Chair.

Roll call showed 65 members present.

Absent and excused - Clow, Gestrin, Green(2), Moon, and Wagoner. Total - 5.

Total - 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Elbia Christensen, Page.

### 3RD ORDER Approval of Journal

April 8, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Eighty-ninth Legislative Day and recommend that same be adopted as corrected.

DAYLEY, Chairman

Mr. Dayley moved that the report be adopted. Seconded by Mr. Gannon. Report adopted.

### 4TH ORDER Consideration of Messages from the Governor and the Senate

Mr. Youngblood asked unanimous consent that **H 301** be returned to the Appropriations Committee. There being no objection, it was so ordered.

### THE OFFICE OF THE GOVERNOR CERTIFICATE OF APPOINTMENT

**KNOW ALL MEN**, that pursuant to the provisions of Section 59-917, Idaho Code, ILANA RUBEL, State Representative, District 18, Seat A, Ada County, State of Idaho, has nominated, JORDAN MORALES, of 4647 E. Narcissus, Boise, ID 83704, to perform the duties of this office temporarily as Acting State Representative, District 18, Seat A.

**NOW, THEREFORE, I, BRAD LITTLE**, Governor of the State of Idaho, by virtue of the authority vested in me do hereby appoint Jordan Morales of Boise, Idaho, to the office of Acting State Representative, District 18, Seat A, for a term commencing April 8, 2019, and expiring on April 10, 2019.

**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 5th day of April, in the year of our Lord two thousand and nineteen, and of the Independence of the United States of America, the two hundred and forty-third year and of the Statehood of Idaho the one hundred twenty-ninth.

/s/ BRAD LITTLE  
Governor

/s/ LAWRENCE DENNEY  
Secretary of State

The Certificate of Appointment was ordered filed in the office of the Chief Clerk.

The Speaker announced the oath of office had previously been administered to Jordan Morales.

### THE OFFICE OF THE GOVERNOR CERTIFICATE OF APPOINTMENT

**KNOW ALL MEN**, that pursuant to the provisions of Section 59-917, Idaho Code, WENDY HORMAN, State Representative, District 30, Seat B, Bonneville County, State of Idaho, has nominated, RAMONA MARSHALL, of 5714 N. 26th West, Idaho Falls, ID 83402, to perform the duties of this office temporarily as Acting State Representative, District 30, Seat B.

**NOW, THEREFORE, I, BRAD LITTLE**, Governor of the State of Idaho, by virtue of the authority vested in me do hereby appoint Ramona Marshall of Idaho Falls, Idaho, to the office of Acting State Representative, District 30, Seat B, for a term commencing April 8, 2019, 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 5th day of April, in the year of our Lord two thousand and nineteen, and of the Independence of the United States of America, the two hundred and forty-third year and of the Statehood of Idaho the one hundred twenty-ninth.

/s/ BRAD LITTLE  
Governor

/s/ LAWRENCE DENNEY  
Secretary of State

The Certificate of Appointment was ordered filed in the office of the Chief Clerk.

The Speaker announced the oath of office had previously been administered to Ramona Marshall.

### THE OFFICE OF THE GOVERNOR CERTIFICATE OF APPOINTMENT

**KNOW ALL MEN**, that pursuant to the provisions of Section 59-917, Idaho Code, FRED WOOD, State Representative, District 27, Seat B, Cassia and Minidoka Counties, State of Idaho, has nominated, DEBBIE CRITCHFIELD, of 1854 S. Highway 27, Oakley, ID 83346, to perform the duties of this office temporarily as Acting State Representative, District 27, Seat B.

**NOW, THEREFORE, I, BRAD LITTLE**, Governor of the State of Idaho, by virtue of the authority vested in me do hereby appoint Debbie Critchfield of Oakley, Idaho, to the office of Acting State Representative, District 27, Seat B, for a term



commencing April 8, 2019, 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 5th day of April, in the year of our Lord two thousand and nineteen, and of the Independence of the United States of America, the two hundred and forty-third year and of the Statehood of Idaho the one hundred twenty-ninth.

/s/ BRAD LITTLE  
Governor

/s/ LAWRENCE DENNEY  
Secretary of State

The Certificate of Appointment was ordered filed in the office of the Chief Clerk.

The Speaker announced the oath of office had previously been administered to Debbie Critchfield.

OFFICE OF THE GOVERNOR  
Boise

April 5, 2019

The Honorable Scott Bedke  
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House bills, to wit:

[H 169](#), as amended in the Senate, [H 281](#), and [H 285](#)

Sincerely,  
/s/ Brad Little  
Governor

OFFICE OF THE GOVERNOR  
Boise

April 5, 2019

The Honorable Scott Bedke  
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House bill, to wit:

[H 251](#)

Sincerely,  
/s/ Brad Little  
Governor

April 5, 2019

Mr. Speaker:

I return herewith enrolled [H 217](#), as amended in the Senate, [H 259](#), as amended in the Senate, [H 291](#), [H 296](#), and [H 293](#) which have been signed by the President.

NOVAK, Secretary

Enrolled [H 217](#), as amended in the Senate, [H 259](#), as amended in the Senate, [H 291](#), [H 296](#), and [H 293](#) were referred

to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

There being no objection, the House advanced to the Tenth Order of Business.

**10TH ORDER**  
**Second Reading of Bills and Joint Resolutions**

[H 302](#), by Appropriations Committee, was read the second time by title and filed for third reading.

There being no objection, the House returned to the Seventh Order of Business.

**7TH ORDER**  
**Motions, Memorials, and Resolutions**

**[H 302](#) - APPROPRIATIONS**

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of [H 302](#) 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 302](#) be read the third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Erpelding.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Barbieri, Blanksma, Boyle, Chew, Christensen, Collins, Crane, Dayley, DeMordaunt, Dixon, Ehardt, Erpelding, Furniss, Gannon, Gibbs, Goesling, Green(18), Hartgen, Holtzclaw, Horman(Marshall), Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Rubel(Morales), Shepherd, Smith, Stevenson, Syme, Toone, Vander Woude, Wintrow, Wisniewski, Wood(Critchfield), Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 57.

NAYS—Giddings, Scott. Total - 2.

Absent—Berch, Chaney, Clow, Davis, Ellis, Gestrin, Green(2), Harris, Moon, Troy, Wagoner. Total - 11.

Total - 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [H 302](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Anderson to open debate.

The question being, "Shall [H 302](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Amador, Anderson, Anderst, Berch, Blanksma, Chew, Collins, Davis, Ellis, Erpelding, Furniss, Gannon, Gibbs, Green(18), Hartgen, Horman(Marshall), Kauffman, Kerby, Lickley, Marshall, Mason, McCrostie, Raybould, Raymond, Ricks, Rubel(Morales), Smith, Syme, Toone, Wintrow, Wood(Critchfield), Youngblood, Mr. Speaker. Total - 34.



NAYS—Addis, Andrus, Armstrong, Barbieri, Boyle, Christensen, Crane, Dayley, DeMordaunt, Dixon, Ehardt, Gestrin, Giddings, Goesling, Green(2), Harris, Holtzclaw, Kingsley, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Scott, Shepherd, Stevenson, Vander Woude, Wisniewski, Young, Zito, Zollinger. Total - 32.

Absent—Chaney, Clow, Troy, Wagoner. Total - 4.

Paired Votes:

AYE - Chew	NAY - Moon
AYE - Rubel(Morales)	NAY - Green(2)
AYE - Blanksma	NAY - Gestrin
AYE - Berch	NAY - Moyle
AYE - Davis	NAY - Nichols
AYE - Ellis	NAY - Christensen

(Pairs enumerated in roll call above.)

Total - 70.

Whereupon the Speaker declared that [H 302](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle moved that the House recess until 2 p.m. Seconded by Mr. Erpelding. Motion carried.

Whereupon the Speaker declared the House at recess until 2 p.m.

RECESS  
Afternoon Session

The House reconvened at 2 p.m., the Speaker in the Chair.

Prior to recess, the House was at the Seventh Order of Business.

Mr. Ricks, having voted on the prevailing side, served notice that he may ask for reconsideration of the vote by which [H 302](#) passed the House.

[H 302](#) was ordered held at the Desk.

### 8TH ORDER

#### Introduction, First Reading, and Reference of Bills and Joint Resolutions

#### HOUSE BILL NO. 303 BY STATE AFFAIRS COMMITTEE AN ACT

RELATING TO INITIATIVES AND REFERENDUMS; AMENDING SECTION 34-1801A, IDAHO CODE, TO PROVIDE FOR CERTAIN INITIATIVE PETITION REQUIREMENTS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 34-1802, IDAHO CODE, TO REVISE A PROVISION REGARDING GATHERING AND SUBMITTING SIGNATURES FOR AN INITIATIVE PETITION AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 34-1804, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE REQUIREMENTS OF EACH BALLOT MEASURE SIGNATURE SHEET AND TO MAKE A TECHNICAL CORRECTION; AMENDING CHAPTER 18, TITLE 34, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 34-1812, IDAHO CODE, TO PROVIDE REQUIREMENTS FOR A FISCAL IMPACT STATEMENT FOR A BALLOT INITIATIVE; AMENDING SECTION 34-1812C, IDAHO CODE, TO PROVIDE FOR A FISCAL IMPACT STATEMENT SUMMARY IN THE VOTERS' PAMPHLET AND TO

MAKE TECHNICAL CORRECTIONS; PROVIDING SEVERABILITY; AND DECLARING AN EMERGENCY.

#### HOUSE BILL NO. 304 BY STATE AFFAIRS COMMITTEE AN ACT

RELATING TO INITIATIVES AND REFERENDUMS; AMENDING SECTION 34-1805, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE SIGNATURES REQUIRED FOR AN INITIATIVE OR REFERENDUM PETITION; AND DECLARING AN EMERGENCY.

#### HOUSE BILL NO. 305 BY STATE AFFAIRS COMMITTEE AN ACT

RELATING TO INITIATIVES AND REFERENDUMS; AMENDING SECTION 34-1805, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE SIGNATURES REQUIRED FOR AN INITIATIVE OR REFERENDUM PETITION; AND DECLARING AN EMERGENCY.

#### HOUSE BILL NO. 306 BY STATE AFFAIRS COMMITTEE AN ACT

RELATING TO INITIATIVES; AMENDING SECTION 34-1802, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE TIME FOR GATHERING AND SUBMITTING SIGNATURES; AND DECLARING AN EMERGENCY.

[H 303](#), [H 304](#), [H 305](#), and [H 306](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House returned to the Fourth Order of Business.

### 4TH ORDER

#### Consideration of Messages from the Governor and the Senate

THE OFFICE OF THE GOVERNOR

#### CERTIFICATE OF APPOINTMENT

**KNOW ALL MEN**, that pursuant to the provisions of Section 59-917, Idaho Code, STEVE BERCH, State Representative, District 15, Seat A, Ada County, State of Idaho, has nominated, JAMES BRATNOBER, of 5620 N. Fieldcrest Drive, Boise, ID 83704, to perform the duties of this office temporarily as Acting State Representative, District 15, Seat A.

**NOW, THEREFORE, I, BRAD LITTLE**, Governor of the State of Idaho, by virtue of the authority vested in me do hereby appoint James Bratnober of Boise, Idaho, to the office of Acting State Representative, District 15, Seat A, for a term commencing April 8, 2019, 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 8th day of April, in the year of our Lord two thousand and nineteen, and of the Independence of the United States of America, the two hundred and forty-third year and of the Statehood of Idaho the one hundred twenty-ninth.

/s/ BRAD LITTLE

Governor

/s/ LAWRENCE DENNEY

Secretary of State

The Certificate of Appointment was ordered filed in the office of the Chief Clerk.

The Speaker announced the oath of office had previously been administered to James Bratnober.

April 8, 2019

Mr. Speaker:

I transmit herewith enrolled [S 1157](#), [S 1184](#), and [S 1204](#), as amended, as amended in the House, for the signature of the Speaker.

NOVAK, Secretary

The Speaker announced he was about to sign enrolled [S 1157](#), [S 1184](#), and [S 1204](#), as amended, as amended in the House, when so signed, ordered them returned to the Senate.

### 5TH ORDER Report of Standing Committees

April 8, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have printed [H 303](#), [H 304](#), [H 305](#), and [H 306](#).

DAYLEY, Chairman

[H 303](#) was filed for second reading.

[H 304](#), [H 305](#), and [H 306](#) were referred to the State Affairs Committee.

April 8, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have transmitted enrolled [H 217](#), as amended in the Senate, [H 259](#), as amended in the Senate, [H 291](#), [H 296](#), and [H 293](#) to the Governor at 10:15 a.m., as of this date, April 8, 2019.

DAYLEY, Chairman

There being no objection, the House advanced to the Eleventh Order of Business.

### 11TH ORDER Third Reading of Bills and Joint Resolutions

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Thirteenth Order of Business.

### 13TH ORDER Miscellaneous and Unfinished Business

Notice having been served and having voted on the prevailing side, Mr. Ricks moved that the House reconsider the vote by which [H 302](#) passed the House. Seconded by Mr. Chaney.

The question being, "Shall the motion carry?"

Roll call resulted as follows:

AYES—Addis, Andrus, Armstrong, Barbieri, Boyle, Chaney, Christensen, Crane, Dayley, DeMordaunt, Dixon, Ehardt,

Giddings, Goesling, Harris, Holtzclaw, Kingsley, Mendive, Monks, Moyle, Nichols, Palmer, Raymond, Ricks, Scott, Shepherd, Stevenson, Troy, Vander Woude, Wisniewski, Young, Zito, Zollinger. Total - 33.

NAYS—Abernathy, Amador, Anderson, Anderst, Berch(Bratnober), Blanksma, Chew, Davis, Ellis, Erpelding, Furniss, Gannon, Gibbs, Green(18), Hartgen, Horman(Marshall), Kauffman, Kerby, Lickley, Marshall, Mason, McCrostie, Raybould, Rubel(Morales), Smith, Syme, Toone, Wintrow, Wood(Critchfield), Youngblood, Mr. Speaker. Total - 31.

Absent—Clow, Collins, Gestrin, Green(2), Moon, Wagoner. Total - 6.

Total - 70.

Whereupon the Speaker declared the motion to reconsider carried.

Mr. Moyle asked unanimous consent that [H 302](#) be held at the Desk.

There being no objection, the House advanced to the Fifteenth Order of Business.

### 15TH ORDER Announcements

Announcements were made to the body.

### 16TH ORDER Adjournment

Mr. Moyle moved that the House adjourn until 10 a.m., Tuesday, April 9, 2019. Seconded by Mr. Erpelding. Motion carried.

Whereupon the Speaker declared the House adjourned at 2:27 p.m.

SCOTT BEDKE, Speaker

ATTEST:

CARRIE MAULIN, Chief Clerk

# HOUSE JOURNAL

OF THE

## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-FIFTH LEGISLATURE

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**NINETY-THIRD LEGISLATIVE DAY**  
**TUESDAY, APRIL 9, 2019**

House of Representatives

The House convened at 10 a.m., the Speaker in the Chair.

Roll call showed 68 members present.

Absent and excused - Chaney and Mason. Total - 2.  
Total - 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Jack Marchant, Page.

### 3RD ORDER

#### Approval of Journal

April 9, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Ninety-second Legislative Day and recommend that same be adopted as corrected.

DAYLEY, Chairman

Mr. Dayley moved that the report be adopted. Seconded by Mr. Gannon. Report adopted.

### 4TH ORDER

#### Consideration of Messages from the Governor and the Senate

Mr. Youngblood asked unanimous consent that [H 302](#), held at the Desk April 8, 2019, be returned to the Appropriations Committee. There being no objection, it was so ordered.

Mr. Moyle asked unanimous consent that [H 294](#) be returned to the Revenue and Taxation Committee. There being no objection, it was so ordered.

Mr. Dixon asked unanimous consent that [S 1195](#) be returned to the Business Committee. There being no objection, it was so ordered.

THE OFFICE OF THE GOVERNOR

#### CERTIFICATE OF APPOINTMENT

**KNOW ALL MEN**, that pursuant to the provisions of Section 59-917, Idaho Code, SALLY TOONE, State Representative, District 26, Seat B, Blaine, Camas, Gooding, & Lincoln Counties, State of Idaho, has nominated, SARA BURNS, of 705 Elm St., Bellevue, ID 83313, to perform the

duties of this office temporarily as Acting State Representative, District 26, Seat B.

**NOW, THEREFORE, I, BRAD LITTLE**, Governor of the State of Idaho, by virtue of the authority vested in me do hereby appoint Sara Burns of Bellevue, Idaho, to the office of Acting State Representative, District 26, Seat B, for a term commencing April 9, 2019, and will expire Thursday, April 11, 2019.

**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 8th day of April, in the year of our Lord two thousand and nineteen, and of the Independence of the United States of America, the two hundred and forty-third year and of the Statehood of Idaho the one hundred twenty-ninth.

/s/ BRAD LITTLE

Governor

/s/ LAWRENCE DENNEY

Secretary of State

The Certificate of Appointment was ordered filed in the office of the Chief Clerk.

The Speaker announced the oath of office had previously been administered to Sara Burns.

THE OFFICE OF THE GOVERNOR

#### CERTIFICATE OF APPOINTMENT

**KNOW ALL MEN**, that pursuant to the provisions of Section 59-917, Idaho Code, LANCE W. CLOW, State Representative, District 24, Seat A, Twin Falls County, State of Idaho, has nominated, DAVID MCCLUSKY, of 123 Fillmore Street, Twin Falls, ID 83301, to perform the duties of this office temporarily as Acting State Representative, District 24, Seat A.

**NOW, THEREFORE, I, BRAD LITTLE**, Governor of the State of Idaho, by virtue of the authority vested in me do hereby appoint David McClusky of Twin Falls, Idaho, to the office of Acting State Representative, District 24, Seat A, for a term commencing April 9, 2019, 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 9th day of April, in the year of our Lord two thousand and nineteen, and of the Independence of the United States of America, the two hundred and forty-third year and of the Statehood of Idaho the one hundred twenty-ninth.

/s/ BRAD LITTLE

Governor

/s/ LAWRENCE DENNEY

Secretary of State

The Certificate of Appointment was ordered filed in the office of the Chief Clerk.

The Speaker announced the oath of office had previously been administered to David McClusky.

There being no objection, the House advanced to the Tenth Order of Business.

### 10TH ORDER

#### Second Reading of Bills and Joint Resolutions

[H 303](#), by State Affairs Committee, was read the second time by title and filed for third reading.

There being no objection, the House returned to the Seventh Order of Business.

**7TH ORDER**  
**Motions, Memorials, and Resolutions**

Mr. Moyle moved that the House recess until 2 p.m. Seconded by Mr. Erpelding. Motion carried.

Whereupon the Speaker declared the House at recess until 2 p.m.

RECESS

Afternoon Session

The House reconvened at 2 p.m., the Speaker in the Chair.

Prior to recess, the House was at the Seventh Order of Business.

There being no objection, the House returned to the Fourth Order of Business.

**4TH ORDER**  
**Consideration of Messages from the Governor and the Senate**

OFFICE OF THE GOVERNOR  
Boise

April 9, 2019

The Honorable Scott Bedke  
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House bills, to wit:

[H 217](#), as amended in the Senate, [H 259](#), as amended in the Senate, and [H 291](#)

Sincerely,  
/s/ Brad Little  
Governor

THE OFFICE OF THE GOVERNOR  
Boise

April 9, 2019

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 296](#)

within the time limited by law, the same having arrived in the Office of the Governor at the hour of 10:15 a.m. on April 8, 2019.

Sincerely,  
/s/ Brad Little  
Governor

As required by Article 4, Section 10 of the Idaho Constitution, [H 296](#) was before the House for reconsideration.

Mr. Moyle asked unanimous consent that [H 296](#) be held at the Desk. There being no objection, it was so ordered.

April 9, 2019

Mr. Speaker:

I return herewith [H 300](#), as amended in the Senate, which has passed the Senate.

NOVAK, Secretary

Pursuant to House Rule 73, [H 300](#), as amended in the Senate, was referred to Transportation and Defense Committee for concurrence recommendation.

There being no objection, the House advanced to the Eleventh Order of Business.

**11TH ORDER**  
**Third Reading of Bills and Joint Resolutions**

Mr. Moyle asked unanimous consent that [S 1173](#) be placed at the top of the Third Reading Calendar. There being no objection, it was so ordered.

[S 1173](#) - APPROPRIATIONS - HEALTH AND WELFARE -  
BEHAVIORAL HEALTH SERVICES

[S 1173](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Wintrow to open debate.

The question being, "Shall [S 1173](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Armstrong, Berch(Bratnobar), Blanksma, Chew, Clow(McClusky), Collins, Crane, Davis, DeMordaunt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Goesling, Green(18), Hartgen, Holtzclaw, Horman(Marshall), Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moyle, Palmer, Raybould, Raymond, Ricks, Rubel(Morales), Smith, Syme, Toone(Burns), Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood(Critchfield), Young, Youngblood, Mr. Speaker. Total - 52.

NAYS—Andrus, Boyle, Chaney, Christensen, Dayley, Dixon, Ehardt, Giddings, Green(2), Harris, Moon, Nichols, Scott, Shepherd, Stevenson, Zito, Zollinger. Total - 17.

Absent—Barbieri. Total - 1.

Paired Votes:

AYE - Kauffman	NAY - Nichols
AYE - Kerby	NAY - Chaney
AYE - Wagoner	NAY - Christensen
AYE - Lickley	NAY - Stevenson
AYE - Mason	NAY - Andrus

(Pairs enumerated in roll call above.)

Total - 70.

Whereupon the Speaker declared that [S 1173](#) passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Moyle asked unanimous consent that [S 1171](#) be placed at the top of the Third Reading Calendar. There being no objection, it was so ordered.

**S 1171 - APPROPRIATIONS - HEALTH AND WELFARE - MEDICAID**

S 1171 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Amador to open debate.

The question being, "Shall S 1171 pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Anderst, Armstrong, Berch(Bratnober), Blanksma, Chew, Clow(McClusky), Collins, Davis, Ellis, Erpelding, Furniss, Gannon, Gibbs, Goesling, Green(18), Hartgen, Horman(Marshall), Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason, McCrostie, Monks, Raybould, Raymond, Rubel(Morales), Smith, Syme, Toone(Burns), Troy, Vander Woude, Wagoner, Wintrow, Wood(Critchfield), Youngblood, Mr. Speaker. Total - 42.

NAYS—Andrus, Barbieri, Boyle, Chaney, Christensen, Crane, Dayley, DeMordaunt, Dixon, Ehardt, Gestrin, Giddings, Green(2), Harris, Holtzclaw, Mendive, Moon, Moyle, Nichols, Palmer, Ricks, Scott, Shepherd, Stevenson, Wisniewski, Young, Zito, Zollinger. Total - 28.

Paired Votes:

- AYE - Kauffman                      NAY - Harris
- AYE - Kerby                              NAY - Chaney
- AYE - Blanksma                      NAY - Barbieri
- AYE - Wagoner                      NAY - Christensen
- AYE - Lickley                              NAY - Stevenson
- AYE - Mason                              NAY - Green(2)

(Pairs enumerated in roll call above.)

Total - 70.

Whereupon the Speaker declared that S 1171 passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Fifteenth Order of Business.

**15TH ORDER  
Announcements**

Announcements were made to the body.

**16TH ORDER  
Adjournment**

Mr. Moyle moved that the House adjourn until 9 a.m., Wednesday, April 10, 2019. Seconded by Mr. Erpelding. Motion carried.

Whereupon the Speaker declared the House adjourned at 2:30 p.m.

SCOTT BEDKE, Speaker

ATTEST:

CARRIE MAULIN, Chief Clerk

# HOUSE JOURNAL

OF THE

## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-FIFTH LEGISLATURE

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**NINETY-FOURTH LEGISLATIVE DAY**  
**WEDNESDAY, APRIL 10, 2019**

House of Representatives

The House convened at 9 a.m., the Speaker in the Chair.

Roll call showed 67 members present.

Absent and excused - Barbieri, Stevenson, and Wagoner.

Total - 3.

Total - 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Nathan Henrie, Page.

### 3RD ORDER

#### Approval of Journal

April 10, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Ninety-third Legislative Day and recommend that same be adopted as corrected.

DAYLEY, Chairman

Mr. Dayley moved that the report be adopted. Seconded by Mr. Gannon. Report adopted.

There being no objection, the House advanced to the Eighth Order of Business.

### 8TH ORDER

#### Introduction, First Reading, and Reference of Bills and Joint Resolutions

#### HOUSE BILL NO. 307

#### BY WAYS AND MEANS COMMITTEE

#### AN ACT

RELATING TO CONTRACTOR LICENSING AND REGISTRATION; AMENDING THE HEADING FOR CHAPTER 52, TITLE 54, IDAHO CODE; AMENDING SECTION 54-5201, IDAHO CODE, TO REVISE A SHORT TITLE; AMENDING SECTION 54-5202, IDAHO CODE, TO PROVIDE FOR THE LICENSURE OF CONSTRUCTION CONTRACTORS; AMENDING SECTION 54-5203, IDAHO CODE, TO DEFINE A TERM, TO REMOVE A DEFINITION, AND TO REVISE A DEFINITION; AMENDING SECTION 54-5204, IDAHO CODE, TO PROVIDE FOR THE LICENSURE OF CONSTRUCTION CONTRACTORS; AMENDING SECTION 54-5205, IDAHO CODE, TO PROVIDE EXEMPTIONS FROM LICENSURE AND TO MAKE TECHNICAL CORRECTIONS; REPEALING

SECTION 54-5206, IDAHO CODE, RELATING TO THE IDAHO CONTRACTORS BOARD; AMENDING CHAPTER 52, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-5206, IDAHO CODE, TO PROVIDE FOR THE LICENSURE AND REGISTRATION OF CONSTRUCTION CONTRACTORS; AMENDING CHAPTER 52, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-5207, IDAHO CODE, TO PROVIDE FOR THE IDAHO BUILDING CODE BOARD; AMENDING SECTION 54-5207, IDAHO CODE, TO PROVIDE FOR THE LICENSURE OF CONSTRUCTION CONTRACTORS, TO REDESIGNATE THE SECTION, AND TO MAKE A TECHNICAL CORRECTION; REPEALING SECTION 54-5208, IDAHO CODE, RELATING TO DENIAL OF LIEN RIGHTS; REPEALING SECTION 54-5209, IDAHO CODE, RELATING TO BUILDING PERMITS AND CONTRACTOR REGISTRATION NUMBER POSTING REQUIREMENTS; AMENDING CHAPTER 52, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-5209, IDAHO CODE, TO PROVIDE FOR TYPES OF CONTRACTOR LICENSES; AMENDING SECTION 54-5210, IDAHO CODE, TO PROVIDE FOR THE LICENSURE AND REGISTRATION OF CONSTRUCTION CONTRACTORS AND TO INCREASE A CERTAIN FEE; AMENDING CHAPTER 52, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-5211, IDAHO CODE, TO PROVIDE FOR THE NUMBER AND DISPLAY OF A CONTRACTOR LICENSE OR REGISTRATION CERTIFICATE; AMENDING CHAPTER 52, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-5212, IDAHO CODE, TO PROVIDE FOR THE POSTING OF BUILDING PERMITS AND CONTRACTOR LICENSE OR REGISTRATION NUMBERS; AMENDING SECTION 54-5211, IDAHO CODE, TO PROVIDE FOR LICENSE AND REGISTRATION RENEWAL AND CONTINUING EDUCATION REQUIREMENTS AND TO REDESIGNATE THE SECTION; AMENDING SECTION 54-5212, IDAHO CODE, TO PROVIDE FOR THE DISTRIBUTION OF FUNDS TO THE DIVISION OF BUILDING SAFETY AND TO REDESIGNATE THE SECTION; AMENDING SECTION 54-5213, IDAHO CODE, TO PROVIDE FOR RECIPROCAL LICENSING OF CONSTRUCTION CONTRACTORS, TO REVISE PROVISIONS REGARDING A CERTAIN FEE, AND TO REDESIGNATE THE SECTION; REPEALING SECTION 54-5214, IDAHO CODE, RELATING TO DISPLAY OF REGISTRATION CERTIFICATES; AMENDING SECTION 54-5215, IDAHO CODE, TO PROVIDE FOR SUSPENSION OR REVOCATION OF CONSTRUCTION CONTRACTOR LICENSURE AND TO REDESIGNATE THE SECTION; AMENDING SECTION 54-5216, IDAHO CODE, TO PROVIDE FOR REINSTATEMENT OF LICENSURE FOR CONSTRUCTION CONTRACTORS, TO REDESIGNATE THE SECTION, AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 54-5217, IDAHO CODE, TO PROVIDE FOR LICENSURE OF CONSTRUCTION CONTRACTORS AND TO REDESIGNATE THE SECTION; AMENDING CHAPTER 52, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-5219, IDAHO CODE, TO PROVIDE FOR DENIAL OF LIEN RIGHTS; AMENDING SECTION 54-5218, IDAHO CODE, TO REDESIGNATE THE SECTION; AMENDING SECTION 54-5219, IDAHO CODE, TO REDESIGNATE THE SECTION; AND AMENDING SECTION 39-4106, IDAHO CODE, TO PROVIDE FOR THE LICENSURE OF CONSTRUCTION CONTRACTORS AND TO MAKE A TECHNICAL CORRECTION.



**H 307** was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House returned to the Fifth Order of Business.

**5TH ORDER**  
**Report of Standing Committees**

April 10, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have printed **H 307**.

DAYLEY, Chairman

**H 307** was referred to the Ways and Means Committee.

There being no objection, the House returned to the Fourth Order of Business.

**4TH ORDER**  
**Consideration of Messages from the Governor and the Senate**

THE OFFICE OF THE GOVERNOR  
**CERTIFICATE OF APPOINTMENT**

**KNOW ALL MEN**, that pursuant to the provisions of Section 59-917, Idaho Code, ROB MASON, State Representative, District 16, Seat B, Ada County, State of Idaho, has nominated, ALEXIS PICKERING, of 2715 N. Fry St., Boise, ID 83704, to perform the duties of this office temporarily as Acting State Representative, District 16, Seat B.

**NOW, THEREFORE, I, BRAD LITTLE**, Governor of the State of Idaho, by virtue of the authority vested in me do hereby appoint Alexis Pickering of Boise, Idaho, to the office of Acting State Representative, District 16, Seat B, for a term commencing April 10, 2019, 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 8th day of April, in the year of our Lord two thousand and nineteen, and of the Independence of the United States of America, the two hundred and forty-third year and of the Statehood of Idaho the one hundred twenty-ninth.

/s/ BRAD LITTLE  
Governor

/s/ LAWRENCE DENNEY  
Secretary of State

The Certificate of Appointment was ordered filed in the office of the Chief Clerk.

The Speaker announced the oath of office had previously been administered to Alexis Pickering.

Mr. Moyle moved that the House recess until 1:30 p.m. Seconded by Mr. Erpelding. Motion carried.

Whereupon the Speaker declared the House at recess until 1:30 p.m.

RECESS  
Afternoon Session

The House reconvened at 1:30 p.m., the Speaker in the Chair.

Prior to recess, the House was at the Fourth Order of Business.

April 10, 2019

Mr. Speaker:

I transmit herewith enrolled **S 1173** and **S 1171** for the signature of the Speaker.

NOVAK, Secretary

The Speaker announced he was about to sign enrolled **S 1173** and **S 1171** when so signed, ordered them returned to the Senate.

There being no objection, the House advanced to the Twelfth Order of Business.

**12TH ORDER**  
**Consideration of General Orders**

Mr. Moyle moved that the House do now resolve itself into a Committee of the Whole House for the consideration of General Orders. Seconded by Mr. Erpelding. Motion carried.

Whereupon the House resolved itself into a Committee of the Whole House for the consideration of General Orders with Mr. Monks in the Chair.

When the Committee of the Whole House rose, the Speaker returned to the Chair and the House was in order.

**Report of the Committee of the Whole House**

April 10, 2019

Mr. Speaker:

We, your COMMITTEE OF THE WHOLE HOUSE, report that we have had under consideration **S 1205** and report it back without recommendation, amended as follows:

**HOUSE AMENDMENT TO S.B. NO. 1205**

AMENDMENT TO THE BILL

On page 2 of the printed bill, following line 7, insert:

"SECTION 6. LEGISLATIVE INTENT. It is the intent of the Legislature that all pending administrative rules must be affirmatively approved by both the House of Representatives and the Senate via a concurrent resolution and that inaction by either body shall not cause a pending rule to become effective.

SECTION 7. That Section 67-5224, Idaho Code, be, and the same is hereby amended to read as follows:

67-5224. PENDING RULE – FINAL RULE – EFFECTIVE DATE. (1) Prior to the adoption, amendment, or repeal of a rule, the agency shall consider fully all written and oral submissions respecting the proposed rule.

(2) Subject to the provisions of subsection (3) of this section, the agency shall publish the text of a pending rule and a notice of adoption of the pending rule in the bulletin. The notice of adoption of the pending rule shall consist of a concise explanatory statement containing:

- (a) Reasons for adopting the rule;
- (b) A statement of any change between the text of the proposed rule and the text of the pending rule with an explanation of the reasons for any changes;
- (c) The date on which the pending rule will become final and effective, as provided in subsection (5) of this section, and a statement that the pending rule ~~may~~ must be ~~rejected~~ approved by concurrent resolution of the legislature;
- (d) An identification of any portion of the pending rule imposing or increasing a fee or charge and a statement that this portion of the rule shall not become final and effective unless affirmatively approved by concurrent resolution of the legislature;
- (e) The specific statutory authority for the rulemaking including a citation to the specific section of the Idaho Code that has occasioned the rulemaking, or the federal statute or regulation if that is the basis of authority or requirement for the rulemaking; and
- (f) Except as otherwise required in paragraph (g) of this subsection, a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year when the pending rule will become effective; provided however, that notwithstanding section 67-5231, Idaho Code, the absence or accuracy of a fiscal impact statement provided pursuant to this paragraph shall not affect the validity or the enforceability of the rule; or
- (g) If a notice of proposed rulemaking of the Idaho state tax commission, a specific description of any negative or positive fiscal impact greater than ten thousand dollars (\$10,000) during the fiscal year when the pending rule will become effective; provided however, notwithstanding section 67-5231, Idaho Code, the absence or accuracy of a fiscal impact statement provided pursuant to this paragraph shall not affect the validity or the enforceability of the rule.
- (3) With the permission of the coordinator, the agency need not publish in full the text of the pending rule if no significant changes have been made from the text of the proposed rule as published in the bulletin, but the notice of adoption of the pending rule must cite the volume of the bulletin where the text is available and note all changes that have been made.
- (4) An agency shall not publish a pending rule until at least seven (7) days after the close of all public comment.
- (5) ~~(a) Except as set forth in sections 67-5226 and 67-5228, Idaho Code, a pending rule shall become final and effective upon the conclusion of the legislative session at which the rule was submitted to the legislature for review, or as provided in the rule, but no pending rule adopted by an agency shall become final and effective before the conclusion of the regular or special legislative session at which the rule was submitted for review. A rule which is final and effective may be applied retroactively, as provided in the rule.~~
- (b) When the legislature approves a pending rule pursuant to section 67-5291, Idaho Code, the rule shall become final and effective upon adoption of the concurrent resolution or such other date specified in the concurrent resolution.
- (c) Except as set forth in sections 67-5226 and 67-5228, Idaho Code, no pending rule or portion thereof ~~imposing a fee or charge of any kind~~ shall become final and effective until it has been approved by a concurrent resolution that originated in a standing committee of the house or senate that reviewed the rule.
- (6) Each agency shall provide the administrative rules coordinator with a description of any pending rule or portion thereof imposing a new fee or charge or increasing an existing

fee or charge, along with a citation of the specific statute authorizing the imposition or increase of the fee or charge. The administrative rules coordinator shall provide the legislature with a compilation of the descriptions provided by the agencies.

(7) At the conclusion of the legislative session or as soon thereafter as is practicable, the coordinator shall publish the date upon which the legislature adjourned sine die and rules became effective and a list of final rules becoming effective on a different date, as provided in section 67-5224(5), Idaho Code, and temporary rules remaining in effect as provided in section 67-5226(3), Idaho Code.

SECTION 8. That Section 67-5226, Idaho Code, be, and the same is hereby amended to read as follows:

67-5226. TEMPORARY RULES. (1) If the governor finds that:

- (a) Protection of the public health, safety, or welfare; or
- (b) Compliance with deadlines in amendments to governing law or federal programs; or
- (c) Conferring a benefit;

requires a rule to become effective before it has been submitted to the legislature for review, the agency may proceed with such notice as is practicable and adopt a temporary rule, except as otherwise provided in section 67-5229(1)(d), Idaho Code. The agency may make the temporary rule immediately effective. The agency shall incorporate the required finding and a concise statement of its supporting reasons in each rule adopted in reliance upon the provisions of this subsection.

(2) A rule adopted pursuant to subsection (1) of this section ~~which that~~ imposes a fee or charge may become effective under this section before it has been approved by concurrent resolution only if the governor finds that the fee or charge is necessary to avoid immediate danger which justifies the imposition of the fee or charge.

(3) In no case shall a rule adopted pursuant to this section remain in effect beyond the conclusion of the next succeeding regular session of the legislature unless the rule is approved by concurrent resolution that originated in a standing committee of the house or senate that reviewed the rule, in which case the rule may remain in effect until the time specified in the resolution or until the rule has been replaced by a final rule which has become effective as provided in section 67-5224(5), Idaho Code.

(4) Temporary rules shall be published in the first available issue of the bulletin.

(5) Temporary rules are not subject to the requirements of section 67-5223, Idaho Code, provided that the administrative rules coordinator sends a copy of the temporary rules to the director of the legislative services office.

(6) Concurrently with the promulgation of a rule under this section, or as soon as reasonably possible thereafter, an agency shall commence the promulgation of a proposed rule in accordance with the rulemaking requirements of this chapter, unless the temporary rule adopted by the agency will expire by its own terms or by operation of law before the proposed rule could become final.

SECTION 9. That Section 67-5291, Idaho Code, be, and the same is hereby amended to read as follows:

67-5291. LEGISLATIVE REVIEW OF RULES. (1) The standing committees of the legislature may review temporary, pending and final rules which have been published in the bulletin or in the administrative code. If reviewed, the standing committee which reviewed the rules shall report to

the membership of the body its findings and recommendations concerning its review of the rules. If ordered by the presiding officer, the report of the committee shall be printed in the journal. A concurrent resolution may be adopted approving the rule, in whole or in part, ~~or rejecting the and any rule not included in such concurrent resolution shall not be approved~~ where it is determined that the rule, or part of the rule, is not consistent with the legislative intent of the statute that the rule was written to interpret, prescribe, implement or enforce, or where it is determined that any rule, or part of a rule, previously promulgated and reviewed by the legislature shall be deemed not to be consistent with the legislative intent of the statute the rule was written to interpret, prescribe, implement or enforce. ~~The rejection of Failure to approve~~ a rule, or part of a rule, by the legislature via concurrent resolution shall prevent the agency's intended action from remaining in effect beyond the date of the legislative action. It shall be the responsibility of the secretary of state to immediately notify the affected agency of the filing and effective date of any concurrent resolution enacted to approve ~~or reject~~, in whole or in part, an agency rule and to transmit a copy of the concurrent resolution to the director of the agency for promulgation. The agency shall be responsible for implementing legislative intent as expressed in the concurrent resolution, including, as appropriate, the reinstatement of the prior rule, if any, in the case of ~~legislative rejection of failure to approve~~ a new rule via concurrent resolution. If a rule, or part of a rule, has ~~not been rejected~~ approved by the legislature, the agency shall publish notice of such ~~rejection failure to approve~~ in the bulletin. Except as provided in section 67-5226, Idaho Code, with respect to temporary rules, every rule promulgated within the authority conferred by law, and in accordance with the provisions of chapter 52, title 67, Idaho Code, and made effective pursuant to section 67-5224(5), Idaho Code, shall remain in full force and effect until the same is rejected by concurrent resolution, or until it expires as provided in section 67-5292, Idaho Code, or by its own terms.

(2) For purposes of this section, "part of a rule" means a provision in a rule that is designated either numerically or alphabetically or the entirety of any new or amended language contained therein."

#### CORRECTION TO TITLE

On page 1, in line 10, delete "AND"; and also in line 10, following "SEVERABILITY" insert: "; PROVIDING LEGISLATIVE INTENT; AMENDING SECTION 67-5224, IDAHO CODE, TO REVISE PROVISIONS REGARDING PENDING RULES; AMENDING SECTION 67-5226, IDAHO CODE, TO REVISE A PROVISION REGARDING TEMPORARY RULES AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 67-5291, IDAHO CODE, TO REVISE PROVISIONS REGARDING LEGISLATIVE REVIEW OF RULES".

MONKS, Chairman

Mr. Monks moved that the report be adopted. Seconded by Mr. Erpelding.

Whereupon the Speaker declared the report adopted.

[S 1205](#), as amended in the House, was filed for first reading.

The amendments were referred to Judiciary, Rules, and Administration committee for printing.

There being no objection, the House returned to the Fifth Order of Business.

#### 5TH ORDER Report of Standing Committees

April 10, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have printed House amendment to [S 1205](#).

DAYLEY, Chairman

There being no objection, the House advanced to the Eighth Order of Business.

#### 8TH ORDER Introduction, First Reading, and Reference of Bills and Joint Resolutions

[S 1205](#), as amended in the House, by Judiciary and Rules Committee, was introduced, read the first time by title, and filed for second reading.

There being no objection, the House returned to the Seventh Order of Business.

#### 7TH ORDER Motions, Memorials, and Resolutions

##### [S 1205](#), as amended in the House - ADMINISTRATIVE RULES

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of [S 1205](#), 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 1205](#), as amended in the House, be read the third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Erpelding.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Andrus, Armstrong, Blanksma, Boyle, Chaney, Christensen, Clow(McClusky), Collins, Dayley, DeMordaunt, Dixon, Ehardt, Furniss, Gestrin, Gibbs, Goesling, Green(2), Harris, Hartgen, Holtzclaw, Horman(Marshall), Kauffman, Kerby, Kingsley, Marshall, Mason(Pickering), Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Scott, Shepherd, Syme, Troy, Vander Woude, Wisniewski, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 50.

NAYS—Berch(Bratnobar), Chew, Davis, Ellis, Erpelding, Gannon, Giddings, Green(18), McCrostie, Rubel(Morales), Smith, Toone(Burns), Wintrow. Total - 13.

Absent—Anderst, Barbieri, Crane, Lickley, Stevenson, Wagoner, Wood(Critchfield). Total - 7.

Total - 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [S 1205](#), as amended in the House, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Moyle to open debate.

The question being, "Shall [S 1205](#), as amended in the House, pass?"

Roll call resulted as follows:

AYES—Addis, Amador, Anderson, Andrus, Armstrong, Barbieri, Blanksma, Boyle, Chaney, Christensen, Clow(McClusky), Collins, Crane, Dayley, DeMordaunt, Dixon, Ehardt, Furniss, Gestrin, Gibbs, Giddings, Goesling, Green(2), Harris, Hartgen, Holtzclaw, Horman(Marshall), Kauffman, Kerby, Kingsley, Lickley, Marshall, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Scott, Shepherd, Syme, Troy, Vander Woude, Wisniewski, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 52.

NAYS—Abernathy, Berch, Chew, Davis, Ellis, Erpelding, Gannon, Green(18), Mason(Pickering), McCrostie, Rubel(Morales), Smith, Toone(Burns), Wintrow, Wood(Critchfield). Total - 15.

Absent—Anderst, Stevenson, Wagoner. Total - 3.

Paired Votes:

AYE - Barbieri	NAY - Toone(Burns)
AYE - Blanksma	NAY - Wood(Critchfield)
AYE - Lickley	NAY - Abernathy

(Pairs enumerated in roll call above.)

Total - 70.

Whereupon the Speaker declared that [S 1205](#), as amended in the House, passed the House. Title was approved and the bill ordered returned to the Senate.

There being no objection, the House advanced to the Eleventh Order of Business.

### 11TH ORDER

#### Third Reading of Bills and Joint Resolutions

#### [H 297](#) - APPROPRIATIONS - OFFICE OF THE STATE BOARD OF EDUCATION

[H 297](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Amador to open debate.

Mr. Amador asked unanimous consent that, pursuant to Rule 22, discussion of other pending legislation be allowed in debate of [H 297](#). There being no objection it was so ordered.

Pursuant to Rule 38(3), Ms. Critchfield (Wood) previously disclosed a conflict of interest regarding [H 297](#).

The question being, "Shall [H 297](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Andrus, Berch, Blanksma, Chew, Clow(McClusky), Collins, Davis, Dayley, Ellis, Erpelding, Gannon, Gibbs, Goesling, Green(18), Hartgen, Horman(Marshall), Kauffman, Kerby, Lickley, Marshall, Mason(Pickering), McCrostie, Raybould, Raymond, Rubel(Morales), Shepherd, Smith, Syme, Toone(Burns), Troy, Vander Woude, Wintrow, Wood(Critchfield), Young, Youngblood, Mr. Speaker. Total - 40.

NAYS—Armstrong, Barbieri, Boyle, Christensen, Crane, DeMordaunt, Dixon, Ehardt, Furniss, Gestrin, Giddings, Green(2), Harris, Holtzclaw, Kingsley, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Ricks, Scott, Stevenson, Wisniewski, Zito, Zollinger. Total - 27.

Absent—Anderst, Chaney, Wagoner. Total - 3.

Paired Votes:

AYE - Wood(Critchfield)	NAY - Boyle
AYE - Rubel(Morales)	NAY - Stevenson
AYE - Blanksma	NAY - Barbieri
AYE - Lickley	NAY - Crane

(Pairs enumerated in roll call above.)

Total - 70.

Whereupon the Speaker declared that [H 297](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

#### [H 303](#) - INITIATIVES

[H 303](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Dixon to open debate.

The question being, "Shall [H 303](#) pass?"

Roll call resulted as follows:

AYES—Addis, Amador, Anderson, Andrus, Armstrong, Blanksma, Boyle, Chaney, Christensen, Clow(McClusky), Collins, Crane, Dayley, DeMordaunt, Dixon, Ehardt, Furniss, Gestrin, Gibbs, Goesling, Green(2), Harris, Holtzclaw, Horman(Marshall), Kauffman, Kerby, Kingsley, Marshall, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Scott, Shepherd, Stevenson, Troy, Vander Woude, Wisniewski, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 48.

NAYS—Abernathy, Berch, Chew, Davis, Ellis, Erpelding, Gannon, Giddings, Green(18), Hartgen, Lickley, Mason(Pickering), McCrostie, Rubel(Morales), Smith, Syme, Toone(Burns), Wintrow. Total - 18.

Absent—Anderst, Barbieri, Wagoner, Wood(Critchfield). Total - 4.

Paired Votes:

AYE - Stevenson	NAY - Ellis
AYE - Chaney	NAY - Rubel(Morales)
AYE - Blanksma	NAY - Lickley

(Pairs enumerated in roll call above.)

Total - 70.

Whereupon the Speaker declared that [H 303](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

#### [S 1072](#) - ADMINISTRATIVE PROCEDURE

[S 1072](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. DeMordaunt to open debate.

The question being, "Shall [S 1072](#) pass?"

Roll call resulted as follows:

AYES—Abernathy, Addis, Amador, Anderson, Andrus, Armstrong, Berch, Blanksma, Boyle, Chew, Christensen, Clow(McClusky), Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Green(18), Green(2), Harris, Hartgen, Holtzclaw, Horman(Marshall), Kauffman, Kerby, Kingsley, Marshall, Mason(Pickering), McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks,

Rubel(Morales), Scott, Shepherd, Smith, Syme, Toone(Burns), Troy, Vander Woude, Wintrow, Wisniewski, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 63.

NAYS=None.

Absent-Anderst, Barbieri, Chaney, Lickley, Stevenson, Wagoner, Wood(Critchfield). Total - 7.

Total - 70.

Whereupon the Speaker declared that [S 1072](#) passed the House. Title was approved and the bill ordered returned to the Senate.

There being no objection, the House advanced to the Fifteenth Order of Business.

**15TH ORDER  
Announcements**

Announcements were made to the body.

**16TH ORDER  
Adjournment**

Mr. Moyle moved that the House adjourn until 10 a.m., Thursday, April 11, 2019. Seconded by Mr. Erpelding. Motion carried.

Whereupon the Speaker declared the House adjourned at 3:16 p.m.

SCOTT BEDKE, Speaker

ATTEST:

CARRIE MAULIN, Chief Clerk

# HOUSE JOURNAL

OF THE

## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-FIFTH LEGISLATURE

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**NINETY-FIFTH LEGISLATIVE DAY**  
**THURSDAY, APRIL 11, 2019**

House of Representatives

The House convened at 10 a.m., the Speaker in the Chair.

Roll call showed 64 members present.

Absent and excused - Barbieri, Chaney, Raymond, Stevenson, Wagoner, and Young. Total - 6.

Total - 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Elbia Christensen, Page.

### 3RD ORDER

#### Approval of Journal

April 11, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Ninety-fourth Legislative Day and recommend that same be adopted as corrected.

DAYLEY, Chairman

Mr. Dayley moved that the report be adopted. Seconded by Mr. Gannon. Report adopted.

### 4TH ORDER

#### Consideration of Messages from the Governor and the Senate

THE OFFICE OF THE GOVERNOR

#### CERTIFICATE OF APPOINTMENT

**KNOW ALL MEN**, that pursuant to the provisions of Section 59-917, Idaho Code, MATHEW W. ERPELDING, State Representative, District 19, Seat A, Ada County, State of Idaho, has nominated, CHRYSTAL ALLEN, of 1331 W. Irene, Boise, ID 83702, to perform the duties of this office temporarily as Acting State Representative, District 19, Seat A.

**NOW, THEREFORE, I, BRAD LITTLE**, Governor of the State of Idaho, by virtue of the authority vested in me do hereby appoint Chrystal Allen of Boise, Idaho, to the office of Acting State Representative, District 19, Seat A, for a term commencing April 11, 2019, 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 10th day of April, in the year of our Lord two thousand and nineteen, and of the Independence of the

United States of America, the two hundred and forty-third year and of the Statehood of Idaho the one hundred twenty-ninth.

/s/ BRAD LITTLE

Governor

/s/ LAWRENCE DENNEY

Secretary of State

The Certificate of Appointment was ordered filed in the office of the Chief Clerk.

The Speaker announced the oath of office had previously been administered to Chrystal Allen.

April 10, 2019

Mr. Speaker:

I transmit herewith [S 1214](#) which has passed the Senate.

NOVAK, Secretary

[S 1214](#) was filed for first reading.

### 5TH ORDER

#### Report of Standing Committees

April 11, 2019

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration [H 300](#), as amended in the Senate, and recommend non-concurrence with Senate Amendments.

PALMER, Chairman

Ms. Boyle asked unanimous consent that the House not concur in Senate amendments to [H 300](#), as amended in the Senate. There being no objection, [H 300](#), as amended in the Senate, was ordered filed in the Office of the Chief Clerk.

There being no objection, the House advanced to the Eighth Order of Business.

### 8TH ORDER

#### Introduction, First Reading, and Reference of Bills and Joint Resolutions

[S 1214](#), by Finance Committee, was introduced, read the first time by title, and filed for second reading.

There being no objection, the House returned to the Seventh Order of Business.

### 7TH ORDER

#### Motions, Memorials, and Resolutions

#### [S 1214](#) - APPROPRIATIONS - DEPARTMENT OF HEALTH AND WELFARE

Mr. Moyle moved that all rules of the House interfering with the immediate consideration 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 second time by title and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Rubel.



The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Berch, Blanksma, Boyle, Chew, Clow(McClusky), Collins, Crane, Davis, Dayley, DeMordaunt, Dixon, Ehardt, Ellis, Erpelding(Allen), Furniss, Gannon, Gibbs, Goesling, Green(18), Harris, Hartgen, Holtzclaw, Horman(Marshall), Kauffman, Kerby, Kingsley, Lickley, Marshall, Mason(Pickering), McCrostie, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Ricks, Rubel, Shepherd, Smith, Syme, Toone, Troy, Vander Woude, Wintrow, Wisniewski, Wood(Critchfield), Youngblood, Zito, Mr. Speaker. Total - 57.

NAYS—Abernathy, Christensen, Giddings, Green(2), Scott. Total - 5.

Absent—Barbieri, Chaney, Gestrin, Raymond, Stevenson, Wagoner, Young, Zollinger. Total - 8.

Total - 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [S 1214](#) was read the second time by title and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Amador to open debate.

Mr. Amador asked unanimous consent that, pursuant to Rule 22, discussion of other pending legislation be allowed in debate of [S 1214](#). There being no objection it was so ordered.

The question being, "Shall [S 1214](#) pass?"

Roll call resulted as follows:

AYES—Addis, Amador, Anderson, Anderst, Andrus, Armstrong, Blanksma, Boyle, Clow(McClusky), Collins, Crane, Dayley, DeMordaunt, Dixon, Ehardt, Furniss, Gibbs, Harris, Hartgen, Holtzclaw, Horman(Marshall), Kauffman, Kerby, Lickley, Marshall, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Ricks, Syme, Troy, Vander Woude, Wagoner, Wood(Critchfield), Youngblood, Zito, Mr. Speaker. Total - 42.

NAYS—Abernathy, Berch, Chew, Christensen, Davis, Ellis, Erpelding(Allen), Gannon, Giddings, Goesling, Green(18), Green(2), Kingsley, Mason(Pickering), McCrostie, Rubel, Scott, Shepherd, Smith, Toone, Wintrow, Wisniewski. Total - 22.

Absent—Barbieri, Chaney, Gestrin, Stevenson, Young, Zollinger. Total - 6.

Paired Votes:

AYE - Wagoner	NAY - Giddings
AYE - Raymond	NAY - Christensen
(Pairs enumerated in roll call above.)	
Total - 70.	

Whereupon the Speaker declared that [S 1214](#) passed the House. Title was approved and the bill ordered returned to the Senate.

There being no objection, the House returned to the Fourth Order of Business.

#### 4TH ORDER Consideration of Messages from the Governor and the Senate

April 11, 2019

Mr. Speaker:

I transmit herewith enrolled [S 1072](#) for the signature of the Speaker.

NOVAK, Secretary

The Speaker announced he was about to sign enrolled [S 1072](#) when so signed, ordered it returned to the Senate.

Mr. Moyle moved that the House recess until 1:45 p.m. Seconded by Mr. Crane. Motion carried.

Whereupon the Speaker declared the House at recess until 1:45 p.m.

#### RECESS Afternoon Session

The House reconvened at 1:45 p.m., the Speaker in the Chair.

Prior to recess, the House was at the Fourth Order of Business.

April 11, 2019

Mr. Speaker:

I transmit herewith [S 1215](#) which has passed the Senate.

NOVAK, Secretary

[S 1215](#) was filed for first reading.

April 11, 2019

Mr. Speaker:

I return herewith [H 297](#) which has passed the Senate.

NOVAK, Secretary

[H 297](#) was referred to the Judiciary, Rules, and Administration Committee for enrolling.

There being no objection, the House advanced to the Eighth Order of Business.

#### 8TH ORDER Introduction, First Reading, and Reference of Bills and Joint Resolutions

[S 1215](#), by Judiciary and Rules Committee, was introduced, read the first time by title, and held at the Desk.

[S 1215](#) was referred to General Orders for consideration.

There being no objection, the House returned to the Fifth Order of Business.

#### 5TH ORDER Report of Standing Committees

April 11, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have enrolled [H 297](#).

DAYLEY, Chairman

The Speaker announced he was about to sign enrolled [H 297](#) and, when so signed, ordered it transmitted to the Senate for the signature of the President.

There being no objection, the House returned to the Fourth Order of Business.

**4TH ORDER**  
**Consideration of Messages from the Governor and the Senate**

April 11, 2019

Mr. Speaker:

I transmit herewith enrolled [S 1214](#) for the signature of the Speaker.

NOVAK, Secretary

The Speaker announced he was about to sign enrolled [S 1214](#) when so signed, ordered it returned to the Senate.

**5TH ORDER**  
**Report of Standing Committees**

Mr. Moyle asked unanimous consent that [S 1215](#) be referred to the Ways and Means Committee. There being no objection, it was so ordered.

There being no objection, the House returned to the Fourth Order of Business.

**4TH ORDER**  
**Consideration of Messages from the Governor and the Senate**

April 11, 2019

Mr. Speaker:

I return herewith enrolled [H 297](#) which has been signed by the President.

NOVAK, Secretary

Enrolled [H 297](#) was referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

**5TH ORDER**  
**Report of Standing Committees**

April 11, 2019

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have transmitted enrolled [H 297](#) to the Governor at 4:05 p.m., as of this date, April 11, 2019.

DAYLEY, Chairman

There being no objection, the House advanced to the Fifteenth Order of Business.

**15TH ORDER**  
**Announcements**

Mr. Moyle asked unanimous consent that committees be appointed by the Speaker to notify the Governor and the Senate that the House is ready to adjourn Sine Die. There being no objection, it was so ordered.

The Speaker appointed Representatives Palmer, Hartgen, and Rubel to notify the Governor and Representatives Berch, Ellis, and Green(18) to notify the Senate. The committees were excused.

The committee appointed to notify the Governor reported that it had delivered the message to the Governor. The committee was thanked and discharged by the Speaker.

The committee appointed to notify the Senate reported that they had delivered the message to the Senate. The committee was thanked and discharged by the Speaker.

**16TH ORDER**  
**Adjournment**

Mr. Moyle moved that the First Regular Session of the Sixty-fifth Legislature adjourn Sine Die. Seconded by Mr. Palmer.

Whereupon the Speaker declared the motion carried and the First Regular Session of the Sixty-fifth Legislature adjourned Sine Die at 4:20 p.m., Thursday, April 11, 2019.

SCOTT BEDKE, Speaker

ATTEST:

CARRIE MAULIN, Chief Clerk

\*\*\*\*\*

The following actions were recorded after House Sine Die:

OFFICE OF THE GOVERNOR  
Boise

April 12, 2019

The Honorable Scott Bedke  
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House bill, to wit:

[H 297](#)

Sincerely,  
/s/ Brad Little  
Governor

OFFICE OF THE GOVERNOR  
Boise

April 12, 2019

The Honorable Scott Bedke  
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House bill, to wit:

[H 293](#)

within the time prescribed by law, the same having arrived in the Office of the Governor at the hour of 10:15 a.m. on April 8, 2019.

I appreciate the Legislature's ongoing efforts to improve our public education system. I signed H 293 with the understanding that the bill's definitions, rule-making authority for enrollment, and required reports, will assist legislators and stakeholders in

the important discussions and work around improving Idaho's school finance system.

There were robust discussions around the definitions outlined in H 293. Specifically, I understand that the "local salary schedule" definition is intended to assist school districts and charter schools in reporting their salary schedules to the State Department of Education. That definition is not intended to constrain local control or change the current operations of the career ladder allocation by mandating an additional minimum salary for educators holding a professional endorsement. The current requirement for a minimum salary for educators is provided specifically in Idaho Code sections 33-1004E(1) and 33-1004E(3), and remains unchanged by H 293.

Sincerely,  
/s/ Brad Little  
Governor

\* \* \* \* \*

**CERTIFICATE**

WE, SCOTT BEDKE, Speaker of the House of Representatives, and CARRIE MAULIN, Chief Clerk, do hereby certify and attest as follows:

That we have carefully compiled in the House Journal of the First Regular Session of the Sixty-fifth Legislature all of the proceedings of the Ninety-fifth Legislative Day, and that the said Journal contains a full, true, and correct record of all of the proceedings of said House of Representatives for said day and final action upon all legislation.

IN WITNESS WHEREOF, we have hereunto set our hands, this April 16, 2019.

SCOTT BEDKE, Speaker

ATTEST:

CARRIE MAULIN, Chief Clerk



This index lists key words with regard to subject matter of all House bills introduced in the House. Senate bills introduced in the House are not referenced in this index. Non-legislation subject matter is included and referenced by page number. If more information is required, refer to the 2019 Senate Journal, the 2019 Final Weekly Bill Status, or online at [www.legislature.idaho.gov](http://www.legislature.idaho.gov).

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1	Ways & Means	15	WATER - Adds to existing law to provide that the director of the Department of Water Resources shall subordinate permits and licenses for certain projects issued after a specified date to the capture and retention of water in existing on-stream storage reservoirs during and following flood control operations until the date of allocation.....	37	101	LAW
2 AAS	Transp & Def	19	LOGGING - Amends existing law to provide that the director of the Idaho State Police and the Idaho Transportation Board shall have authority to perform safety inspections and safety training programs, issue certain orders, and enforce certain rules if a logging truck is operating on public highways; and to provide that logging trucks are subject to certain administrative rules if transporting on public highways. .... (Senate Amendments - See Senate Journal)	180	208	LAW
3	Health & W	19	OCCUPATIONAL LICENSING - Amends existing law to revise training and practice requirements and fees for licensure for counselors and therapists.....	52	201	LAW
4	Health & W	19	OCCUPATIONAL THERAPISTS - Amends and adds to existing law to remove obsolete language; to clarify renewal and reinstatement of licensure; to provide for inactive licensure; and to revise powers regarding the adoption of certain rules. ....	47	201	LAW
5	Health & W	19	OCCUPATIONAL LICENSING - Amends existing law to remove provisions regarding a chiropractic peer review committee. ....	47	216	LAW
6	Health & W	20	OCCUPATIONAL LICENSING - Amends existing law to define "licensed bachelor social worker" and to update terminology accordingly.....	48	216	LAW
7	Health & W	20	OCCUPATIONAL LICENSING - Amends existing law to clarify the age requirement for nursing home administrator licensure and to provide a time limit for administrator-in-training programs. ....	49	201	LAW
8	Health & W	20	MIDWIFERY - Amends existing law to remove obsolete language, to update the list of formulary drugs that midwives are authorized to use, and to clarify the requirements regarding practice data required for license renewal. ....	49	201	LAW
9	Health & W	20	BOARD OF MEDICINE - Amends existing law to provide for physician assistants and to revise provisions regarding licensure, registration, discipline, disability, and board composition. ....	55	121	LAW
10	Health & W	21	PHARMACY - Amends, adds to, and repeals existing law to revise and modernize the Pharmacy Practice Act, including by providing for a multistate pharmacy license. ....	55	109	LAW
11	Health & W	21	CONTROLLED SUBSTANCES - Amends existing law to revise lists of scheduled drugs and substances in the Uniform Controlled Substances Act. ....	55	109	LAW
12	Health & W	21	PHARMACY - Amends existing law to revise provisions regarding opioid antagonists. ....	55	109	LAW



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13	Rev & Tax	21	TAXES - Amends existing law to update references to the Internal Revenue Code.....	32	70	LAW
14	Rev & Tax	21	INCOME TAXES - Amends existing law to revise the method of computing a taxpayer's net operating loss.....	32	89	LAW
15	Rev & Tax	21	SALES AND USE TAX - Amends existing law to provide an exemption from the sales or use tax for any fees associated with public records requests.....	33	89	LAW
16	Rev & Tax	21	INCOME TAX - Amends existing law to update terminology regarding employee withholding allowances and withholding allowance certificates.....	33	95	LAW
17	Rev & Tax	21	GROCERY TAX CREDIT - Amends existing law to revise and update references to the terminology used in the Internal Revenue Code regarding dependent deductions.....	33	95	LAW
18	Health & W	23	ADULT PROTECTIVE SERVICES - Amends existing law to revise definitions and terminology.....	49	201	LAW
19	Rev & Tax	24	INCOME TAXES - Amends existing law to clarify resident eligibility for the child tax credit.....	41	101	LAW
20	Appropriations	24	APPROPRIATIONS - DEPARTMENT OF ADMINISTRATION - PERMANENT BUILDING FUND - Relates to the appropriation to the Department of Administration for the Division of Public Works from the Permanent Building Fund for fiscal year 2019.....	32	77	LAW
21	C & H R	24	LABOR - Amends existing law to provide that labor negotiation fact finders and others shall meet in open session when meeting with both parties to the negotiation at the same time, to clarify that decisions regarding labor contract offers shall be made in open session, and to repeal the sunset on negotiations in open session.....	-	26	H Com/HuRes
22	Health & W	24	OCCUPATIONAL LICENSING - Amends existing law regarding the Speech and Hearing Services Practice Act to provide that a licensee may show proof of licensure electronically and to remove the requirement that a sign language interpreter attain a minimum age to qualify for licensure.....	68	201	LAW
23	Transp & Def	26	MILITARY - Amends existing law to revise provisions regarding the Model State Code of Military Justice.....	-	28	H Transp
24	Transp & Def	26	RECREATIONAL ACTIVITIES - Amends existing law to revise the definition of "utility type vehicle.".....	68	216	LAW
25	Local Gov	27	ANNEXATION - Amends existing law to provide a requirement regarding annexation of certain agricultural land.....	52	109	LAW
26	Environment, Energy and Technology	27	UNDERGROUND STORAGE TANK SYSTEMS - Adds to existing law to provide a compliance date for certain rules and to provide for retroactive application of specified provisions.....	59	147	LAW

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27	Rev & Tax	27	INSURANCE - Amends existing law to provide that amounts in certain documents shall be rounded to the nearest whole dollar. ....	41	201	LAW
28	Appropriations	31	APPROPRIATIONS - Appropriates and transfers \$140,200 from the General Fund to the Pest Control Deficiency Fund for fiscal year 2019. ....	39	70	LAW
29	State Affairs	31	ABORTION COMPLICATIONS - Amends existing law to revise a definition and to revise provisions regarding abortion complication reporting. ....	-	32	H St Aff
30 AAS	Judiciary, Rules and Administration	31	CRIMES - Amends existing law to provide for the appointment or designation of an evaluation committee when a criminal defendant's alleged incompetency may be the result of a developmental disability. .... (Senate Amendments - See Senate Journal)	319	341	LAW
31	Judiciary, Rules and Administration	31	DIVORCE - Amends existing law to revise a provision regarding when a final decree shall be entered. ....	48	126	LAW
32	Judiciary, Rules and Administration	31	MOTOR VEHICLES - Amends existing law to provide for substance use disorders service providers and substance use disorder assessments. ....	48	126	LAW
33	Judiciary, Rules and Administration	31	SEARCH WARRANTS - Amends existing law to provide that an oral statement shall be transcribed if requested. ....	49	49	S Jud
34	Judiciary, Rules and Administration	31	SEXUAL OFFENDER REGISTRATION - Amends existing law to revise the definition of "aggravated offense" and to revise a provision regarding applicability. ....	52	126	LAW
35	Appropriations	36	APPROPRIATIONS - MEDICAL BOARDS - Relates to the appropriation to the Medical Boards for fiscal year 2019. ....	47	89	LAW
36	Appropriations	36	APPROPRIATIONS - COMMISSION FOR THE BLIND AND VISUALLY IMPAIRED - Relates to the appropriation to the Commission for the Blind and Visually Impaired for fiscal year 2019. ....	47	89	LAW
37	Health & W	36	HEALTH - Amends existing law to revise the definition of "serious emotional disturbance" regarding children's mental health services. ....	68	201	LAW
38	Ag Affairs	38	FOOD SAFETY MODERNIZATION ACT - Amends existing law to revise a date by which certain contracts and contracting authority shall transition to the Idaho State Department of Agriculture. ....	59	121	LAW
39	Local Gov	39	IDAHO BUILDING CODE ACT - Amends existing law to provide for building plans examiners, to remove reference to the International Conference of Building Officials, and to revise a provision regarding inspector certification. ....	-	71	H Loc Gov
40	State Affairs	39	PROFESSIONAL SERVICE CONTRACTS - Amends existing law to revise provisions regarding selections for certain professional service contracts. ....	-	40	H Com/HuRes

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41	State Affairs	39	SEVERANCE PAY FOR PUBLIC EMPLOYEES - Repeals and adds to existing law to provide that public employees shall not be eligible for severance pay. ....	-	40	H Com/HuRes
42 AAS	State Affairs	39	LABOR - Amends existing law to provide that labor negotiation fact finders and others shall meet in open session when meeting with both parties to the negotiation at the same time, and to repeal the sunset date on negotiations in open session. .... (Senate Amendments - See Senate Journal)	209	246	LAW
43	Judiciary, Rules and Administration	40	PUBLIC DEFENSE - Amends existing law to revise the term "public defense grant" to "financial assistance" and the term "application" to "compliance proposal." .....	66	147	LAW
44	Res & Cons	40	FOREST PRACTICES ACT ADMINISTRATION - Amends existing law to revise annual assessment provisions regarding private owners of certain forest lands.....	71	147	LAW
45	Business	40	DRIVING BUSINESSES - Amends existing law to reduce the number of hours of classroom instruction and behind-the-wheel training that a new applicant must complete as part of a board-approved apprenticeship training program. ....	107	107	S Transp
46	Business	40	OCCUPATIONAL LICENSING - Amends and adds to existing law to allow online examinations; to provide a new type of examination for certified shorthand reporters; and to provide for certification by endorsement.....	107	201	LAW
47	Rubel	43	PRESIDENTIAL ELECTION - Amends and adds to existing law to provide for the Agreement Among the States to Elect the President by National Popular Vote.....	-	45	H W/M
48	Rubel	43	PLASTIC BAGS - Repeals existing law preempting local regulation of auxiliary containers, including plastic bags.....	-	45	H W/M
49	Rubel	43	VOTER REGISTRATION - Amends existing law to provide for the Motor Voter Act, to provide for registration of eligible electors at driver's licensing offices, and to provide that the Division of Motor Vehicles shall forward registration applications to the office of the county clerk. ....	-	45	H W/M
50	Rubel	43	MINIMUM WAGE - Amends existing law to remove language prohibiting a political subdivision from enacting a minimum wage that is higher than the state minimum wage.....	-	45	H W/M
51	Rubel	43	EMINENT DOMAIN - Amends existing law to remove language prohibiting the use of eminent domain for the purpose of certain recreational trails. ....	-	45	H W/M
52	McCrostie	43	YOUTH MENTAL HEALTH PROTECTION ACT - Adds to existing law to provide for violations and enforcement for certain persons who perform conversion therapy and to prohibit state funding for conversion therapy.....	-	45	H W/M
53	Gannon	44	RAILROADS - Adds to existing law to establish provisions regarding crew requirements for trains or locomotives. ....	-	45	H W/M

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54	Chew	44	MINIMUM WAGE - Amends existing law to remove the training wage provision.....	-	45	H W/M
55	Chew	44	MINIMUM WAGE - Amends existing law to revise provisions regarding minimum wages.....	-	45	H W/M
56	Appropriations	46	APPROPRIATIONS - DIVISION OF BUILDING SAFETY - Relates to the appropriation to the Division of Building Safety for fiscal year 2019. ....	59	109	LAW
57	Appropriations	46	APPROPRIATIONS - DEPARTMENT OF FISH AND GAME - Relates to the appropriation to the Department of Fish and Game for fiscal year 2019. ....	59	101	LAW
58	Health & W	46	PHARMACY - Amends, repeals, and adds to existing law to provide for the transfer of legend drugs for donation to medically indigent patients. ....	107	223	LAW
59	Health & W	46	ORGAN DONATION - Amends existing law to provide that persons 15 years of age may identify as an organ donor on a driver's license or identification card. ....	107	201	LAW
60	Ag Affairs	51	COOPERATIVE MARKETING ASSOCIATIONS - Amends existing law regarding a voting limitation; to provide for bylaw requirements; and to revise marketing contract provisions. ....	93	201	LAW
61	Rev & Tax	51	INCOME TAXES - Adds to existing law to provide an income tax credit for short line railroad infrastructure investment and maintenance. ....	99	99	H FAILED
62	Rev & Tax	51	OCCUPANCY TAX - Amends existing law to make property tax relief applicable to either the property tax or the occupancy tax. ....	71	126	LAW
63	State Affairs	51	WINE - Amends existing law to revise the definition of "dessert wine.".....	111	216	LAW
64	State Affairs	51	ABORTION COMPLICATIONS - Amends existing law to revise a definition and to revise provisions regarding abortion complication reporting. ....	71	201	LAW
65	State Affairs	51	ADMINISTRATIVE RULES - Amends existing law to provide that all pending rules shall be approved by a concurrent resolution and to update, clarify, and remove outdated provisions regarding the rulemaking process. ....	-	53	H St Aff
66	Appropriations	54	APPROPRIATIONS - IDAHO TRANSPORTATION DEPARTMENT - Relates to the appropriation to the Idaho Transportation Department for fiscal year 2019.....	68	109	LAW
67	Res & Cons	54	LOW TEMPERATURE GEOTHERMAL RESOURCES - Amends existing law to provide for the exemption of proposed uses of low temperature geothermal resources primarily for reasons other than heat value.....	102	201	LAW
68	C & H R	54	RETIREMENT - Amends existing law to conform provisions regarding retirement and early retirement allowance calculations for state legislators to the decision of the Citizens' Committee on Legislative Compensation.....	103	216	LAW

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69	C & H R	54	PERSI - Amends existing law to revise the definition of "employee".	-	57	H Com/HuRes
70	Judiciary, Rules and Administration	54	FIREARMS - Amends existing law to provide that a person convicted of the crime of sexual battery of a minor child sixteen or seventeen years of age shall not have certain rights restored.	-	236	H Jud
71	Business	54	INSURANCE - Amends and adds to existing law to establish provisions regarding group-wide supervision of internationally active insurance groups.	118	223	LAW
72	Business	54	FINANCIAL MANAGEMENT - Repeals existing law relating to the Financial Management Technical Development Committee.	68	109	LAW
73	Business	54	DIVISION OF FINANCIAL MANAGEMENT - Amends existing law to establish the Office of the Administrative Rules Coordinator in the Division of Financial Management.	118	216	LAW
74	Transp & Def	57	RECREATIONAL ACTIVITIES - Amends and adds to existing law to provide for off-highway vehicles.	129	193	S FAILED
75	Transp & Def	58	RECREATIONAL ACTIVITIES - Repeals, adds to, and amends existing law to impose a fee on nonresidents for off-highway vehicle travel in Idaho.	129	216	LAW
76	Transp & Def	58	TRANSPORTATION - Amends and adds to existing law to provide for electric-assisted bicycles.	123	246	LAW
77	Local Gov	58	MOTOR VEHICLES - Adds to existing law to prohibit local authorities from enacting regulations, resolutions, or ordinances that prohibit or restrict the use of a handheld wireless device while driving a moving motor vehicle and to provide that certain regulations, resolutions, or ordinances shall be null, void, and of no force and effect.	-	77	H Transp
78 AA,AAS	Judiciary, Rules and Administration	61	CRIMES AND PUNISHMENTS - Amends and adds to existing law to establish provisions regarding criminal diversion programs. (House Amendments - p. 149) (Senate Amendments - See Senate Journal)	319	341	LAW
79	Judiciary, Rules and Administration	62	LEGAL IMMUNITY - Adds to existing law to provide immunity from civil liability and criminal prosecution for first responders who provide certain aid to a dog or cat.	168	168	H FAILED
80	Res & Cons	62	FISH AND GAME - Amends existing law to revise provisions regarding certain agreements and compensation for damage by pronghorn antelope, elk, deer, and moose.	103	216	LAW
81	Res & Cons	62	FISH AND GAME - Amends existing law to revise provisions regarding applicability of specified law to the duties and liability of certain owners of land.	-	67	H Res/Con
82	Business	62	HOMEOWNER'S ASSOCIATIONS - Amends existing law to provide for certain prohibited conduct by homeowner's associations regarding solar panels and collectors and to provide exceptions.	-	67	H Bus

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83	Business	62	RECORDER'S FEES - Amends existing law to revise provisions regarding the fees a county recorder may receive. ....	-	67	H Bus
84	Business	62	GENERAL BUSINESS CORPORATIONS - Amends, repeals, and adds to existing law to revise the requirements for general business corporations. ....	165	261	LAW
85	State Affairs	65	DAYLIGHT SAVING TIME - Adds to existing law to provide that the State of Idaho shall be exempt from the daylight saving time provisions of federal law.....	135	135	H FAILED
86	Rev & Tax	65	SALES TAX - Adds to existing law to provide a sales tax exemption on the labor charged by a motor vehicle dealer to add accessories to a new factory-delivered vehicle. ....	92	201	LAW
87	Rev & Tax	65	PROPERTY TAXES - Amends existing law to revise provisions regarding a personal property tax exemption for farm equipment and machinery.....	93	201	LAW
88	Transp & Def	70	HIGHWAY DISTRIBUTION ACCOUNT - Amends existing law to revise apportionment provisions regarding the Highway Distribution Account. ....	115	215	S FAILED
89	Transp & Def	70	HIGHWAYS AND BRIDGES - Amends current law to designate the portion of U.S. 20 that passes through Idaho as the Idaho Medal of Honor Highway. ....	134	208	LAW
90	Transp & Def	71	RECREATIONAL ACTIVITIES - Amends existing law to revise the definitions of "ATV" and "UTV." ....	123	216	LAW
91	Local Gov	71	DEVELOPMENT IMPACT FEES - Amends existing law to revise the definition of "development" to exclude activities undertaken by public charter schools. ....	123	216	LAW
92	Local Gov	71	ANNEXATION - Amends existing law to provide requirements regarding annexation of certain forest land. ....	-	73	H Loc Gov
93 AAS	Education	71	EDUCATION - Amends existing law to provide that approved nontraditional educator preparation programs may receive funding under certain circumstances. .... (Senate Amendments - See Senate Journal)	292	315	LAW
94	Business	75	LIQUEFIED PETROLEUM GAS - Adds to existing law to prohibit the filling of liquefied petroleum gas containers under certain conditions. ....	118	261	LAW
95	Business	75	MOTOR VEHICLES - Amends existing law regarding application for motor vehicle registration to require the applicant to show proof of insurance.....	-	77	H Transp
96	Res & Cons	75	OUTFITTERS AND GUIDES - Amends existing law to revise outfitted hunter tags set-aside provisions; to revise deer and elk tag provisions; and to revise provisions regarding the powers and duties of the Idaho Outfitters and Guides Licensing Board. ....	-	77	H Res/Con
97	Res & Cons	75	FISH AND GAME - Amends existing law to revise provisions regarding the duties and liability of certain owners of land.....	164	289	LAW



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98	Judiciary, Rules and Administration	75	MARRIAGE - Amends existing law to provide that a marriage license shall not be issued without order of the court in certain instances, to revise a provision regarding persons under the age of 18 years, to provide for the best interest of the child, and to provide that a marriage license may not be issued in certain instances.....	165	165	H FAILED
99	Judiciary, Rules and Administration	75	CONTROLLED SUBSTANCES - Amends existing law to revise provisions regarding sentences for trafficking of controlled substances.....	178	178	S Jud
100	State Affairs	75	ADMINISTRATIVE RULES - Amends existing law to provide that all pending rules shall be approved by a concurrent resolution.....	112	112	S St Aff
101	State Affairs	75	CHILD PROTECTION - Adds to existing law to require a notification of rights to parents or other concerned persons during an investigation of child abuse, neglect, or abandonment. ....	-	77	H Jud
102	Rev & Tax	76	TAX COMMISSION - Amends existing law to provide that certain actions of the State Tax Commission and the State Board of Equalization will be governed by the Idaho Administrative Procedure Act.....	-	115	H Rev/Tax
103	Rev & Tax	76	ELECTIONS - Amends existing law to provide for certain disclosures in elections to authorize a levy. ....	111	246	LAW
104	Transp & Def	78	FEDERAL LAND RIGHTS-OF-WAY - Amends existing law to revise provisions regarding federal land rights-of-way. ....	-	80	H Transp
105	Transp & Def	78	LICENSE PLATES - Amends and adds to existing law to provide for the Idaho Humane Society's pet friendly license plates.....	112	255	LAW
106 AAS	Transp & Def	79	RULES OF THE ROAD - Amends existing law to provide that a driver shall slow down and move over upon approaching certain stationary vehicles displaying flashing lights or emergency hazard lights..... (Senate Amendments - See Senate Journal)	269	308	LAW
107	Transp & Def	79	SALES TAX - Amends existing law to revise the percentage of funds distributed to the Transportation Expansion and Congestion Mitigation Program.....	123	282	S FAILED
108	Local Gov	79	IDAHO BUILDING CODE ACT - Amends existing law to provide for building plans examiners, to remove reference to the International Conference of Building Officials, and to revise a provision regarding inspector certification.....	99	201	LAW
109	Health & W	79	HEALTH - Adds to existing law to provide for a Maternal Mortality Review Committee that will investigate causes and factors associated with deaths relating to pregnancy or childbirth. ....	129	261	LAW
110	Res & Cons	85	FISH AND GAME - Amends existing law to provide legislative intent, to revise a provision regarding a search by an officer, and to provide that a search or inspection by an officer shall be subject to certain requirements.....	-	88	H Res/Con

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111	Res & Cons	85	AQUATIC RESOURCES - Adds to existing law to provide compensatory mitigation for impacts on aquatic resources.....	-	88	H Res/Con
112	Business	85	INSURANCE - Amends existing law to provide that a record of investments made by insurers shall include certain information, to provide an exception, to revise provisions regarding real estate, and to revise provisions regarding miscellaneous investments. ....	139	267	LAW
113	Judiciary, Rules and Administration	85	WAGE CLAIMS - Amends existing law to increase the time period when a claim to collect wages, penalties, or interest must be commenced.....	143	261	LAW
114	Judiciary, Rules and Administration	85	CHILDREN - Adds to existing law to provide that female genital mutilation of a child shall be a felony.....	119	274	LAW
115	Judiciary, Rules and Administration	86	PEACE OFFICERS - Amends existing law to authorize a peace officer to arrest a person without a warrant in certain instances. ....	-	142	H Jud
116	Judiciary, Rules and Administration	86	SEXUAL ASSAULT EVIDENCE KITS - Amends existing law to revise provisions regarding the testing of sexual assault evidence kits.....	119	289	LAW
117	Judiciary, Rules and Administration	86	CRIME VICTIMS - Amends existing law to provide that a fine may be imposed for certain felonies and to provide that a fine may be imposed for the attempt of certain felonies.....	137	274	LAW
118 AA,AAS	Judiciary, Rules and Administration	86	CRIMINAL PROCEDURE - Adds to existing law to provide certain requirements and restrictions for pretrial risk assessment tools. .... (House Amendments - p. 158) (Senate Amendments - See Senate Journal)	289	315	LAW
119	Business	86	INSURANCE - Adds to existing law to prohibit an insurer from considering certain inquiries or claims when considering an application for, renewal of, or change in a property or casualty insurance policy. ....	-	88	H Bus
120	Education	91	EDUCATION - Amends existing law to revise provisions regarding sex education. ....	191	191	S Educ
121	Ag Affairs	91	POTATOES - Adds to existing law to provide for a processed potatoes negotiation period. ....	-	212	H Agric Aff
122	Ag Affairs	91	HEMP - Adds to and amends existing law to provide legislative intent; to provide for research, production, and regulation of hemp; and to provide an exception regarding tetrahydrocannabinols. ....	256	336	H Held at Desk
123	State Affairs	91	DAYLIGHT SAVING TIME - Adds to existing law to provide that an area of the state of Idaho shall be exempt from the daylight saving time provisions of federal law.....	-	95	H St Aff
124	Transp & Def	91	MILITARY - Amends existing law to revise provisions regarding the Model State Code of Military Justice. ....	143	267	LAW

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125	Transp & Def	91	SINGLE COUNTYWIDE HIGHWAY DISTRICTS - Amends existing law to provide that vehicles weighing more than 8,000 pounds may be subject to vehicle registration fees collected by a countywide highway district. ....	-	95	H Transp
126	Transp & Def	91	TRANSPORTATION - Amends existing law regarding overhanging and projecting loads to revise minimum flag size. ....	134	261	LAW
127 AA,AA	Local Gov	91	LOCAL LAND USE PLANNING - Repeals, amends, and adds to existing law to revise provisions regarding cities and counties. .... (House Amendments - p. 158 and 197)	214	214	H FAILED
128	Local Gov	92	CITIES - Repeals and adds to existing law to establish provisions regarding annexation of land by cities. ....	-	95	H Loc Gov
129	Local Gov	92	TAXING DISTRICTS - Amends existing law to provide for the right of a taxing district to appeal a decision by the State Tax Commission to not recognize a boundary change. ....	-	95	H Rev/Tax
130 AA	Local Gov	92	ANNEXATION - Amends existing law to revise provisions regarding annexation by cities. .... (House Amendments - p. 197)	214	214	S Loc Gov
131	Local Gov	92	MUNICIPAL RECORDS - Amends existing law to provide for the classification and retention of municipal media recordings and law enforcement media recordings. ....	-	95	H Loc Gov
132	Appropriations	92	APPROPRIATIONS - STATE TAX COMMISSION - Relates to the appropriation to the State Tax Commission for fiscal year 2019. ....	108	201	LAW
133	Health & W	92	HEALTH - Amends existing law to require that certain information regarding immunization exemptions be given by daycare facilities and schools to parents or guardians enrolling children. ....	138	138	S Health/Wel
134	C & H R	97	ALCOHOLIC BEVERAGES - Amends existing law to provide that it shall not be unlawful for any person under the age of 21 to enter or be in a plaza under certain conditions. ....	119	246	LAW
135	C & H R	97	STATE PROCUREMENT ACT - Amends existing law to require that certain contract services performed for the State of Idaho be verified by specified computer software. ....	-	100	H Com/HuRes
136	C & H R	97	PERSI - Amends existing law to provide for the reemployment of certain public safety officers. ....	-	100	H Com/HuRes
137 AA,AAS	Judiciary, Rules and Administration	97	DANGEROUS AND AT-RISK DOGS - Amends existing law to revise provisions regarding dangerous and at-risk dogs. .... (House Amendments - p. 149) (Senate Amendments - See Senate Journal)	319	341	LAW
138	Judiciary, Rules and Administration	97	FORCIBLE ENTRY AND UNLAWFUL DETAINER - Amends, repeals, and adds to existing law to revise provisions and procedures regarding an action for forcible entry and unlawful detainer. ....	176	176	H FAILED

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139	Judiciary, Rules and Administration	97	FOREIGN DEFAMATION JUDGMENTS - Adds to existing law to provide for foreign defamation judgments and to provide procedures. ....	170	336	LAW
140	Judiciary, Rules and Administration	97	MARIJUANA - Amends existing law to provide certain penalties for marijuana. ....	-	100	H Jud
141	Res & Cons	97	MINES - Amends existing law to revise references to mining operations and to provide for financial assurance. ....	164	304	LAW
142	Res & Cons	98	BEAR LAKE - Adds to existing law to provide that certain lands and water at Bear Lake be devoted to public use. ....	-	100	H Res/Con
143	Business	98	OCCUPATIONAL LICENSING - Establishes the Occupational Licensing Reform Act and establishes provisions regarding recognition of military training, expedited applications for military members and their spouses, and licensure by endorsement for military members and their spouses. ....	-	100	H Bus
144	Business	98	BARBER AND COSMETOLOGY SERVICES - Amends existing law to provide for personal care of residents in specified facilities. ....	170	289	LAW
145 AA	Business	98	SELF-SERVICE STORAGE FACILITIES - Amends and adds to existing law to revise provisions regarding rental agreements and liens, to provide for a procedure in the event of default where the property stored in the leased space is a vehicle or trailer, and to provide for when an operator may restrict access to the leased space. .... (House Amendments - p. 158)	185	185	S Com/HuRes
146	Business	98	RECORDER'S FEES - Amends existing law to revise provisions regarding the fees a county recorder may receive. ....	-	164	H Bus
147	Business	98	INSURANCE - Amends existing law to establish provisions regarding underinsured motor vehicle coverage. ....	-	100	H Bus
148	Business	98	MOTOR VEHICLES - Amends existing law to revise the definition of "proof of financial responsibility." ....	-	100	H Transp
149 AAS	Business	99	SELF-FUNDED HEALTH CARE PLANS - Amends existing law to provide for a waiver of surplus requirements if a self-funded plan meets certain conditions. .... (Senate Amendments - See Senate Journal)	328	341	LAW
150	Education	99	OPEN MEETINGS - Amends existing law to provide that the governing board of a public school district, charter district, or public charter school may enter into executive session on a simple roll call majority vote under certain circumstances. ....	168	267	LAW
151	Health & W	101	FOOD ESTABLISHMENTS - Amends existing law to revise provisions regarding licensing and other fees for food establishments. ....	164	261	LAW
152	Health & W	101	NATUROPATHIC MEDICINE - Establishes provisions regarding the licensure of naturopathic physicians. ....	-	104	H Health/Wel

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153	Education	102	EDUCATION - Amends existing law to revise the career ladder .....	143	274	LAW
154	Rev & Tax	102	SALES TAX - Amends existing law to revise the sales tax revenue distribution formula to counties and cities. ....	-	104	H Rev/Tax
155	State Affairs	102	LIQUOR LICENSES - Amends existing law to provide for the boundaries of a year-round resort and to revise the definition of "year-round resort." .....	144	255	LAW
156	State Affairs	102	FIREARMS - Amends existing law to revise the definition of a "qualified retired law enforcement officer." .....	123	223	LAW
157	State Affairs	102	ALCOHOL - Amends existing law to provide that certain movie theaters may obtain a license to sell beer at retail. ....	129	255	LAW
158 AA	Ways & Means	106	HOMEOWNER'S ASSOCIATIONS - Amends existing law to provide for certain prohibited conduct by homeowner's associations regarding solar panels, to provide that a homeowner's association may adopt certain rules, and to provide an exception. .... (House Amendments - p. 158)	181	289	LAW
159	Appropriations	106	APPROPRIATIONS - DEPARTMENT OF CORRECTION - Relates to the appropriation to the Department of Correction for fiscal year 2019. ....	122	201	LAW
160	State Affairs	106	PURCHASING BY POLITICAL SUBDIVISIONS - Amends existing law to provide that a sole source declaration may be without an emergency declaration. ....	135	267	LAW
161	State Affairs	106	PURCHASING BY POLITICAL SUBDIVISIONS - Amends existing law to provide for the posting of notice for solicitations of information technology. ....	135	135	S Loc Gov
162	State Affairs	106	FEDERAL LANDS - Adds to existing law to provide for the Idaho Council on Federal Lands. ....	142	142	S Res/Env
163	Rev & Tax	110	PROPERTY ASSESSMENTS - Adds to existing law to provide that a county assessor, board of county commissioners, or an affected taxpayer may appeal a decision by the State Board of Equalization equalizing a category of property. ....	-	114	H Rev/Tax
164	Rev & Tax	110	PROPERTY ASSESSMENTS - Amends existing law to revise provisions regarding the equalization of the assessment of a category of property and to provide notice requirements. ....	179	299	LAW
165	Rev & Tax	110	INCOME TAX REFUNDS - Repeals, amends, and adds to existing law to allow an individual to designate an income tax refund or payment to certain charities, to revise minimum collection thresholds, and to require an annual report by the State Tax Commission. ....	144	267	LAW
166	State Affairs	110	NEWSPAPERS - Amends and adds to existing law to provide for legal notices to be published by a newspaper electronically, with print follow-up, and to set rates. ....	-	145	H St Aff
167	State Affairs	110	MOTOR VEHICLES - Amends existing law regarding designated routes and local authorities. ....	169	289	LAW

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168	State Affairs	110	MOTOR VEHICLES - Adds to and amends existing law for the Idaho Transportation Department and local authorities to designate routes and issue permits for vehicles with gross weights between 105,501 and 129,000 pounds. ....	169	289	LAW
169 AAS	State Affairs	110	FEDERALISM - Adds to existing law to provide for the Committee on Federalism. .... (Senate Amendments - See Senate Journal)	328	344	LAW
170	State Affairs	111	CHILD PROTECTION - Adds to existing law to require a notification of rights to parents or other concerned persons during an investigation of child abuse, neglect, or abandonment. ....	165	165	S Jud
171	State Affairs	114	ELECTIONS - Amends existing law to revise the time lines for the transmission of certain election and ballot information and to make other election law changes. ....	144	261	LAW
172	Health & W	115	HOSPITAL DISTRICTS - Amends existing law to provide that a person shall not simultaneously serve as both a trustee for a hospital district and on the board of directors for a hospital within the same district. ....	-	117	H Health/Wel
173	State Affairs	118	ELECTIONS - Amends existing law to revise the threshold population for a mail ballot precinct. ....	144	261	LAW
174	Appropriations	126	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 2019. ....	145	216	LAW
175	Ways & Means	126	IDAHO ADMINISTRATIVE PROCEDURE ACT - Repeals, amends, and adds to existing law to revise procedures for contested cases and hearing officers. ....	-	131	H Jud
176	Ways & Means	128	POTATOES - Amends existing law to revise definitions and to provide that certain rulemaking shall not be authorized. ....	169	299	LAW
177	Ways & Means	128	PERSI - Amends existing law to provide for the reemployment of certain public safety officers. ....	178	299	LAW
178	Ways & Means	128	INSURANCE - Adds to existing law to prohibit an insurer from considering certain inquiries or claims when considering an application for, renewal of, or change in a property or casualty insurance policy. ....	-	131	H Bus
179 AA	Ways & Means	128	MOTOR VEHICLE INSURANCE - Amends existing law to require an applicant for motor vehicle registration to provide proof of insurance and to require that the Idaho Transportation Department develop an electronic verification system to monitor the status of insurance coverage as to all registered vehicles. .... (House Amendments - p. 196)	218	332	LAW
180	Health & W	128	SYRINGE AND NEEDLE EXCHANGE ACT - Adds to existing law to provide that syringe and needle exchange programs may be established with certain conditions. ....	179	289	LAW
181	Health & W	128	CHILDREN - Amends existing law to revise the definition of "abused." ....	179	274	LAW



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182	Health & W	128	PHARMACISTS - Amends existing law to revise provisions regarding products that may be prescribed.....	179	283	LAW
183	Rev & Tax	128	INCOME TAXES - Amends existing law to revise provisions regarding the taxation of corporate foreign income.....	269	336	LAW
184	Rev & Tax	128	AUDITS OF LOCAL GOVERNMENTAL ENTITIES - Amends existing law to revise the expenditure levels of local governmental entities subject to audits.....	171	299	LAW
185	Education	132	EDUCATION - Adds to existing law to enact the Quality Educator Loan Assistance Program.....	-	136	H Educ
186	Appropriations	133	APPROPRIATIONS - DIVISION OF VETERANS SERVICES - Relates to the appropriation to the Division of Veterans Services for fiscal year 2019.....	169	261	LAW
187	Appropriations	133	APPROPRIATIONS - COMMISSION ON HISPANIC AFFAIRS - Relates to the appropriation to the Commission on Hispanic Affairs for fiscal year 2020.....	169	261	LAW
188	Ways & Means	133	SEED BUYERS - Amends existing law to revise conditions of licensure.....	-	136	H W/M
189 AA	Ways & Means	133	FISH AND GAME - Repeals existing law relating to the authority of officers to conduct certain searches..... (House Amendments - p. 247)	269	332	LAW
190	State Affairs	133	SECRETARY OF STATE - Amends existing law to require the registration of a commercial registered agent in certain circumstances.....	-	145	H St Aff
191	State Affairs	133	SECRETARY OF STATE - Amends existing law to revise provisions regarding fees for expedited service for entity filings.....	179	299	LAW
192	Ways & Means	133	OUTFITTERS AND GUIDES - Amends existing law to revise outfitted hunter tags set-aside provisions, to revise deer and elk tag provisions, and to revise provisions regarding the powers and duties of the Idaho Outfitters and Guides Licensing Board.....	205	312	LAW
193 AA	Rev & Tax	133	STATE TAX COMMISSION - Amends existing law to revise provisions regarding legal descriptions and boundaries..... (House Amendments - p. 196)	213	332	LAW
194 AAS	Education	133	PUBLIC LIBRARIES - Amends existing law to provide that a public library's Internet safety policy shall apply to any publicly accessible wireless Internet access provided by the library..... (Senate Amendments - See Senate Journal)	328	341	LAW
195	Education	133	BARBER AND COSMETOLOGY SERVICES - Amends existing law to provide that a barber or cosmetology school may retroactively reinstate a license that has lapsed due to a missed licensure payment.....	206	206	S Com/HuRes
196	Health & W	136	NATUROPATHIC MEDICINE - Establishes provisions regarding the licensure of naturopathic physicians.....	-	185	H Health/Wel

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197	Ways & Means	137	DIVORCE ACTIONS - Amends existing law to revise provisions regarding child custody to emphasize equal, shared parenting time.....	-	141	H Jud
198	Ways & Means	137	EDUCATION - Amends and adds to existing law to provide that advanced opportunities funds may be used by students at state-designated trade schools under certain circumstances.....	-	141	H Educ
199 AA	State Affairs	137	CONCEALED WEAPONS - Amends existing law to revise the definition of "deadly weapon" and to revise provisions regarding the carrying of concealed weapons. .... (House Amendments - p. 247)	270	332	LAW
200	Appropriations	141	APPROPRIATIONS - PUBLIC HEALTH DISTRICTS - Relates to the appropriation to the Public Health Districts for fiscal year 2020. ....	186	267	LAW
201	Rev & Tax	141	PROPERTY TAX LEVIES - Amends and adds to existing law to provide that certain nonschool taxing districts may certify a budget request to fund a judicially confirmed obligation under certain conditions. ....	180	299	LAW
202 AA	Rev & Tax	142	TAX COMMISSION - Amends existing law to provide that certain actions of the State Tax Commission and the State Board of Equalization may be governed by the Idaho Administrative Procedure Act, and to provide for standards of appeal to the district court. .... (House Amendments - p. 247)	269	269	S Loc Gov
203	State Affairs	142	FIREARMS - Amends existing law to provide that certain persons shall not be prohibited from possessing weapons on school property and to provide that certain persons shall not be compelled to disclose certain information or disciplined for certain actions regarding firearms.....	-	145	H St Aff
204	State Affairs	142	PROPERTY - Amends existing law to revise the definition of "personal property.".....	203	203	S Jud
205	State Affairs	142	PATERNITY - Amends existing law to revise terminology in statutes regarding proceedings to establish paternity. ....	213	336	LAW
206	State Affairs	142	CONCEALED WEAPONS - Amends existing law to revise certain exceptions regarding the carrying or possession of a concealed handgun. ....	235	332	LAW
207	Ways & Means	148	WETLANDS - Adds to existing law to provide legislative findings and purpose and to provide for limitations. ....	191	299	LAW
208	Ways & Means	148	IDAHO TRANSPORTATION DEPARTMENT - Amends existing law to remove provisions regarding railroad crossings. ....	203	332	LAW
209	Ways & Means	148	PEACE OFFICERS - Amends existing law to authorize a peace officer to arrest a person without a warrant in certain instances. ....	191	299	LAW
210	State Affairs	148	LEGISLATORS - Amends existing law to revise provisions regarding the qualifications for election as a state senator or representative.....	199	304	LAW

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211	Appropriations	148	APPROPRIATIONS - DIVISION OF VETERANS SERVICES - Relates to the appropriation to the Division of Veterans Services for fiscal year 2020.....	177	261	LAW
212	Appropriations	148	APPROPRIATIONS - DEPARTMENT OF JUVENILE CORRECTIONS - Relates to the appropriation to the Department of Juvenile Corrections for fiscal year 2020. ....	177	274	LAW
213	Appropriations	148	APPROPRIATIONS - SOIL AND WATER CONSERVATION COMMISSION - Relates to the appropriation to the Soil and Water Conservation Commission for fiscal year 2020. ....	177	261	LAW
214	Appropriations	148	APPROPRIATIONS - OFFICE OF ENERGY AND MINERAL RESOURCES - Relates to the appropriation to the Office of Energy and Mineral Resources for fiscal year 2020. ....	177	261	LAW
215	Appropriations	148	APPROPRIATIONS - STEM ACTION CENTER - Relates to the appropriation to the STEM Action Center for fiscal year 2020. ....	186	267	LAW
216	Appropriations	149	APPROPRIATIONS - OFFICE OF SPECIES CONSERVATION - Relates to the appropriation to the Office of Species Conservation for fiscal year 2020. ....	178	261	LAW
217 AAS	Rev & Tax	149	LOCAL ECONOMIC DEVELOPMENT ACT - Amends existing law to revise provisions regarding an election for expenditures on municipal buildings. .... (Senate Amendments - See Senate Journal)	333	348	LAW
218	Education	161	IDAHO RURAL TEACHER RECRUITMENT AND RETENTION ACT - Adds to existing law to enact the Idaho Rural Teacher Recruitment and Retention Act to create an incentive program to place teachers in rural schools. ....	-	167	H Educ
219	Appropriations	161	APPROPRIATIONS - PUBLIC SCHOOLS - ADMINISTRATORS DIVISION - Relates to the appropriation to the Public Schools Educational Support Program's Division of Administrators for fiscal year 2020.....	186	267	LAW
220	Appropriations	162	APPROPRIATIONS - PUBLIC SCHOOLS - TEACHERS DIVISION - Relates to the appropriation to the Public Schools Educational Support Program's Division of Teachers for fiscal year 2020. ....	186	267	LAW
221	Appropriations	162	APPROPRIATIONS - PUBLIC SCHOOLS - OPERATIONS DIVISION - Relates to the appropriation to the Public Schools Educational Support Program's Division of Operations for fiscal year 2020. ....	186	267	LAW
222	Appropriations	162	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 2020. ....	187	267	LAW
223	Appropriations	162	APPROPRIATIONS - PUBLIC SCHOOLS - FACILITIES DIVISION - Relates to the appropriation to the Public Schools Educational Support Program's Division of Facilities for fiscal year 2020. ....	187	267	LAW

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224	Appropriations	162	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 2020.....	187	267	LAW
225	Appropriations	163	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 2020.....	187	267	LAW
226	Appropriations	175	APPROPRIATIONS - OFFICE OF THE STATE BOARD OF EDUCATION - Relates to the appropriation to the Office of the State Board of Education for fiscal year 2020. ....	199	199	H FAILED
227	Appropriations	175	APPROPRIATIONS - STATE INDEPENDENT LIVING COUNCIL - Relates to the appropriation to the State Independent Living Council for fiscal year 2020.....	199	267	LAW
228	Health & W	175	MEDICAID - Amends existing law to provide that a health risk assessment shall include questions regarding substance use disorders, to provide that the director of the Department of Health and Welfare shall seek certain waivers and conduct certain research, to provide that approved waivers shall be approved as soon as possible, to provide that Medicaid eligibility expansion may become null, void, and of no force and effect under certain circumstances, and to provide for a review of and a recommendation regarding Medicaid expansion.....	-	182	H Health/Wel
229 AA	State Affairs	183	ELECTRICAL OCCUPATIONS - Amends existing law to provide for the adoption of the Idaho Residential Electrical Code, to provide for rulemaking, and to provide for supervision of electrical apprentices..... (House Amendments - p. 247)	270	270	S Com/HuRes
230	Appropriations	183	APPROPRIATIONS - IDAHO COMMISSION FOR LIBRARIES - Relates to the appropriation to the Idaho Commission for Libraries for fiscal year 2020.....	203	267	LAW
231	Appropriations	183	APPROPRIATIONS - LIEUTENANT GOVERNOR - Relates to the appropriation to the Lieutenant Governor for fiscal year 2020. ....	204	267	LAW
232	Appropriations	183	APPROPRIATIONS - SUPERINTENDENT OF PUBLIC INSTRUCTION - Relates to the appropriation to the Superintendent of Public Instruction for fiscal year 2020.....	204	274	LAW
233	Appropriations	183	APPROPRIATIONS - DEPARTMENT OF LANDS - Relates to the appropriation to the Department of Lands for fiscal year 2020. ....	204	267	LAW
234	Appropriations	183	APPROPRIATIONS - MEDICAL BOARDS - Relates to the appropriation to the Medical Boards for fiscal year 2020. ....	204	274	LAW
235	Appropriations	183	APPROPRIATIONS - INDUSTRIAL COMMISSION - Relates to the appropriation to the Industrial Commission for fiscal year 2020. ....	205	274	LAW

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236	Appropriations	183	APPROPRIATIONS - DIVISION OF BUILDING SAFETY - Relates to the appropriation to the Division of Building Safety for fiscal year 2020. ....	205	274	LAW
237	Appropriations	183	APPROPRIATIONS - VOCATIONAL REHABILITATION - Relates to the appropriation to the Division of Vocational Rehabilitation for fiscal year 2020.....	205	274	LAW
238	Appropriations	184	APPROPRIATIONS - REGULATORY BOARDS - Relates to the appropriation to the Regulatory Boards for fiscal year 2020. ....	205	274	LAW
239	Rev & Tax	184	SALES TAX - Amends and adds to existing law to define terms and to provide for the powers and duties of remote retailers and marketplace facilitators regarding the collection of the state sales tax. ....	-	189	H Rev/Tax
240	Rev & Tax	184	AMBULANCE DISTRICTS - Amends existing law to increase the maximum levy rate for an ambulance district....	-	189	H Rev/Tax
241	Rev & Tax	184	COUNTY FAIR TAXING DISTRICTS - Adds to existing law to authorize the formation of county fair taxing districts. ....	-	189	H Rev/Tax
242	Rev & Tax	184	PROPERTY TAXES - Amends existing law to revise the qualifications of a hospital facility eligible to receive a property tax exemption. ....	-	189	H Rev/Tax
243	Rev & Tax	184	PROPERTY TAXES - Amends existing law to provide an inflation adjuster to the maximum property tax exemption for homeowners.....	-	189	H Rev/Tax
244	Health & W	185	NATUROPATHIC MEDICINE - Establishes provisions regarding the licensure of naturopathic medical doctors. ....	203	299	LAW
245	Appropriations	190	APPROPRIATIONS - EXECUTIVE OFFICE OF THE GOVERNOR - Relates to the appropriation to the Executive Office of the Governor for fiscal year 2020. ....	209	299	LAW
246	Appropriations	190	APPROPRIATIONS - OITS - Relates to the appropriation to the Office of Information Technology Services for fiscal year 2020. ....	210	299	LAW
247	Ways & Means	190	INSURANCE - Amends existing law to establish provisions regarding underinsured motor vehicle coverage. ....	-	193	H Bus
248	Ways & Means	190	OCCUPATIONAL LICENSING - Amends existing law to establish the Occupational Licensing Reform Act and to establish provisions regarding recognition of military training, expedited applications for military members and their spouses, and licensure by endorsement for military members and their spouses. ....	213	336	LAW

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249	Health & W	190	MEDICAID - Amends existing law to provide that a health risk assessment shall include questions regarding substance use disorders, to provide that the director of the Department of Health and Welfare shall seek certain waivers and conduct certain research, to provide that approved waivers shall be approved as soon as possible, to provide that Medicaid eligibility expansion may become null, void, and of no force and effect under certain circumstances, and to provide for a review of and a recommendation regarding Medicaid expansion.....	-	193	H Health/Wel
250	Rev & Tax	195	SALES TAX - Amends and adds to existing law to define terms and to provide for the powers and duties of certain retailers and marketplace facilitators with regard to the collection of the state sales tax. ....	-	202	H Rev/Tax
251	Ways & Means	196	STATE GOVERNMENT - Amends existing law to provide that certain moneys in the custody of the State Treasurer shall be kept in the treasurer's office. ....	268	344	LAW
252	Ways & Means	196	FISH AND GAME - Amends existing law to provide that check stations must be established pursuant to policies and procedures defined in rule under specified law; to provide that only certain officers shall be vested with specified authority, to revise provisions regarding certain inspections and searches, to require a warrant, to provide exceptions, and to provide for stops. ....	-	202	H Res/Con
253	Education	208	EDUCATION SAVINGS ACCOUNT ACT - Adds to existing law to establish the Education Savings Account Program.....	-	211	H Educ
254	Appropriations	208	APPROPRIATIONS - DEPARTMENT OF PARKS AND RECREATION - Relates to the appropriation to the Department of Parks and Recreation for fiscal year 2020. ....	236	332	LAW
255	Appropriations	208	APPROPRIATIONS - LEGISLATIVE BRANCH - Relates to the appropriation to the Legislative Branch for fiscal year 2020. ....	236	304	LAW
256	Appropriations	208	APPROPRIATIONS - DEPARTMENT OF WATER RESOURCES - Relates to the appropriation to the Department of Water Resources for fiscal year 2020.....	236	304	LAW
257	Appropriations	208	APPROPRIATIONS - CAREER TECHNICAL EDUCATION - Relates to the appropriation to the Division of Career Technical Education for fiscal year 2020. ....	237	304	LAW
258	Appropriations	209	APPROPRIATIONS - IDAHO STATE POLICE - Relates to the appropriation to the Idaho State Police for fiscal year 2020. ....	271	332	LAW
259 AAS	Rev & Tax	212	SALES TAX - Amends and adds to existing law to define terms and to provide for the powers and duties of certain retailers and marketplace facilitators with regard to the collection of the state sales tax. .... (Senate Amendments - See Senate Journal)	334	348	LAW
260	Appropriations	212	APPROPRIATIONS - WOLF DEPREDATION CONTROL BOARD - Relates to the appropriation to the Wolf Depredation Control Board for fiscal year 2020. ....	248	304	LAW



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261	Appropriations	212	APPROPRIATIONS - DEPARTMENT OF ADMINISTRATION - CAPITOL COMMISSION - Relates to the appropriation to the Department of Administration for the Idaho State Capitol Commission for fiscal year 2020. ....	248	304	LAW
262	Appropriations	212	APPROPRIATIONS - IDAHO STATE HISTORICAL SOCIETY - Relates to the appropriation to the Idaho State Historical Society for fiscal year 2020. ....	248	304	LAW
263	Appropriations	212	APPROPRIATIONS - PERSI - Relates to the appropriation to the Public Employee Retirement System of Idaho for fiscal year 2020. ....	248	332	LAW
264	Appropriations	212	APPROPRIATIONS - STATE LIQUOR DIVISION - Relates to the appropriation to the State Liquor Division for fiscal year 2020. ....	249	332	LAW
265	Appropriations	212	APPROPRIATIONS - STATE TREASURER - Relates to the appropriation to the State Treasurer for fiscal year 2020. ....	278	332	LAW
266	Ways & Means	213	SEXUAL ASSAULT EVIDENCE KITS - Amends existing law to provide that certain information shall be excluded in a report to law enforcement in certain instances. ....	257	332	LAW
267	Appropriations	216	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 2020. ....	257	332	LAW
268	Appropriations	216	APPROPRIATIONS - DEPARTMENT OF ENVIRONMENTAL QUALITY - Relates to the Appropriation to the Department of Environmental Quality for fiscal year 2020. ....	257	332	LAW
269	State Affairs	217	MOTOR VEHICLES - Amends existing law to provide for the notification of a lienholder when a vehicle is involuntarily towed. ....	-	222	H Transp
270	State Affairs	217	ELECTIONS - Amends existing law to provide that public school facilities shall be made available as polling places. ....	268	332	LAW
271	Rev & Tax	217	FIRST-TIME HOME BUYERS - Adds to and amends existing law to provide for first-time home buyer savings accounts, to revise custodial account provisions, and to revise provisions regarding credit unions acting as custodians or fiduciaries under certain trust instruments or custodial agreements. ....	-	222	H Rev/Tax
272	Rev & Tax	217	SCHOOL DISTRICTS - Amends existing law to revise provisions regarding voter approval of the assumption of bonded indebtedness when an area is proposed to be excised from a school district. ....	-	222	H Rev/Tax
273	Rev & Tax	217	GUIDED EDUCATION MANAGEMENT ACT - Adds to and amends existing law to implement the Guided Education Management Act regarding scholarships for certain students and to revise provisions regarding income tax credits. ....	-	222	H Rev/Tax

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274	Appropriations	234	APPROPRIATIONS - IDAHO TRANSPORTATION DEPARTMENT - Relates to the appropriation to the Idaho Transportation Department for fiscal year 2020.....	262	332	LAW
275	Ways & Means	234	INSURANCE - Establishes enhanced short-term health insurance plans. ....	284	341	LAW
276	Ways & Means	235	FIREARMS - Amends existing law to provide that a person convicted of the crime of sexual battery of a minor child sixteen or seventeen years of age shall not have certain rights restored under certain circumstances.....	236	236	S Jud
277	Health & W	255	MEDICAID - Amends existing law to establish provisions regarding Medicaid, including work requirements and managed care for persons eligible for Medicaid due to Medicaid eligibility expansion.....	277	277	S Health/Wel
278	Rev & Tax	261	TOBACCO PRODUCTS TAX - Establishes an electronic cigarette tax and provides that the proceeds of such tax shall be used to educate the public regarding electronic cigarettes. ....	-	266	H Rev/Tax
279	Rev & Tax	261	SALES TAX - Provides a sales tax exemption for the purchase of eligible server equipment and new data center facilities by qualifying business entities. ....	-	266	H Rev/Tax
280	Health & W	267	MOTOR VEHICLES - Adds to existing law to prohibit smoking or vaping in a motor vehicle if a minor is present....	-	273	H Health/Wel
281	Appropriations	267	APPROPRIATIONS - Provides year-end appropriations and transfers. ....	289	344	LAW
282	Appropriations	268	APPROPRIATIONS - DEPARTMENT OF COMMERCE - Relates to the appropriation to the Department of Commerce for fiscal year 2020. ....	291	334	LAW
283	Appropriations	268	APPROPRIATIONS - WORKFORCE DEVELOPMENT COUNCIL - Relates to the appropriation to the Workforce Development Council for fiscal year 2020.....	292	334	LAW
284	Appropriations	278	APPROPRIATIONS - DIVISION OF FINANCIAL MANAGEMENT - Relates to the appropriation to the Division of Financial Management for fiscal year 2020.....	293	334	LAW
285	Appropriations	278	APPROPRIATIONS - DEPARTMENT OF WATER RESOURCES - Relates to the appropriation to the Department of Water Resources for fiscal year 2019.....	294	344	LAW
286	Appropriations	278	APPROPRIATIONS - PUBLIC SCHOOLS - TEACHERS DIVISION - Relates to the appropriation to the Public Schools Educational Support Program's Division of Teachers for fiscal year 2020. ....	294	341	LAW
287	Appropriations	278	APPROPRIATIONS - DEPARTMENT OF LABOR - Relates to the appropriation to the Department of Labor for fiscal year 2020. ....	295	341	LAW
288	Appropriations	278	APPROPRIATIONS - IDAHO STATE POLICE - Relates to the appropriation to the Idaho State Police for fiscal year 2020. ....	295	341	LAW

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289	Appropriations	283	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 2019.....	304	327	S FAILED
290	Health & W	283	PUBLIC FUNDS - Amends and adds to existing law to provide funds for Medicaid expansion and other services and to provide exclusions from eligibility for the County Medically Indigent Program and the Catastrophic Health Care Cost Program.....	-	288	H Health/Wel
291	Appropriations	289	APPROPRIATIONS - SUPERINTENDENT OF PUBLIC INSTRUCTION - Relates to the appropriation to the Superintendent of Public Instruction for fiscal year 2020.....	318	348	LAW
292	Ways & Means	299	HIGHWAY DISTRICTS - Repeals and amends existing law to require that there be one highway district per county and to provide exceptions.....	-	299	H W/M
293	Education	299	EDUCATION - Amends and adds to existing law to provide for periodic reviews of the state's public school funding formula, to provide for student enrollment counts and rulemaking, and to provide for certain reports.....	319	358	LAW
294	Ways & Means	306	TAXING DISTRICTS - Amends existing law to revise the distribution of driver's license fees, to revise the sales tax distribution formula, and to revise provisions regarding the use of sales tax revenues by special purpose taxing districts.....	-	347	H Rev/Tax
295	Education	309	EDUCATION - Amends existing law to provide for the use of adaptive learning technology literacy intervention tools as part of a literacy intervention program.....	-	310	H Educ
296	Ways & Means	309	INITIATIVES - Revises the time and number of legislative districts within which to gather signatures for an initiative petition.....	314	348	VETOED
297	Appropriations	316	APPROPRIATIONS - OFFICE OF THE STATE BOARD OF EDUCATION - Relates to the appropriation to the Office of the State Board of Education for fiscal year 2020.....	354	358	LAW
298	Rev & Tax	334	HOSPITALS - Amends existing law to create the Medicaid Expansion Dedicated Fund; and to revise provisions regarding the sales tax exemption for certain hospitals and the remittance of use tax by certain hospitals.....	-	335	H Rev/Tax
299	Rev & Tax	334	HOSPITALS - Amends existing law to revise provisions regarding the Idaho hospital assessment, to provide for purposes and limitations; and to establish the Medicaid Expansion Dedicated Fund.....	-	335	H Health/Wel
300	Ways & Means	335	HEMP - Adds to existing law to provide for the interstate transport of hemp and to provide for the Hemp Development Fund.....	340	356	H Not Concur
301	Appropriations	339	APPROPRIATIONS - IDAHO TRANSPORTATION DEPARTMENT - Relates to the appropriation to the Idaho Transportation Department for fiscal year 2020.....	-	343	H Approp

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302	Appropriations	339	APPROPRIATIONS - Relates to the year-end transfer authority of the Board of Examiners. ....	344	347	H Approp
303	State Affairs	345	INITIATIVES - Amends and adds to existing law to revise ballot initiative requirements. ....	354	354	S St Aff
304	State Affairs	345	INITIATIVES - Amends and adds to existing law to revise ballot initiative requirements. ....	-	346	H St Aff
305	State Affairs	345	INITIATIVES - Amends and adds to existing law to revise ballot initiative requirements. ....	-	346	H St Aff
306	State Affairs	345	INITIATIVES - Amends and adds to existing law to revise ballot initiative requirements. ....	-	346	H St Aff
307	Ways & Means	350	CONTRACTOR LICENSING AND REGISTRATION - Amends existing law to provide for the licensure of construction contractors. ....	-	351	H W/M

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1	Moyle and Erpelding	7	GOVERNOR'S ADDRESS - Provides for a joint session of the House of Representatives and the Senate to hear a message from the Governor.....	8	19	ADOPTED
2	C & H R	17	EDDIE YEN - Stating findings of the Legislature and honoring Director Eddie Yen on his thirtieth anniversary as Idaho's Asia Trade Representative.....	23	89	ADOPTED
3	Health & W	35	EATING DISORDERS AWARENESS WEEK - Stating findings of the Legislature and recognizing the last week of February each year as Eating Disorders Awareness Week in the State of Idaho. ....	69	161	ADOPTED
4	Giddings	42	HEALTH AND WELFARE - RULE REJECTION - Stating findings of the Legislature and rejecting a certain rule of the Department of Health and Welfare relating to Immunization Requirements for Idaho School Children. ....	-	45	H W/M
5	Scott	43	HEALTH AND WELFARE - RULE REJECTION - Stating findings of the Legislature and rejecting a certain rule of the Department of Health and Welfare relating to Vital Statistics Rules.....	-	45	H W/M
6	Education	50	EDUCATION - Stating findings of the Legislature and recognizing Music in Our Schools Month. ....	86	167	ADOPTED
7	Res & Cons	53	FISH AND GAME - RULE REJECTION - Stating findings of the Legislature and rejecting a certain rule of the Department of Fish and Game relating to Rules Governing the Importation, Possession, Release, Sale, or Salvage of Wildlife.....	67	136	ADOPTED
8	Res & Cons	73	BUNKER HILL SUPERFUND SITE - Stating findings of the Legislature regarding a petition to the Environmental Protection Agency to request that the populated areas of the Bunker Hill Mining and Metallurgical Complex Superfund Site be delisted from the overall Superfund site and urging the Governor to take action toward such delisting. ....	-	77	H Res/Con
9	Environment, Energy and Technology	78	HYDROPOWER - Stating findings of the Legislature and recognizing hydropower as Idaho's greatest renewable resource and further recognizing the immense benefit hydropower provides as a carbon-free, inexpensive electrical power source and as an economic driver for tourism, recreation, and agriculture in Idaho.....	178	261	ADOPTED
10	Res & Cons	83	WATER - Stating findings of the Legislature and supporting the 2018 settlement agreement between the cities, the Surface Water Coalition, and members of Idaho Ground Water Appropriators; supporting state management through the ESPA Ground Water Management Area; and supporting the continued funding and implementation of efforts to stabilize and reverse the trend of declining water levels in the ESPA.....	116	254	ADOPTED
11	Ag Affairs	89	IDAHO STATE DEPARTMENT OF AGRICULTURE - Stating findings of the Legislature and commemorating the founding of the Idaho State Department of Agriculture and commending its continued service to the people of Idaho.....	108	174	ADOPTED

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12	Res & Cons	95	NATURAL RESOURCE ISSUES STUDY - Stating findings of the Legislature and authorizing the Legislative Council to appoint a committee to undertake and complete a study of natural resource issues. ....	138	254	ADOPTED
13	Health & W	101	DEPARTMENT OF HEALTH AND WELFARE - RULE REJECTION - Stating findings of the Legislature and rejecting a certain rule of the Department of Health and Welfare relating to Medicaid Basic Plan Benefits.....	134	134	S Health/Wel
14	Health & W	101	BUREAU OF OCCUPATIONAL LICENSES - RULE REJECTION - Stating findings of the Legislature and rejecting a certain rule of the Bureau of Occupational Licenses relating to the State Board of Chiropractic Physicians. ....	134	134	S Health/Wel
15	Ways & Means	105	DR. TOM CADE - Stating findings of the Legislature and recognizing Dr. Tom Cade as a widely respected scientist and honoring his contributions to the State of Idaho, the country, and the world at large in his raptor conservation efforts. ....	119	254	ADOPTED
16	Rev & Tax	132	STATE TAX COMMISSION - RULE REJECTION - Stating findings of the Legislature and rejecting a certain rule of the State Tax Commission relating to Property Tax Administrative Rules. ....	176	176	S Loc Gov
17	Rev & Tax	132	STATE TAX COMMISSION - RULE REJECTION - Stating findings of the Legislature and rejecting a certain rule of the State Tax Commission relating to Property Tax Administrative Rules. ....	176	298	ADOPTED
18	Education	194	DIVISION OF VOCATIONAL REHABILITATION - RULE REJECTION - Stating findings of the Legislature and rejecting a certain rule of the Division of Vocational Rehabilitation relating to Rules and Minimum Standards Governing Extended Employment Services. ....	214	303	ADOPTED
19	Education	194	STATE BOARD OF EDUCATION - RULE REJECTION - Stating findings of the Legislature and rejecting a certain rule of the State Board of Education relating to Rules Governing Thoroughness. ....	220	220	S Educ
20	Education	194	STATE BOARD OF EDUCATION - RULE REJECTION - Stating findings of the Legislature and rejecting a certain rule of the State Board of Education relating to Rules Governing Uniformity. ....	220	220	S Educ
21	Education	195	STATE BOARD OF AND STATE DEPARTMENT OF EDUCATION - RULE REJECTION - Stating findings of the Legislature and rejecting a certain rule of the State Board of and State Department of Education relating to Rules Governing Uniformity. ....	221	221	S Educ
22	Ways & Means	195	CLIMATE VARIABILITY INTERIM COMMITTEE - Stating findings of the Legislature and authorizing the Legislative Council to appoint a committee to undertake and complete a study of the effects of climate variability on Idaho's state agencies that are responsible for resource management.....	-	202	H Env



<b>House Concurrent Resolution</b>	<b>Introduced By:</b>	<b>Intro- duction Page</b>	<b><u>Bill Description</u></b>	<b>Final Vote Page</b>	<b>Final Action Page</b>	<b><u>Final Disposition</u></b>
23	Environment, Energy and Technology	221	DEPARTMENT OF ENVIRONMENTAL QUALITY - RULE REJECTION - Stating findings of the Legislature and rejecting a certain rule of the Department of Environmental Quality relating to Water Quality Standards. ....	258	258	S Health/Wel

<b>House Joint Memorial</b>	<b>Introduced By:</b>	<b>Intro- duction Page</b>	<b>Bill Description</b>	<b>Final Vote Page</b>	<b>Final Action Page</b>	<b>Final Disposition</b>
1	Health & W	36	HEALTH - Stating findings of the Legislature and requesting that the Federal Communications Commission and Congress take action to create a national suicide prevention and mental health crisis hotline with a three-digit number. ....	69	136	ADOPTED
2	Erpelding	42	TERM LIMITS - Stating findings of the Legislature and requesting Congress to enact term limits for U.S. senators and representatives. ....	-	45	H W/M
3	State Affairs	46	COMMUNICATION SYSTEMS - Stating findings of the Legislature and requesting the FCC to provide the resources necessary and take steps to procure the necessary expertise to prosecute and end interference and misuse of our communication systems. ....	58	100	ADOPTED
4	Res & Cons	84	WATER - Stating findings of the Legislature and supporting the construction of new water infrastructure in Idaho and, in particular, the raising of the Anderson Ranch Dam. ....	116	254	ADOPTED
5	Res & Cons	84	FEDERAL LANDS - Stating findings of the Legislature and urging Congress to enact federal legislation to require that when private lands are exchanged, purchased, or transferred to the federal government that other federal lands within the county must be sold. ....	138	138	S Res/Env
6	Transp & Def	90	WILDLIFE CROSSINGS - Stating findings of the Legislature and recognizing the positive outcome of a transportation project in Fremont County, Idaho, and addressing concerns about transportation projects that may involve wildlife crossings and related infrastructure. ....	144	222	ADOPTED
7	Health & W	90	VETERANS - Stating findings of the Legislature and requesting that Congress enact legislation providing fertility treatment for veterans and their spouses when the veteran has a service-related disability affecting the ability to procreate. ....	164	254	ADOPTED
8	Res & Cons	96	WILDERNESS - Stating findings of the Legislature and supporting scientific adaptive management to implement the multiple-use concept and urging the release of specified wilderness study areas. ....	138	254	ADOPTED
9	Ways & Means	105	STEELHEAD FISHING - Stating findings of the Legislature and urging NOAA, and specifically the National Marine Fishery Service Division, to expedite the Incidental Take Permit required for lawful steelhead fishing. ....	119	254	ADOPTED
10	Ways & Means	305	WILDERNESS - Stating findings of the Legislature and advising the United States Secretary of Agriculture to immediately adopt, implement, and enforce a Secretarial Order concerning Allowable Uses in Recommended Wilderness Areas and potential public land additions to the National Wilderness Preservation System. ....	-	307	H W/M
<b>House Joint Resolution</b>	<b>Introduced By:</b>	<b>Intro- duction Page</b>	<b>Bill Description</b>	<b>Final Vote Page</b>	<b>Final Action Page</b>	<b>Final Disposition</b>
1	Wintrow	43	EQUAL RIGHTS - Proposing an amendment to Article I of the Constitution of the State of Idaho by the addition of a new section regarding the rights and responsibilities of the sexes. ....	-	45	H W/M

<b>House Joint Resolution</b>	<b>Introduced By:</b>	<b>Intro- duction Page</b>	<b>Bill Description</b>	<b>Final Vote Page</b>	<b>Final Action Page</b>	<b>Final Disposition</b>
2	State Affairs	76	REDISTRICTING - Proposes an amendment to Section 2, Article III, of the Idaho Constitution to increase the membership of the Commission for Reapportionment. ....	-	99	H St Aff
<b>House Resolution</b>	<b>Introduced By:</b>	<b>Intro- duction Page</b>	<b>Bill Description</b>	<b>Final Vote Page</b>	<b>Final Action Page</b>	<b>Final Disposition</b>
1	Judiciary, Rules and Administration	28	ETHICS COMMITTEE - Repeals and enacts a new House Rule 76 governing the House Ethics Committee. ....	-	32	H Jud
2	Judiciary, Rules and Administration	81	ETHICS COMMITTEE - Repeals and enacts a new House Rule 76 governing the House Ethics Committee. ....	-	88	H Jud
3	Ways & Means	147	HOUSE RULE - Stating findings of the House of Representatives and amending existing House Rule 41 regarding pairing. ....	191	191	ADOPTED
4	Ways & Means	147	HOUSE RULE - Stating findings of the House of Representatives and adding a new Rule 79 regarding a veto. ....	192	192	ADOPTED
5	Ways & Means	223	HOUSE RULES - Amends and adds to existing rules to redesignate the rule numbers of the Rules of the House of Representatives. ....	300	300	ADOPTED
6	State Affairs	255	RELIGION - Stating findings of the House of Representatives and calling for an end to Christian persecution and calling for every government to recognize the fundamental rights of Christians to practice their faith without persecution or fear of death, rape, imprisonment, forced marriage, or physical violence. ....	305	305	H FAILED
7	Ways & Means	339	HEMP - Stating findings of the House of Representatives and resolving that it is the policy of this state to allow and encourage the development, research, and production of hemp in Idaho and to provide for the development and submission of a state plan. ....	341	341	H FAILED

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1002	Finance	39	APPROPRIATIONS - INDUSTRIAL COMMISSION - Relates to the appropriation to the Industrial Commission for fiscal year 2019. ....	48	57	LAW
1003 AA	Jud & Rules	217	HUMAN TRAFFICKING - Adds to existing law to provide for diversion for a minor victim of human trafficking, to provide certain conditions for diversion, and to provide an affirmative defense. .... (Senate Amendments - See Senate Journal)	291	303	LAW
1004	Jud & Rules	55	IDAHO STATE POLICE - Adds to and amends existing law to establish the Blue Alert system in Idaho when a suspect for a crime involving the death or serious injury of a peace officer has not been apprehended and law enforcement personnel have determined that the suspect may be a serious threat to the public, or when a peace officer becomes missing while in the line of duty under circumstances warranting concern for such peace officer's safety. ....	241	260	LAW
1005 AA	Jud & Rules	133	HUMAN TRAFFICKING - Amends and repeals existing law to revise legislative intent, to revise the definition of "human trafficking," to define terms, and to revise the penalty for human trafficking. .... (Senate Amendments - See Senate Journal)	250	260	LAW
1006	Com & HR	133	UNIFORM SECURITIES ACT - Amends existing law to revise the requirements for notice filings for certain federal covered securities. ....	300	308	LAW
1007 AA	Com & HR	163	COLLECTION AGENCIES - Amends, repeals, and adds to existing law to revise the licensing process for collection agencies and to create the Collection Agency Recovery Fund to allow reimbursement to persons to whom an Idaho court awards damages resulting from violations by a collection agent, debt counselor, credit counselor, or credit repair organization. .... (Senate Amendments - See Senate Journal)	-	300	H Bus
1008	Com & HR	102	ELECTRICAL CONTRACTORS AND JOURNEYMEN - Amends existing law to change the length of apprentice registrations, to establish requirements for in-state and out-of-state applicants to take the electrical journeyman's exam, to require filing of and online access to employment verification forms, and to allow the administrator of the division to revive expired apprentice and limited electrical installer trainee registrations. ....	188	201	LAW
1011	Com & HR	149	UNDERGROUND FACILITIES DAMAGE PREVENTION - Amends existing law to define terms, to revise provisions regarding locating and marking underground facilities, to revise provisions regarding compensation for failure to comply, and to revise a provision regarding the duties of underground facility owners and excavators. ....	259	266	LAW
1012	Com & HR	133	BUILDING SAFETY - Amends existing law to reduce the mandatory number of board meetings and to change the quorum requirement. ....	237	260	LAW

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1013	Com & HR	122	BUILDING SAFETY - Amends current law to revise requirements regarding a specified board seat on the Idaho heating, ventilation and air conditioning board. ....	237	260	LAW
1016	Finance	51	APPROPRIATIONS - IDAHO STATE HISTORICAL SOCIETY - Relates to the appropriation to the Idaho State Historical Society for fiscal year 2019. ....	59	70	LAW
1017	Finance	55	APPROPRIATIONS - PUBLIC UTILITIES COMMISSION - Relates to the appropriation to the Public Utilities Commission for fiscal year 2019. ....	66	73	LAW
1018 AA	Jud & Rules	167	PRISONERS - Amends existing law to clarify a code reference. .... (Senate Amendments - See Senate Journal)	238	260	LAW
1019	Jud & Rules	79	CIVIL ACTIONS - Amends existing law to provide that an order of service must direct certain action in certain instances. ....	238	260	LAW
1021	Jud & Rules	79	BAIL - Amends existing law to provide for an order withholding judgment and to provide for an infraction action. ....	239	260	LAW
1022	Jud & Rules	79	JURIES - Repeals existing law relating to the penalty for evasion of jury service. ....	239	260	LAW
1023	Jud & Rules	79	ASSAULT AND BATTERY - Amends existing law to provide for certain employees of the Department of Parks and Recreation. ....	279	298	LAW
1024	Ag Affairs	79	CROP RESIDUE BURNING - Amends existing law to revise provisions regarding payment of a fee. ....	115	125	LAW
1025	Finance	55	APPROPRIATIONS - STEM ACTION CENTER - Relates to the appropriation to the STEM Action Center for fiscal year 2019. ....	67	77	LAW
1026	Com & HR	102	ENGINEERS AND LAND SURVEYORS - Amends existing law to provide that a surveyor's narrative shall contain certain information; and to provide that a record of survey shall contain a surveyor's narrative. ....	170	189	LAW
1028	Com & HR	102	WORKER'S COMPENSATION - Amends existing law to make psychological injuries suffered by first responders compensable. ....	163	182	LAW
1029	Education	115	SCHOOL TURNAROUND ACT - Adds to existing law to enact the School Turnaround Act. ....	285	285	H FAILED
1030	Education	79	SCHOOL BOARDS - Amends existing law to revise the date at which a board of school district trustees shall perform organizational actions. ....	124	140	LAW
1031	Finance	76	APPROPRIATIONS - Appropriates and transfers \$26,800 from the General Fund to the Hazardous Substance Emergency Response Fund for fiscal year 2019. ....	86	94	LAW
1032	Finance	76	APPROPRIATIONS - DEPARTMENT OF ADMINISTRATION - Relates to the appropriation to the Department of Administration for fiscal year 2019. ....	87	94	LAW

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1033	Health & W	99	ORGAN DONORS - Amends existing law to revise provisions regarding notification in the event of a donor's death. ....	-	99	H Health/Wel
1034 AA	Health & W	190	INSURANCE - Adds to existing law to provide that anticancer medications that are self-administered by a patient shall not have a higher copayment, deductible, or coinsurance amount than injected or intravenously administered anticancer medications. .... (Senate Amendments - See Senate Journal)	-	190	H Health/Wel
1037 AA	Com & HR	185	ENGINEERS AND LAND SURVEYORS - Amends existing law to clarify that private land surveyors may access private land. .... (Senate Amendments - See Senate Journal)	243	260	LAW
1039	Res & Cons	86	IDAHO WOLF DEPREDATION CONTROL BOARD - Amends and repeals existing law to remove a sunset date. ....	116	125	LAW
1041	Res & Cons	86	GROUND WATER DISTRICTS - Amends existing law to provide for emergency assessments, to provide for mitigation by a district due to noncompliance of a member and for the levy of special assessments, and to provide a procedure associated with certain district assessments. ....	118	131	LAW
1042	Jud & Rules	99	MAGISTRATES - Amends existing law to revise a provision regarding a certain requirement for a magistrate. ....	239	260	LAW
1043	Jud & Rules	111	JUDGES - Amends existing law to revise provisions regarding the number of district judges of the Fourth Judicial District. ....	249	260	LAW
1044	Jud & Rules	122	SPECIAL PROCEEDINGS - Amends existing law to revise provisions regarding an amount in damages. ....	242	260	LAW
1045	Jud & Rules	128	CORRECTIONAL INDUSTRIES - Amends existing law to provide for inmate trainee participation in Idaho Correctional Industries Training Programs; to provide for stipends; and to provide for contracts for agricultural training programs for inmate trainees. ....	-	128	H Jud
1046	Transportation	99	HIGHWAY DISTRICTS - Amends existing law to raise the dollar value of property that may be sold or disposed of. ....	172	189	LAW
1047	Com & HR	111	PURCHASING BY POLITICAL SUBDIVISIONS - Adds to and repeals existing law to provide for cooperative purchasing. ....	188	201	LAW
1048	Com & HR	149	CREDIT UNIONS - Amends existing law to revise provisions regarding credit unions. ....	241	260	LAW
1049	State Affairs	111	ABORTION - Amends existing law to revise provisions regarding partial-birth abortion. ....	172	189	LAW
1050	Res & Cons	209	WATER - Amends existing law to revise a provision regarding the diversion and use of water, with or without a water right. ....	263	273	LAW
1053	Com & HR	133	BARBER AND COSMETOLOGY SERVICES - Amends existing law to establish apprenticeship for barbers and barber-stylists. ....	241	260	LAW



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1054	Health & W	133	HEALTH - Amends existing law to revise provisions regarding the appointing authority for regional behavioral health boards. ....	252	260	LAW
1055	Health & W	133	MARRIAGE - Repeals existing law regarding an educational pamphlet on AIDS. ....	252	260	LAW
1056 AA	Res & Cons	217	GROUND WATER DISTRICTS - Repeals and adds to existing law to provide for the apportionment of mitigation plan obligations and separate mitigation plans by nonirrigators, to provide for delinquent assessments and noncompliance with apportionment of mitigation plan obligations, to provide for action by the director, and to provide for hearings. .... (Senate Amendments - See Senate Journal)	296	303	LAW
1057 AAH	Education	142	EDUCATION - Amends existing law to revise provisions regarding continuous improvement plans for school districts and public charter schools..... (House Amendments - p. 276)	296	315	LAW
1058	Education	137	EDUCATION - Amends existing law to establish provisions regarding certificates for charter school administrators. ....	237	260	LAW
1059	Education	163	EDUCATION - Amends existing law to revise provisions regarding mastery-based education.....	259	266	LAW
1060 AA,AAH	Education	163	EDUCATION - Adds to existing law to provide flexible schedules and early graduation opportunities for college and career ready students. .... (Senate Amendments - See Senate Journal) (House Amendments - p. 276)	297	315	LAW
1061 AA,AAH	Education	217	EDUCATION - Amends existing law to revise provisions regarding school levies..... (Senate Amendments - See Senate Journal) (House Amendments - p. 318)	330	330	S Educ
1065	Transportation	149	TRANSPORTATION - Adds to and amends existing law to provide for the issuance of certain bonds and to establish the Transportation Expansion and Congestion Mitigation Program Capital Project Fund and the Transportation Expansion and Congestion Mitigation Program Debt Service Fund. ....	329	334	LAW
1068 AA	Com & HR	217	INSURANCE - Adds to existing law to provide for certain requirements for pharmacy benefit managers..... (Senate Amendments - See Senate Journal)	-	217	H Health/Wel
1069	Com & HR	163	INSURANCE - Amends existing law to revise provisions regarding contracts with providers of dental services.....	252	260	LAW
1070 AA	Com & HR	163	PUBLIC EMPLOYEE RETIREMENT SYSTEM - Amends existing law to allow a member receiving disability retirement benefits to volunteer or work under certain conditions..... (Senate Amendments - See Senate Journal)	-	163	H Com/HuRes
1071	Com & HR	168	CIVIL ACTIONS - Amends existing law to revise the definition of a licensing authority. ....	238	260	LAW

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1072	Com & HR	168	ADMINISTRATIVE PROCEDURE - Amends existing law to revise provisions regarding publication fees to prohibit such fees for rule removal. ....	354	357	LAW
1073	Com & HR	217	UNDERGROUND FACILITIES DAMAGE PREVENTION - Amends existing law to define terms and to provide for who shall and shall not locate and mark service laterals. ....	290	303	LAW
1074 AA	Health & W	217	COUNTY JAILS - Amends existing law to revise provisions regarding reception and board of inmates. .... (Senate Amendments - See Senate Journal)	285	303	LAW
1075 AA	Health & W	190	INDIVIDUALS WITH DISABILITIES - Amends and adds to existing law to revise terminology and to clarify rights of individuals with service dogs and dogs-in-training. .... (Senate Amendments - See Senate Journal)	262	273	LAW
1076	State Affairs	163	LIQUOR STORES - Amends and adds to existing law to authorize sample tastings of liquor in liquor stores, with certain requirements. ....	-	163	H St Aff
1077	Finance	122	APPROPRIATIONS - BOARD OF TAX APPEALS - Relates to the appropriation to the Board of Tax Appeals for fiscal year 2019. ....	143	167	LAW
1078	State Affairs	175	BEER - Amends and adds to existing law to authorize contract brewing in certain instances and to provide certain requirements for a contractee brewer and a contractor brewer. ....	239	260	LAW
1079	State Affairs	175	VETERANS - Amends existing law to revise financial relief and assistance provisions. ....	240	260	LAW
1080	State Affairs	175	VETERANS - Amends existing law to provide that interest generated by moneys in the Idaho Veterans Recognition Income Fund shall be maintained by the Division of Veterans Services. ....	240	260	LAW
1081	State Affairs	175	VETERANS - Repeals existing law relating to transportation of wheelchair-bound veterans. ....	240	260	LAW
1082	State Affairs	163	STATE BRAND BOARD - Amends existing law to revise certain fee provisions regarding ownership and transportation certificates; to revise brand inspection fees for horses, mules, and asses; and to provide for equine farm service fees. ....	238	260	LAW
1083	Res & Cons	163	IRRIGATION AND DRAINAGE - Amends existing law to revise provisions regarding encroachments on certain rights-of-way, maintenance of embankments, the prevention of damage to others associated with ditches, canals, works, or other aqueducts, buried irrigation conduit, and encroachments on certain easements and rights-of-way. ....	242	260	LAW

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1084	Res & Cons	142	IRRIGATION - Repeals existing law relating to Carey Act construction companies, certain statements filed with county recorders, duties of county recorders, the transfer of certain water rights, certain appeals, fees for decisions on applications for transfers of water rights, the sale of water rights, and certain reports of irrigation companies; and amends existing law to remove provisions regarding certain reports to the Department of Water Resources. ....	243	260	LAW
1085	Res & Cons	142	IRRIGATION DISTRICTS - Amends existing law to revise provisions regarding meetings of irrigation district boards of directors. ....	242	260	LAW
1086	Res & Cons	142	IRRIGATION AND DRAINAGE - Amends existing law to revise provisions regarding rights associated with rights-of-way and encroachments onto easements and rights-of-way.....	243	260	LAW
1087	Res & Cons	209	ARTESIAN WELLS - Amends existing law to provide limitations on cost-sharing by the Department of Water Resources assisting owners of wells that need to be repaired or plugged.....	263	273	LAW
1088 AA	Res & Cons	185	FISH AND GAME - Amends existing law to revise provisions regarding the issuance of free permits and tags to military veterans with disabilities..... (Senate Amendments - See Senate Journal)	263	273	LAW
1091 AA	Jud & Rules	217	HOSPITALIZATION OF MENTALLY ILL - Amends existing law to revise a provision regarding a continuance for a certain hearing..... (Senate Amendments - See Senate Journal)	279	298	LAW
1093	Jud & Rules	142	PRETRIAL SUPERVISION - Adds to and amends existing law to provide for certain pretrial release supervision services and pretrial release supervision fees.....	263	273	LAW
1096	Health & W	149	RESIDENTIAL CARE AND ASSISTED LIVING FACILITIES - Amends existing law to provide an alternative to regular compliance inspections of residential care and assisted living facilities.....	252	260	LAW
1097	Health & W	163	INSURANCE - Adds to existing law to provide for coverage under a health benefit plan for participants in clinical trials.....	258	266	LAW
1098	Health & W	133	BONE MARROW DONATION - Adds to existing law to provide that physicians may inquire if patients are bone marrow donors and offer them information on the bone marrow registry.....	-	133	H Health/Wel
1099 AA	Health & W	190	HEALTH - Amends existing law to provide for temporary alcohol-drug abuse treatment facilities..... (Senate Amendments - See Senate Journal)	-	190	H Health/Wel

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1104 AA	Education	217	EDUCATION - Amends existing law to provide that the State Board of Education may require professional development credits as a condition of teacher certificate renewal but must recognize providing instruction in a professional development course or in a course at an institution of higher education as an option to complete required credits. .... (Senate Amendments - See Senate Journal)	290	303	LAW
1105	Education	142	EDUCATION - Amends existing law to provide advanced opportunities funding for career technical education workforce training. ....	284	303	LAW
1106 AA	Education	284	EDUCATION - Amends existing law to provide for the expansion of virtual, blended, traditional, or other secondary career technical education programs, as approved by the Board of Career Technical Education. .... (Senate Amendments - See Senate Journal)	310	327	LAW
1107	Education	142	EDUCATION - Repeals a future effective law to retain it as it currently exists. ....	240	260	LAW
1108	Education	149	EDUCATION - Amends existing law to revise provisions regarding reimbursement to school districts from the driver training account and to provide for certain scholarships and grants. ....	264	265	H FAILED
1110 AA	Jud & Rules	217	BAIL ENFORCEMENT AGENTS - Amends and adds to existing law to provide requirements for bail enforcement agents. .... (Senate Amendments - See Senate Journal)	292	303	LAW
1111	State Affairs	163	REVISED UNIFORM LAW ON NOTARIAL ACTS - Adds to and amends existing law to provide for remotely located individuals and communication technology in the Uniform Law on Notarial Acts. ....	242	260	LAW
1112	State Affairs	163	CODIFIER'S CORRECTIONS - Amends existing law to make codifier's corrections. ....	242	260	LAW
1113 AAH	State Affairs	149	CAMPAIGN FINANCE - Amends existing law to revise campaign finance reporting laws, applies requirements to local campaigns that meet a certain financial threshold and creates a single reporting database for all elections within the Secretary of State's office. .... (House Amendments - p. 275)	295	315	LAW
1115	Finance	142	APPROPRIATIONS - LEGISLATIVE BRANCH - Relates to the appropriation to the Legislative Branch for fiscal year 2019. ....	171	189	LAW
1116	Jud & Rules	142	LIQUOR ACCOUNT - Amends existing law to revise provisions regarding appropriations for certain fiscal years. ....	263	273	LAW
1117	Jud & Rules	142	MALICIOUS HARASSMENT - Amends existing law to revise provisions regarding the granting of protection orders and ex parte temporary protection orders. ....	250	260	LAW
1119	Jud & Rules	142	CIVIL ACTIONS - Amends existing law to provide for an order of renewal for an execution on certain judgments. ....	258	266	LAW

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1122	Jud & Rules	142	JUVENILES - Amends existing law to provide for a juvenile probation fee.....	264	273	LAW
1123	Jud & Rules	142	COURTS - Amends existing law to revise the definition of "debt owed to the court" and to remove a provision regarding debts of less than fifty dollars.....	264	273	LAW
1125	State Affairs	149	WAREHOUSES - Amends existing law to provide for electronic negotiable warehouse receipts. ....	240	260	LAW
1126 AAH	State Affairs	261	TRANSPORTATION FUNDING - Amends existing law to extend the Strategic Initiatives Program and the Budget Stabilization Fund. .... (House Amendments - p. 322)	330	330	S Transp
1127	State Affairs	168	INTERSTATE AGREEMENT ON DETAINERS - Amends existing law to revise a provision regarding the administrator of the agreement on detainees.....	243	260	LAW
1128	Finance	142	APPROPRIATIONS - OITS - Relates to the appropriation to the Office of Information Technology Services for fiscal year 2019.....	171	189	LAW
1129 AA	Jud & Rules	190	DENTISTS - Amends existing law to provide for dental therapists..... (Senate Amendments - See Senate Journal)	262	273	LAW
1130	Finance	149	APPROPRIATIONS - DIVISION OF BUILDING SAFETY - Relates to the appropriation to the Division of Building Safety for fiscal year 2019.....	172	189	LAW
1131 AA	State Affairs	217	TRAFFIC ENFORCEMENT - Amends existing law to provide for increased fines regarding overtaking and passing a stopped school bus with activated signals..... (Senate Amendments - See Senate Journal)	280	298	LAW
1133	Jud & Rules	185	SPECIAL COMMITTEE ON CRIMINAL JUSTICE REINVESTMENT OVERSIGHT - Amends existing law to revise the date when the committee shall cease to exist.....	280	298	LAW
1134	Jud & Rules	185	JURIES - Amends existing law to provide for master and county jury lists.....	264	273	LAW
1135	Finance	167	APPROPRIATIONS - COMMISSION FOR THE BLIND AND VISUALLY IMPAIRED - Relates to the appropriation to the Commission for the Blind and Visually Impaired for fiscal year 2020.....	238	260	LAW
1136	Finance	167	APPROPRIATIONS - OFFICE OF DRUG POLICY - Relates to the appropriation to the Office of Drug Policy for fiscal year 2020.....	249	260	LAW
1138 AA	State Affairs	261	ELECTRICAL CONTRACTORS AND JOURNEYMEN - Amends existing law to provide for provisional journeyman electricians..... (Senate Amendments - See Senate Journal)	301	308	LAW
1139	Finance	190	APPROPRIATIONS - HEALTH AND WELFARE - MEDICAID - Relates to the appropriation to the Department of Health and Welfare for the Division of Medicaid for fiscal year 2019.....	271	282	LAW

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1140	Finance	190	APPROPRIATIONS - HEALTH AND WELFARE - Relates to the appropriation to the Department of Health and Welfare for fiscal year 2019. ....	271	282	LAW
1141	Finance	190	APPROPRIATIONS - STATE APPELLATE PUBLIC DEFENDER - Relates to the appropriation to the State Appellate Public Defender for fiscal year 2020. ....	218	245	LAW
1142	Finance	190	APPROPRIATIONS - ENDOWMENT FUND INVESTMENT BOARD - Relates to the appropriation to the Endowment Fund Investment Board for fiscal year 2020.....	249	260	LAW
1143	Finance	190	APPROPRIATIONS - LAVA HOT SPRINGS FOUNDATION - Relates to the appropriation to the Lava Hot Springs Foundation for fiscal year 2020. ....	218	245	LAW
1144	Finance	190	APPROPRIATIONS - COMMISSION OF PARDONS AND PAROLE - Relates to the appropriation to the Commission of Pardons and Parole for fiscal year 2020. ....	218	245	LAW
1145	Finance	196	APPROPRIATIONS - AGRICULTURAL RESEARCH AND COOPERATIVE EXTENSION SERVICE - Relates to the appropriation to the Agricultural Research and Cooperative Extension Service for fiscal year 2020. ....	241	260	LAW
1146	Jud & Rules	209	JUDGES - Amends existing law to revise a provision regarding the salary of justices of the Supreme Court. ....	292	303	LAW
1147	Finance	209	APPROPRIATIONS - DEPARTMENT OF FINANCE - Relates to the appropriation to the Department of Finance for fiscal year 2020. ....	219	245	LAW
1148	Finance	209	APPROPRIATIONS - BOARD OF TAX APPEALS - Relates to the appropriation to the Board of Tax Appeals for fiscal year 2020. ....	219	245	LAW
1149	Finance	209	APPROPRIATIONS - PUBLIC UTILITIES COMMISSION - Relates to the appropriation to the Public Utilities Commission for fiscal year 2020. ....	219	245	LAW
1150	Finance	209	APPROPRIATIONS - DEPARTMENT OF INSURANCE - Relates to the appropriation to the Department of Insurance for fiscal year 2020. ....	220	245	LAW
1151	State Affairs	235	FISH AND GAME - Amends existing law to revise conditions and requirements associated with the payment of certain damages caused by depredation. ....	286	303	LAW
1152	State Affairs	213	UNCLAIMED PROPERTY - Amends existing law to provide for broadband service and to provide a certain exemption for a nonprofit corporation. ....	286	303	LAW
1153	State Affairs	217	LOBBYING - Amends existing law to revise requirements for lobbyist registration and reporting. ....	305	315	LAW
1155	Finance	209	APPROPRIATIONS - PUBLIC TELEVISION - Relates to the appropriation to Idaho Public Television for fiscal year 2020. ....	258	266	LAW



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1156	Finance	209	APPROPRIATIONS - ATTORNEY GENERAL - Relates to the appropriation to the Attorney General for fiscal year 2020. ....	284	303	LAW
1157	Finance	209	APPROPRIATIONS - CATASTROPHIC HEALTH CARE PROGRAM - Relates to the appropriation to the Catastrophic Health Care Program. ....	342	346	LAW
1158	Finance	209	APPROPRIATIONS - PUBLIC DEFENSE COMMISSION - Relates to the appropriation to the Public Defense Commission for fiscal year 2020. ....	220	245	LAW
1159 AA	State Affairs	287	INITIATIVES - Amends and adds to existing law to revise ballot initiative requirements. .... (Senate Amendments - See Senate Journal)	313	327	VETOED
1162	Finance	213	APPROPRIATIONS - DEPARTMENT OF CORRECTION - Relates to the appropriation to the Department of Correction for fiscal year 2020. ....	250	260	LAW
1163	Finance	213	APPROPRIATIONS - HEALTH AND WELFARE - Relates to the appropriation to the Department of Health and Welfare for fiscal year 2019. ....	279	298	LAW
1164	Finance	213	APPROPRIATIONS - SUPREME COURT - Relates to the appropriation to the Supreme Court for fiscal year 2020. ....	250	260	LAW
1165	Finance	213	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 2020. ....	250	260	LAW
1166	Finance	213	APPROPRIATIONS - IDAHO STATE POLICE - Relates to the appropriation to the Idaho State Police for fiscal year 2019. ....	300	308	LAW
1167	Finance	213	APPROPRIATIONS - COMMISSION ON AGING - Relates to the appropriation to the Commission on Aging for fiscal year 2020. ....	251	260	LAW
1168	Finance	213	APPROPRIATIONS - DIVISION OF FINANCIAL MANAGEMENT - Relates to the appropriation to the Division of Financial Management for fiscal year 2020. ....	251	260	LAW
1169	Finance	213	APPROPRIATIONS - IDAHO STATE LOTTERY - Relates to the appropriation to the Idaho State Lottery for fiscal year 2020. ....	251	260	LAW
1170	Finance	217	APPROPRIATIONS - MILITARY DIVISION - Relates to the appropriation to the Military Division for fiscal year 2020. ....	259	266	LAW
1171	Finance	213	APPROPRIATIONS - HEALTH AND WELFARE - MEDICAID - Relates to the appropriation to the Department of Health and Welfare for fiscal year 2020. ....	349	351	LAW
1172	Finance	213	APPROPRIATIONS - DIVISION OF HUMAN RESOURCES - Relates to the appropriation to the Division of Human Resources for fiscal year 2020. ....	251	260	LAW

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1173	Finance	213	APPROPRIATIONS - HEALTH AND WELFARE - BEHAVIORAL HEALTH SERVICES - Relates to the appropriation to the Department of Health and Welfare for fiscal year 2020. ....	348	351	LAW
1174	Finance	213	APPROPRIATIONS - HEALTH AND WELFARE - WELFARE DIVISION - Relates to the appropriation to the Department of Health and Welfare for fiscal year 2020. ....	305	315	LAW
1175	State Affairs	261	LICENSE PLATES - Amends and adds to existing law to provide for the Too Great for Hate license plates. ....	-	261	H Transp
1178 AA	State Affairs	262	EXPLODING TARGETS - Adds to existing law to provide restrictions regarding the use of exploding targets. .... (Senate Amendments - See Senate Journal)	301	301	H FAILED
1179	State Affairs	235	ALCOHOL - Amends existing law to revise provisions regarding exceptions to certain age restrictions. ....	-	235	H St Aff
1180	State Affairs	247	EDUCATION - Adds to existing law to establish the Public Charter School Facilities Program. ....	293	303	LAW
1182	State Affairs	247	RESIDENTIAL SOLAR ENERGY SYSTEM DISCLOSURE ACT - Adds to existing law to provide for the disclosure of certain information when a solar agreement is entered into for a solar energy system. ....	286	303	LAW
1184	Finance	247	APPROPRIATIONS - HEALTH AND WELFARE - PUBLIC HEALTH SERVICES - Relates to the appropriation to the Department of Health and Welfare for fiscal year 2020. ....	342	346	LAW
1185	Finance	247	APPROPRIATIONS - HEALTH AND WELFARE - FAMILY AND COMMUNITY SERVICES - Relates to the appropriation to the Department of Health and Welfare for fiscal year 2020. ....	279	298	LAW
1187	Finance	261	APPROPRIATIONS - MILLENNIUM FUND - Relates to the appropriation from the Idaho Millennium Income Fund. ....	300	308	LAW
1188	Finance	261	APPROPRIATIONS - COMMUNITY COLLEGES - Relates to the appropriation to the State Board of Education for Community Colleges for fiscal year 2020. ....	285	303	LAW
1189	Finance	261	APPROPRIATIONS - COMMISSION ON THE ARTS - Relates to the appropriation to the Commission on the Arts for fiscal year 2020. ....	285	303	LAW
1190	Finance	261	APPROPRIATIONS - SECRETARY OF STATE - Relates to the appropriation to the Secretary of State for fiscal year 2020. ....	280	298	LAW
1191	Finance	261	APPROPRIATIONS - STATE CONTROLLER - Relates to the appropriation to the State Controller for fiscal year 2020. ....	280	298	LAW
1192	Finance	261	APPROPRIATIONS - DEPARTMENT OF ADMINISTRATION - BOND PAYMENTS PROGRAM - Relates to the appropriation to the Department of Administration for the Bond Payments Program for fiscal year 2020. ....	281	298	LAW

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1193	Finance	247	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 2020. ....	265	273	LAW
1194	Finance	247	APPROPRIATIONS - DEPARTMENT OF ADMINISTRATION - Relates to the appropriation to the Department of Administration for fiscal year 2020. ....	265	273	LAW
1195	State Affairs	284	COLLECTION AGENCIES - Amends existing law to provide for attorney's fees and litigation costs in certain instances. ....	-	347	H Bus
1197	Finance	261	APPROPRIATIONS - DEPARTMENT OF AGRICULTURE - Relates to the appropriation to the Department of Agriculture for fiscal year 2020. ....	281	298	LAW
1198	Finance	261	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 2020. ....	281	298	LAW
1199	Finance	268	APPROPRIATIONS - HEALTH AND WELFARE - OTHER PROGRAMS - Relates to the appropriation to the Department of Health and Welfare for fiscal year 2020. ....	292	303	LAW
1200	Finance	268	APPROPRIATIONS - DEPARTMENT OF FISH AND GAME - Relates to the appropriation to the Department of Fish and Game for fiscal year 2020. ....	290	303	LAW
1201	State Affairs	274	TRANSPORTATION - Amends existing law to phase out the distribution of funds from the Highway Distribution Account to the Law Enforcement Account, and reallocating those funds to local units of government and the State Highway Account for transportation. ....	320	332	LAW
1202	Finance	304	APPROPRIATIONS - STATE TAX COMMISSION - Relates to the appropriation to the State Tax Commission for fiscal year 2020. ....	320	332	LAW
1203	Finance	304	APPROPRIATIONS - DEPARTMENT OF LABOR - Relates to the appropriation to the Department of Labor for fiscal year 2020. ....	320	332	LAW
1204 AA,AAH	State Affairs	332	MEDICAID - Amends existing law to revise provisions regarding Medicaid eligibility expansion. .... (Senate Amendments - See Senate Journal) (House Amendments - p. 337)	338	346	LAW
1205	Jud & Rules	304	ADMINISTRATIVE RULES - Adds to existing law to provide that administrative rules set to expire on July 1, 2019, will continue to be effective until July 1, 2020, to provide that administrative rules approved or extended by the adoption of a concurrent resolution shall be effective until July 1, 2020, or until such time as they expire, to provide that rules rejected by concurrent resolution shall be null, void, and of no force and effect, and to authorize agencies to amend or repeal certain rules pursuant to the Administrative Procedure Act. ....	353	353	S Not Concur

<u>Senate Bill No.</u>	<u>Introduced By:</u>	<u>Intro- duction Page</u>	<u>Bill Description</u>	<u>Final Vote Page</u>	<u>Final Action Page</u>	<u>Final Disposition</u>
1206	Finance	309	APPROPRIATIONS - SUPREME COURT - Relates to the appropriation to the Supreme Court for fiscal year 2020.....	320	332	LAW
1207	Finance	309	APPROPRIATIONS - SUPREME COURT - Relates to the appropriation to the Supreme Court for fiscal year 2020.....	321	332	LAW
1214	Finance	356	APPROPRIATIONS - DEPARTMENT OF HEALTH AND WELFARE - Relates to the appropriation to the Department of Health and Welfare for fiscal year 2020. ....	357	358	LAW
1215	Jud & Rules	357	ADMINISTRATIVE RULES - Adds to existing law to provide that administrative rules set to expire on July 1, 2019, will continue to be effective until July 1, 2020, to provide that administrative rules approved or extended by the adoption of a concurrent resolution shall be effective until July 1, 2020, or until such time as they expire, to provide that rules rejected by concurrent resolution shall be null, void, and of no force and effect, and to authorize agencies to amend or repeal certain rules pursuant to the Administrative Procedure Act. ....	-	358	H W/M

<b>Senate Concurrent Resolution</b>	<b>Introduced By:</b>	<b>Intro- duction Page</b>	<b>Bill Description</b>	<b>Final Vote Page</b>	<b>Final Action Page</b>	<b>Final Disposition</b>
101	State Affairs	91	AMERICAN LEGION - Stating findings of the Legislature and honoring the American Legion in its centennial year. ....	111	121	ADOPTED
102	State Affairs	106	EDUCATION - Stating findings of the Legislature and providing approval for North Idaho College to enter into an agreement with the Idaho State Building Authority to assist with the development of a building expansion and an athletic facility.....	-	106	H St Aff
103	State Affairs	161	DEPARTMENT OF ADMINISTRATION - RULE REJECTION - Stating findings of the Legislature and rejecting a certain rule of the Department of Administration relating to Rules of the Division of Purchasing. ....	270	282	ADOPTED
104	State Affairs	175	INDUSTRIAL COMMISSION - RULE REJECTION - Stating findings of the Legislature and rejecting a certain rule of the Industrial Commission relating to Administrative Rules of the Industrial Commission Under the Workers' Compensation Law, Security for Compensation, and Self-Insured Employers.....	-	175	H Com/HuRes
105	State Affairs	175	INDUSTRIAL COMMISSION - RULE REJECTION - Stating findings of the Legislature and rejecting a certain rule of the Industrial Commission relating to Administrative Rules of the Industrial Commission Under the Workers' Compensation Law, Security for Compensation, and Insurance Carriers. ....	-	175	H Com/HuRes
106	State Affairs	175	DIVISION OF BUILDING SAFETY - RULE REJECTION - Stating findings of the Legislature and rejecting a certain rule of the Division of Building Safety relating to Rules Concerning Idaho State Plumbing Code. ....	290	303	ADOPTED
107	State Affairs	234	STATE TAX COMMISSION - RULE REJECTION - Stating findings of the Legislature and rejecting a certain rule of the State Tax Commission relating to Property Tax Administrative Rules.....	301	308	ADOPTED
108	State Affairs	234	STATE TAX COMMISSION - RULE REJECTION - Stating findings of the Legislature and rejecting a certain rule of the State Tax Commission relating to Sales and Use Tax Administrative Rules.....	301	308	ADOPTED
109	State Affairs	234	STATE TAX COMMISSION - RULE REJECTION - Stating findings of the Legislature and rejecting a certain rule of the State Tax Commission relating to Income Tax Administrative Rules.....	302	308	ADOPTED
110	Jud & Rules	261	IDAHO SOIL AND WATER CONSERVATION COMMISSION - RULE REJECTION - Stating findings of the Legislature and rejecting a certain rule of the Idaho Soil and Water Conservation Commission relating to the Resource Conservation and Rangeland Development Program.....	310	327	ADOPTED
111	State Affairs	267	EDUCATION - States findings of the Legislature and authorizes the Legislative Council to appoint a committee to undertake and complete a study of the state's methodology for funding public school construction and maintenance.....	-	342	H Educ

<b>Senate Concurrent Resolution</b>	<b>Introduced By:</b>	<b>Intro- duction Page</b>	<b>Bill Description</b>	<b>Final Vote Page</b>	<b>Final Action Page</b>	<b>Final Disposition</b>
112	Jud & Rules	274	OCCUPATIONAL LICENSING - Amends existing law to authorize the reappointment of an interim committee to study occupational licensing and certification laws and rules in Idaho.....	291	303	ADOPTED
113	State Affairs	283	TEMPORARY RULES - Stating findings of the Legislature and approving and extending temporary rules reviewed by the Legislature, with exceptions. ....	321	332	ADOPTED
114	State Affairs	283	FEE RULES - 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.....	321	332	ADOPTED
115	State Affairs	283	CAMPAIGN FINANCE - Stating findings of the Legislature and authorizing a two-year legislative study committee on campaign finance issues. ....	-	283	H St Aff
116	State Affairs	304	TRANSPORTATION - Provides authorization to the Joint Legislative Oversight Committee to authorize the Office of Performance Evaluations to hire a consultant to study highway district consolidation and to review the role of the Local Highway Technical Assistance Council. ....	-	304	H Transp
117	State Affairs	312	MEDICAID - Stating findings of the Legislature and authorizing the Legislative Council to appoint a committee to undertake and complete a study and to make recommendations regarding the effects of Medicaid eligibility expansion on existing programs that serve medically indigent individuals. ....	329	336	ADOPTED



<b>Senate Joint Memorial</b>	<b>Introduced By:</b>	<b>Introduction Page</b>	<b>Bill Description</b>	<b>Final Vote Page</b>	<b>Final Action Page</b>	<b>Final Disposition</b>
101	Res & Cons	110	WATER - Stating findings of the Legislature and urging the President and Congress to take such action as necessary to require the Secretary of the Interior and the Secretary of Agriculture to recognize valid easements existing pursuant to the 1866 Mining Act on federal lands.....	-	110	H Res/Con
102	State Affairs	122	FEDERAL REGULATIONS - Stating findings of the Legislature and requesting Congress to vote to propose the Regulation Freedom Amendment to the United States Constitution.....	270	282	ADOPTED
103	State Affairs	141	FREE TRADE - Stating findings of the Legislature and supporting the ratification of the United States, Mexico, and Canada Agreement.....	-	141	H St Aff
104	State Affairs	208	MILITARY - Stating findings of the Legislature and supporting the construction of new water infrastructure to support Mountain Home Air Force Base.....	271	282	ADOPTED
105	Jud & Rules	212	BEAR LAKE - Stating findings of the Legislature and urging the states of Utah and Idaho to work together in seeking solutions to address challenges regarding Bear Lake.....	302	308	ADOPTED
106	State Affairs	234	WATER RIGHTS - Stating findings of the Legislature and urging the President and Congress to require the Secretary of the Interior and the Secretary of Agriculture to recognize valid easements existing pursuant to the 1866 Mining Act on federal lands.....	291	303	ADOPTED

<b>Senate Joint Resolution</b>	<b>Introduced By:</b>	<b>Introduction Page</b>	<b>Bill Description</b>	<b>Final Vote Page</b>	<b>Final Action Page</b>	<b>Final Disposition</b>
101	State Affairs	118	RIGHTS OF CRIME VICTIMS - Proposing an amendment to Section 22, Article I, of the Constitution of the State of Idaho regarding rights of crime victims.....	-	118	H St Aff

## HOUSE BILLS WHICH BECAME LAW

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1	Ways and Means	02/13/2019	02/13/2019	16
2 AAS	Transportation and Defense	03/08/2019	07/01/2019	64
3	Health and Welfare	03/07/2019	07/01/2019	57
4	Health and Welfare	03/07/2019	07/01/2019	40
5	Health and Welfare	03/12/2019	07/01/2019	79
6	Health and Welfare	03/12/2019	07/01/2019	78
7	Health and Welfare	03/07/2019	07/01/2019	41
8	Health and Welfare	03/07/2019	07/01/2019; 07/01/2024 Sunset Clause	42
9	Health and Welfare	02/19/2019	07/01/2019	26
10	Health and Welfare	02/14/2019	07/01/2019; 07/01/2021 Sunset Clause - SECTION 16	25
11	Health and Welfare	02/14/2019	02/14/2019	24
12	Health and Welfare	02/14/2019	07/01/2019	23
13	Revenue and Taxation	02/04/2019	Retroactive to 01/01/2019	2
14	Revenue and Taxation	02/08/2019	Retroactive to 01/01/2019	9
15	Revenue and Taxation	02/08/2019	07/01/2019	10
16	Revenue and Taxation	02/11/2019	Retroactive to 01/01/2019	12
17	Revenue and Taxation	02/11/2019	Retroactive to 01/01/2019	13
18	Health and Welfare	03/07/2019	07/01/2019	43
19	Revenue and Taxation	02/12/2019	Retroactive to 01/01/2018	14
20	Appropriations	02/06/2019	02/06/2019	5
22	Health and Welfare	03/07/2019	07/01/2019	44
24	Transportation and Defense	03/12/2019	03/12/2019	77
25	Local Government	02/14/2019	02/14/2019	22
26	Environment, Energy and Technology	02/26/2019	07/01/2019	34
27	Revenue and Taxation	03/07/2019	07/01/2019	45

<u>House Bill No.</u>	<u>Introduced by</u>	<u>Signed by Governor</u>	<u>Effective Date(s)</u>	<u>Session Laws Chapter No.</u>
28	Appropriations	02/04/2019	02/04/2019	3
30 AAS	Judiciary, Rules and Administration	04/04/2019	07/01/2019	299
31	Judiciary, Rules and Administration	02/20/2019	07/01/2019	28
32	Judiciary, Rules and Administration	02/20/2019	07/01/2019	29
34	Judiciary, Rules and Administration	02/20/2019	07/01/2019	30
35	Appropriations	02/08/2019	02/08/2019	8
36	Appropriations	02/08/2019	02/08/2019	7
37	Health and Welfare	03/07/2019	07/01/2019	46
38	Agricultural Affairs	02/19/2019	07/01/2019	27
42 AAS	State Affairs	03/14/2019	07/01/2019	85
43	Judiciary, Rules and Administration	02/26/2019	07/01/2019	35
44	Resources and Conservation	02/26/2019	07/01/2019	36
46	Business	03/07/2019	07/01/2019	47
56	Appropriations	02/14/2019	02/14/2019	21
57	Appropriations	02/12/2019	02/12/2019	15
58	Health and Welfare	03/13/2019	07/01/2019	82
59	Health and Welfare	03/07/2019	07/01/2019	48
60	Agricultural Affairs	03/07/2019	07/01/2019	49
62	Revenue and Taxation	02/20/2019	01/01/2019 SECTION 1-8; 07/01/2019 SECTION 9	31
63	State Affairs	03/12/2019	07/01/2019	76
64	State Affairs	03/07/2019	03/07/2019	50
66	Appropriations	02/14/2019	02/14/2019	20
67	Resources and Conservation	03/07/2019	07/01/2019	51
68	Commerce and Human Resources	03/12/2019	07/01/2019	75
71	Business	03/13/2019	07/01/2019	81
72	Business	02/14/2019	07/01/2019	19
73	Business	03/12/2019	07/01/2019	74
75	Transportation and Defense	03/12/2019	07/01/2019	73
76	Transportation and Defense	03/14/2019	07/01/2019	84
78 AA,AAS	Judiciary, Rules and Administration	04/04/2019	07/01/2019	305

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80	Resources and Conservation	03/12/2019	07/01/2019	72
84	Business	03/18/2019	07/01/2019	90
86	Revenue and Taxation	03/07/2019	07/01/2019	52
87	Revenue and Taxation	03/07/2019	01/01/2019 SECTION 1 & 2; 01/01/2020 SECTION 3 & 4	53
89	Transportation and Defense	03/08/2019	07/01/2019	65
90	Transportation and Defense	03/12/2019	07/01/2019	71
91	Local Government	03/12/2019	03/12/2019	70
93 AAS	Education	03/29/2019	07/01/2019	259
94	Business	03/18/2019	07/01/2019	91
97	Resources and Conservation	03/22/2019	07/01/2019	176
103	Revenue and Taxation	03/14/2019	07/01/2019	86
105	Transportation and Defense	03/15/2019	07/01/2019	89
106 AAS	Transportation and Defense	03/27/2019	07/01/2019	234
108	Local Government	03/07/2019	07/01/2019	54
109	Health and Welfare	03/18/2019	07/01/2019; 07/01/2023 Sunset Clause - SECTION 1	92
112	Business	03/19/2019	07/01/2019	112
113	Judiciary, Rules and Administration	03/18/2019	07/01/2019	93
114	Judiciary, Rules and Administration	03/20/2019	07/01/2019	130
116	Judiciary, Rules and Administration *Governor's 3/22/19 letter*	*03/19/2019	07/01/2019	177
117	Judiciary, Rules and Administration	03/20/2019	07/01/2019	131
118 AA,AAS	Judiciary, Rules and Administration	03/28/2019	07/01/2019	258
124	Transportation and Defense	03/19/2019	07/01/2019	113
126	Transportation and Defense	03/18/2019	07/01/2019	94
132	Appropriations	03/07/2019	03/07/2019	55
134	Commerce and Human Resources	03/14/2019	07/01/2019	83
137 AA,AAS	Judiciary, Rules and Administration	04/04/2019	07/01/2019	300
139	Judiciary, Rules and Administration	04/03/2019	07/01/2019	293
141	Resources and Conservation	03/26/2019	07/01/2019	226

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144	Business	03/22/2019	07/01/2019	178
149 AAS	Business	04/04/2019	07/01/2019	306
150	Education	03/19/2019	07/01/2019	114
151	Health and Welfare	03/18/2019	03/18/2019	95
153	Education	03/20/2019	07/01/2019	132
155	State Affairs	03/15/2019	07/01/2019	88
156	State Affairs	03/13/2019	07/01/2019	80
157	State Affairs	03/15/2019	07/01/2019	87
158 AA	Ways and Means	03/19/2019	07/01/2019	199
159	Appropriations	03/07/2019	03/07/2019	56
160	State Affairs	03/19/2019	07/01/2019	115
164	Revenue and Taxation	03/25/2019	07/01/2019	200
165	Revenue and Taxation	03/19/2019	Retroactive to 01/01/2019	116
167	State Affairs	03/22/2019	07/01/2019	179
168	State Affairs	03/22/2019	07/01/2019 SECTION 1, 2, 5, & 6; 06/30/2021 SECTION 3 & 4; 06/30/2021 Sunset Clause - SECTION 5	180
169 AAS	State Affairs	04/05/2019	07/01/2019; 07/01/2021 Sunset Clause	315
171	State Affairs	03/18/2019	03/18/2019	96
173	State Affairs	03/18/2019	07/01/2019	97
174	Appropriations	03/12/2019	03/12/219	69
176	Ways and Means	03/25/2019	03/25/2019	201
177	Ways and Means	03/25/2019	07/01/2019	202
179 AA	Ways and Means	04/02/2019	01/01/2020	269
180	Health and Welfare	03/22/2019	07/01/2019	181
181	Health and Welfare	03/20/2019	07/01/2019	133
182	Health and Welfare	03/21/2019	07/01/2019	141
183	Revenue and Taxation	04/03/2019	Retroactive to 01/01/2018, with provisions	294

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184	Revenue and Taxation	03/25/2019	07/01/2019	203
186	Appropriations	03/18/2019	03/18/2019	98
187	Appropriations	03/18/2019	07/01/2019	99
189 AA	Ways and Means	04/02/2019	07/01/2019	270
191	State Affairs	03/25/2019	07/01/2019	204
192	Ways and Means	03/28/2019	03/28/2019	243
193 AA	Revenue and Taxation	04/02/2019	07/01/2019	271
194 AAS	Education	04/04/2019	07/01/2020	313
199 AA	State Affairs	04/02/2019	07/01/2019	272
200	Appropriations	03/19/2019	07/01/2019	117
201	Revenue and Taxation	03/25/2019	Retroactive to 01/01/2019	205
205	State Affairs	04/03/2019	07/01/2019	295
206	State Affairs	04/02/2019	07/01/2019	273
207	Ways and Means	03/25/2019	07/01/2019	206
208	Ways and Means	04/02/2019	07/01/2019	274
209	Ways and Means	03/25/2019	07/01/2019	207
210	State Affairs	03/26/2019	07/01/2019	227
211	Appropriations	03/18/2019	07/01/2019	100
212	Appropriations	03/20/2019	07/01/2019	134
213	Appropriations	03/18/2019	07/01/2019	101
214	Appropriations	03/18/2019	07/01/2019	102
215	Appropriations	03/19/2019	07/01/2019	118
216	Appropriations	03/18/2019	07/01/2019	103
217 AAS	Revenue and Taxation	04/09/2019	07/01/2019	321
219	Appropriations	03/19/2019	07/01/2019	119
220	Appropriations	03/19/2019	07/01/2019	120
221	Appropriations	03/19/2019	07/01/2019	121
222	Appropriations	03/19/2019	07/01/2019	122
223	Appropriations	03/19/2019	07/01/2019	123
224	Appropriations	03/19/2019	07/01/2019	124
225	Appropriations	03/19/2019	07/01/2019	125



<u>House Bill No.</u>	<u>Introduced by</u>	<u>Signed by Governor</u>	<u>Effective Date(s)</u>	<u>Session Laws Chapter No.</u>
227	Appropriations	03/19/2019	07/01/2019	126
230	Appropriations	03/19/2019	03/19/2019 SECTION 4; 07/01/2019 all other SECTIONS	127
231	Appropriations	03/19/2019	07/01/2019	128
232	Appropriations	03/20/2019	07/01/2019	135
233	Appropriations	03/19/2019	07/01/2019	129
234	Appropriations	03/20/2019	07/01/2019	136
235	Appropriations	03/20/2019	07/01/2019	137
236	Appropriations	03/20/2019	07/01/2019	138
237	Appropriations	03/20/2019	07/01/2019	139
238	Appropriations	03/20/2019	07/01/2019	140
244	Health and Welfare	03/25/2019	07/01/2019	208
245	Appropriations	03/25/2019	07/01/2019	209
246	Appropriations	03/25/2019	07/01/2019	210
248	Ways and Means	04/03/2019	07/01/2019	296
251	Ways and Means	04/05/2019	Retroactive to 01/01/2019	314
254	Appropriations	04/02/2019	07/01/2019	275
255	Appropriations	03/26/2019	07/01/2019	228
256	Appropriations	03/26/2019	07/01/2019	229
257	Appropriations	03/26/2019	07/01/2019	230
258	Appropriations	04/02/2019	07/01/2019	276
259 AAS	Revenue and Taxation	04/09/2019	06/01/2019	320
260	Appropriations	03/26/2019	07/01/2019	231
261	Appropriations	03/26/2019	07/01/2019	232
262	Appropriations	03/26/2019	07/01/2019	233
263	Appropriations	04/02/2019	07/01/2019	277
264	Appropriations	04/02/2019	07/01/2019	278
265	Appropriations	04/02/2019	07/01/2019	279
266	Ways and Means	04/02/2019	07/01/2019	280

<u>House Bill No.</u>	<u>Introduced by</u>	<u>Signed by Governor</u>	<u>Effective Date(s)</u>	<u>Session Laws Chapter No.</u>
267	Appropriations	04/02/2019	04/02/2019 SECTION 7; 07/01/2019 all other SECTIONS	281
268	Appropriations	04/02/2019	07/01/2019	282
270	State Affairs	04/02/2019	07/01/2020	283
274	Appropriations	04/02/2019	07/01/2019	284
275	Ways and Means	04/04/2019	04/04/2019	301
281	Appropriations	04/05/2019	04/05/2019 SECTION 1; 07/01/2019 all other SECTIONS	316
282	Appropriations	04/02/2019	07/01/2019	285
283	Appropriations	04/02/2019	07/01/2019	286
284	Appropriations	04/02/2019	07/01/2019	287
285	Appropriations	04/05/2019	04/05/2019	317
286	Appropriations	04/04/2019	07/01/2019	302
287	Appropriations	04/04/2019	07/01/2019	303
288	Appropriations	04/04/2019	07/01/2019	304
291	Appropriations	04/09/2019	07/01/2019	319
293	Education	04/12/2019	04/12/2019 SECTION 5; 07/01/2019 all other SECTIONS; 07/01/2022 Sunset Clause - SECTION 6	328
297	Appropriations	04/12/2019	07/01/2019	326

GOVERNOR'S VETO AND LINE ITEM VETO MESSAGES

<u>Bill No.</u>	<u>Introduced by:</u>	<u>Bill Description</u>	<u>Governor's Message Page</u>
H 296	Ways and Means	INITIATIVES - Revises the time and number of legislative districts within which to gather signatures for an initiative petition .....	348

## HOUSE SPONSORS - HOUSE LEGISLATION VOTED ON IN HOUSE - 2019

BILL NO.	SPONSOR(S)
H 1	Bedke
H 2 aaS	Dixon
H 3	Kingsley
H 4	Lickley
H 5	Green(2)
H 6	Christensen
H 7	Blanksma
H 8	Rubel
H 9	Wagoner
H 10	Chew
H 11	Chew
H 12	Wood
H 13	Erpelding
H 14	Ellis
H 15	Nichols
H 16	Ricks
H 17	Erpelding
H 18	Zollinger
H 19	Ricks
H 20	Anderson
H 22	Davis
H 24	Addis
H 25	Moyle, Wagoner
H 26	Vander Woude
H 27	Dixon
H 28	Kauffman
H 30 aaS	Ricks
H 31	McCrostie
H 32	Davis
H 33	Hartgen
H 34	Scott
H 35	Horman
H 36	Toone
H 37	Gibbs
H 38	Kauffman
H 42 aaS	Harris

BILL NO.	SPONSOR(S)
H 43	Gannon
H 44	Lickley
H 45	Furniss
H 46	Hartgen
H 56	Horman
H 57	Troy
H 58	Chew
H 59	Monks
H 60	Raybould
H 61	Kauffman
H 62	Giddings
H 63	Troy
H 64	Chaney
H 66	Kauffman
H 67	Gestrin
H 68	Harris
H 71	Collins
H 72	Monks
H 73	Dixon
H 74	Gestrin
H 75	Gestrin
H 76	Ricks
H 78 aa,aaS	Kerby
H 79	Smith, Wintrow
H 80	Wood
H 84	Zollinger
H 85	Zito
H 86	Moyle, Addis
H 87	Moyle, Anderst
H 88	Palmer
H 89	Syme
H 90	Monks
H 91	Vander Woude
H 93 aaS	DeMordaunt
H 94	Raybould
H 97	Addis

BILL NO.	SPONSOR(S)
H 98	Wintrow
H 99	Zollinger, Rubel
H 100	Moyle
H 103	Ricks
H 105	Moyle
H 106 aaS	McCrostie
H 107	Palmer
H 108	Wagoner
H 109	Green(2)
H 112	Crane
H 113	Erpelding
H 114	Troy
H 116	Wintrow
H 117	Troy
H 118 aa,aaS	Chaney
H 120	Ehardt
H 122	Troy, Moon
H 124	Syme
H 126	Kauffman
H 127 aa,aa	Green(2)
H 130 aa	Wagoner
H 132	Anderson
H 133	Giddings
H 134	Syme
H 137 aa,aaS	Moyle
H 138	Zollinger
H 139	Ehardt
H 141	Addis
H 144	Andrus
H 145 aa	Vander Woude
H 149 aaS	Furniss
H 150	Goesling
H 151	Blanksma
H 153	Marshall
H 155	Gestrin
H 156	Scott

BILL NO.	SPONSOR(S)
H 157	Erpelding
H 158 aa	Rubel
H 159	Wintrow
H 160	Raymond
H 161	Raymond
H 162	Boyle
H 164	Ricks
H 165	Addis
H 167	Palmer
H 168	Palmer
H 169 aaS	Monks
H 170	Scott
H 171	Crane
H 173	Crane
H 174	Horman
H 176	Blanksma
H 177	Young
H 179 aa	Furniss
H 180	Blanksma
H 181	Zollinger
H 182	Zollinger
H 183	Anderst
H 184	Moyle
H 186	Amador
H 187	Kauffman
H 189 aa	Scott
H 191	Anderson
H 192	Gestrin
H 193 aa	Wagoner
H 194 aaS	Clow
H 195	Clow
H 199 aa	Zollinger
H 200	Wintrow
H 201	Gibbs
H 202 aa	Blanksma
H 204	Green(2)

BILL NO.	SPONSOR(S)
H 205	Green(2)
H 206	Zito
H 207	Mendive
H 208	Monks
H 209	Goesling
H 210	Armstrong
H 211	Syme
H 212	Kauffman
H 213	Kauffman
H 214	Horman
H 215	Wintrow
H 216	Amador
H 217 aaS	Anderst
H 219	Horman
H 220	Amador
H 221	Horman
H 222	Raybould
H 223	Amador
H 224	Raybould
H 225	Toone
H 226	Amador
H 227	Wintrow
H 229 aa	Crane
H 230	Horman
H 231	Horman
H 232	Amador
H 233	Raybould
H 234	Horman
H 235	Syme
H 236	Syme
H 237	Wintrow
H 238	Horman
H 244	Gestrin
H 245	Troy
H 246	Raybould
H 248	DeMordaunt

BILL NO.	SPONSOR(S)
H 251	Monks
H 254	Toone
H 255	Amador
H 256	Raybould
H 257	Raybould
H 258	Syme
H 259 aaS	Moyle
H 260	Kauffman
H 261	Amador
H 262	Wintrow
H 263	Anderson
H 264	Troy
H 265	Horman
H 266	Wintrow
H 267	Amador
H 268	Raybould
H 270	DeMordaunt
H 274	Kauffman
H 275	Dixon
H 276	Wintrow
H 277	Vander Woude
H 281	Youngblood
H 282	Syme
H 283	Syme
H 284	Anderson
H 285	Kauffman
H 286	Amador
H 287	Wintrow
H 288	Wintrow
H 289	Troy
H 291	Horman
H 293	Goesling
H 296	Dixon
H 297	Amador
H 300	Boyle, Troy
H 302	Anderson

<b>BILL NO.</b>	<b>SPONSOR(S)</b>
H 303	Dixon
<b>HCR NO.</b>	<b>SPONSOR(S)</b>
HCR 1	Moyle, Erpelding
HCR 2	Holtzclaw
HCR 3	McCrostie
HCR 6	McCrostie
HCR 7	Gestrin
HCR 9	Ehardt
HCR 10	Moyle
HCR 11	Troy
HCR 12	Gibbs
HCR 13	Wagoner
HCR 14	Wagoner
HCR 15	Ellis
HCR 16	Stevenson
HCR 17	Stevenson
HCR 18	Kerby
HCR 19	Ehardt
HCR 20	Moon
HCR 21	Ehardt
HCR 23	Amador
<b>HJM NO.</b>	<b>SPONSOR(S)</b>
HJM 1	Troy
HJM 3	Gannon
HJM 4	Blanksma
HJM 5	Moon
HJM 6	Raymond
HJM 7	Green(18)
HJM 8	Giddings
HJM 9	Moyle
<b>HR NO.</b>	<b>SPONSOR(S)</b>
HR 3	Moyle
HR 4	Moyle
HR 5	Moyle

<b>HR NO.</b>	<b>SPONSOR(S)</b>
HR 6	Giddings
HR 7	Boyle, Moon



## HOUSE SPONSORS - SENATE LEGISLATION VOTED ON IN HOUSE - 2019

BILL NO.	SPONSOR(S)
S 1002	Syme
S 1003 aa	Wintrow
S 1004	Giddings
S 1005 aa	Wintrow
S 1006	Furniss
S 1007 aa	Furniss
S 1008	Nichols
S 1011	Moon
S 1012	Green(18)
S 1013	Crane
S 1016	Wintrow
S 1017	Toone
S 1018 aa	Goesling
S 1019	Kerby
S 1021	Kerby
S 1022	Gannon
S 1023	Young
S 1024	Stevenson
S 1025	Horman
S 1026	Green(18)
S 1028	Erpelding
S 1029	Clow
S 1030	DeMordaunt
S 1031	Syme
S 1032	Anderson
S 1037 aa	Gestrin
S 1039	Lickley
S 1041	Raybould
S 1042	Wintrow
S 1043	Amador
S 1044	McCrostie
S 1046	Kauffman
S 1047	Anderson
S 1048	Crane
S 1049	DeMordaunt
S 1050	Toone

BILL NO.	SPONSOR(S)
S 1053	Andrus
S 1054	Kingsley
S 1055	Christensen
S 1056 aa	Raybould
S 1057 aaH	Kerby
S 1058	Boyle
S 1059	Kerby
S 1060 aa,aaH	Mendive
S 1061 aa,aaH	McCrostie
S 1065	Monks
S 1069	Wagoner
S 1071	Zollinger
S 1072	DeMordaunt
S 1073	Raybould
S 1074 aa	Zito
S 1075 aa	Davis
S 1077	Kauffman
S 1078	Dixon
S 1079	Goesling
S 1080	Goesling
S 1081	Goesling
S 1082	Raymond
S 1083	Mason
S 1084	Mason
S 1085	Blanksma
S 1086	Kauffman
S 1087	Blanksma
S 1088 aa	Vander Woude
S 1091 aa	Gannon
S 1093	Gannon
S 1096	Wagoner
S 1097	Lickley
S 1104 aa	Horman
S 1105	Kerby
S 1106 aa	Boyle, DeMordaunt
S 1107	Boyle

BILL NO.	SPONSOR(S)
S 1108	Raymond
S 1110 aa	Troy
S 1111	Holtzclaw
S 1112	Hartgen
S 1113 aaH	Wood
S 1115	Troy
S 1116	Ehardt
S 1117	Chaney
S 1119	Zollinger
S 1122	Gannon
S 1123	Amador
S 1125	Dayley
S 1126 aaH	Palmer
S 1127	Hartgen
S 1128	Youngblood
S 1129 aa	Zollinger, Chew
S 1130	Horman
S 1131 aa	Kauffman
S 1133	McCrostie
S 1134	Hartgen
S 1135	Toone
S 1136	Troy
S 1138 aa	Syme
S 1139	Wintrow
S 1140	Wintrow
S 1141	Wintrow
S 1142	Troy
S 1143	Raybould
S 1144	Syme
S 1145	Kauffman
S 1146	Hartgen
S 1147	Anderson
S 1148	Anderson
S 1149	Amador
S 1150	Anderson
S 1151	Wood

BILL NO.	SPONSOR(S)
S 1152	Kauffman
S 1153	Barbieri
S 1155	Raybould
S 1156	Horman
S 1157	Raybould
S 1158	Anderson
S 1159 aa	Dixon
S 1162	Syme
S 1163	Wintrow
S 1164	Troy
S 1165	Troy
S 1166	Syme
S 1167	Wintrow
S 1168	Anderson
S 1169	Syme
S 1170	Syme
S 1171	Amador
S 1172	Anderson
S 1173	Wintrow
S 1174	Wintrow
S 1178 aa	Gibbs
S 1180	DeMordaunt
S 1182	Crane
S 1184	Troy
S 1185	Amador
S 1187	Troy
S 1188	Amador
S 1189	Wintrow
S 1190	Anderson
S 1191	Anderson
S 1192	Anderson
S 1193	Amador
S 1194	Anderson
S 1197	Raybould
S 1198	Raybould
S 1199	Troy

<b>BILL NO.</b>	<b>SPONSOR(S)</b>
S 1200	Kauffman
S 1201	Palmer
S 1202	Anderson
S 1203	Troy
S 1204 aa,aaH	Vander Woude
S 1205 aaH	Moyle
S 1206	Raybould
S 1207	Wintrow
S 1214	Amador
<b>SCR NO.</b>	<b>SPONSOR(S)</b>
SCR 101	Giddings
SCR 103	Armstrong
SCR 106	Dixon
SCR 107	Stevenson
SCR 108	Ricks
SCR 109	Stevenson
SCR 110	Troy
SCR 112	DeMordaunt
SCR 113	Palmer
SCR 114	Palmer
SCR 117	Wood
<b>SJM NO.</b>	<b>SPONSOR(S)</b>
SJM 102	Dayley
SJM 104	Blanksma
SJM 105	Gibbs
SJM 106	Gestrin

# APPENDIX

RULES OF THE HOUSE

AND JOINT RULES OF THE HOUSE AND SENATE

Adopted by the House of Representatives  
During the 1st Regular Session of the 65th Idaho Legislature  
December 6, 2018



**RULE 1****Opening Hour. —**

The hour of the daily meeting of the House shall be 11:00 o'clock in the forenoon, unless the House directs otherwise.

[1969, HR 3, adopted, HJ pg 106; orig. 1891]

**RULE 2****Call to Order. —**

The Speaker shall take the Chair at the time to which the House stands adjourned, and after the call to order, the roll of members shall be taken and the names of absentees entered on the Journal of the House, after which there shall be prayer by the Chaplain.

[1969, HR 3, adopted, HJ pg 106; orig. 1891]

**RULE 3\*\*****House Chamber and Spaces, Regulation of —**

1) Preserving Order. - The Speaker shall preserve order and decorum and decide questions of order, subject to an appeal to the House.

2) Supervision of Legislative areas - It is the duty of the Speaker to have general charge and supervision of the House floor, chamber, galleries, office spaces, committee rooms, adjoining and connecting hallways and passages; and to oversee decorum and preserve order therein.

[2018 Org Session, 65th Legislature - floor motion adopted, \*\*HJ pg 1; orig. 1891]

**RULE 4****Order of Business. —**

After calling the House to order, the order of business for the day shall be as follows:

1. Roll Call.
2. Prayer by the Chaplain, followed by the Pledge of Allegiance.
3. Approval of Journal.
4. Consideration of messages from the Governor and the Senate.
5. Report of standing committees.
6. Report of select committees.
7. Motions, memorials and resolutions.
8. Introduction, first reading and reference of bills and joint resolutions.
9. First reading of engrossed bills.
10. Second reading of bills and joint resolutions.
11. Third reading of bills and joint resolutions.
12. Consideration of general orders.
13. Miscellaneous and unfinished business.
14. Presentation of petitions and communications.
15. Announcements.
16. Adjournment.

[2000, HR 6, adopted, HJ pg 382; orig. 1891]

**RULE 5****Absence, Disability or Death of Speaker. –**

The Speaker may leave the Chair and appoint a member to preside, but not for a longer time than one legislative day, except with the approval of the House. In the event of the temporary absence of the Speaker without having made such an appointment, the House shall proceed to elect a Speaker pro tempore to act during his absence. In the event of the Speaker's death, resignation, or inability to act during a legislative session, the House shall proceed to elect a new Speaker. In the event of the Speaker's death, resignation, or inability to act between legislative sessions, the House Majority Leader (and in the event of his death, resignation, or inability to act as Speaker, the House Assistant Majority Leader) shall act as Speaker, with all of the duties, powers and prerogatives of the office, to serve until the next session of the Legislature, at which time a new Speaker shall be elected.

[1985, floor motion adopted, HJ pg 2; orig. 1891]

**RULE 6****Leave of Absence. –**

No member or officer of the House, unless from illness or other cause which makes him unable to be in attendance shall absent himself from the session of the House during the entire day without first having obtained leave of absence from the Speaker of the House; provided, however, that no regular or Special Committee of the House shall be absent for more than one day without authorization from the House. Such authorization shall be by affirmative action on a resolution approving absence.

No member or officer of the House shall be entitled to the unvouchered expense allowance while absent more than one day without leave.

[1985, floor motion adopted, HJ pg 2; orig. 1891]

**RULE 7****Call of the House. –**

One-third of the members present may order a call of the House in the following manner:

A call being moved and seconded, the Speaker shall require those desiring a call to rise, and if one-third of the members present shall rise, there shall be a call of the House. A call of the House being ordered, the Sergeant at Arms shall close and lock the doors and no member shall be allowed to leave the Chamber. The Speaker shall immediately cause the roll of the members to be taken and note the absentees whose names shall be read and entered upon the Journal in such manner as to show who are absent with leave and who are absent without leave, and the Sergeant at Arms shall proceed to bring in such absentees; but arrest of members of absence shall not be made unless ordered by a majority of members present.

While the House is under call, no business shall be transacted except to receive and act on the report of the Sergeant at Arms, and no other motion shall be in order except a motion to suspend further proceedings under the call or to excuse absentees, which motion shall be determined by ayes and nays; and the motion to suspend further proceedings under the call or to excuse members shall not be adopted unless a majority of the entire membership vote in favor thereof.

When the Sergeant at Arms will make a report showing that all who were absent without leave are present, the call of the House may be dispensed with or the House may proceed under the call on a majority vote of the entire membership, with its regular business.

No motion for call of the House shall be entered after the House has commenced voting by ayes and nays.



The form of warrant for the arrest of absent members shall be as follows:

\_\_\_\_\_ Session  
IDAHO LEGISLATURE  
In the House of Representatives  
To the Sergeant at Arms or his Deputies:

WHEREAS, The House of Representatives has adopted the following order: That the Sergeant at Arms take into custody and bring to the bar of the House such of its members as are found absent without leave of the House; and

WHEREAS, The following named members of the House are absent without leave, to-wit:

(Names of Members)

Now, Therefore, I \_\_\_\_\_, Speaker of the \_\_\_\_\_ Session of the House of Representatives of the Idaho State Legislature, by virtue of the power vested in me by the House, hereby command you to execute the said order of the House, by taking into custody and bringing to the bar of the House said above named members who are absent without leave; hereof fail not, and make due return in what manner you executed the same.

In Witness Whereof, I have hereunto set my hand this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Speaker

Attest:

\_\_\_\_\_  
Chief Clerk

[1969, HR 3, adopted, HJ pg 106; orig. 1891]

**RULE 8**

**Petitions, Memorials, Etc. –**

Petitions, memorials, and other papers addressed to the House shall be presented by the Speaker.

[1969, HR 3, adopted, HJ pg 106; orig. 1891]

**RULE 9**

**Calendar. –**

(1) The Speaker shall cause the Clerk of the House to make a list of all bills, memorials, resolutions, reports of committees and other proceedings of the House, which are committed to a Committee of the Whole House for amendment, and which are not made the order of the day for any particular day. Such list shall be called the "General Orders of the Day," and items on the General Orders Calendar shall be taken up in the order in which they are committed, unless otherwise ordered by the House by majority vote of the members present.

(2) The Speaker shall cause the Clerk of the House to make a list of all bills, memorials and resolutions which may be on second reading, entering them in order in which they are placed upon their second reading, unless the House shall otherwise direct by majority vote of the members present, which list shall be called the "Second Reading Calendar."

(3) The Speaker shall cause the Clerk of the House to make a list of all bills, memorials and resolutions which may be on third reading, entering them in order in which they are placed upon their third reading, unless the House shall otherwise direct by majority vote of the members present, which list shall be called the "Third Reading Calendar."

(4) The Clerk shall keep a book showing the situation and progress of bills, memorials, and resolutions.

[1969, HR 3, adopted, HJ pg 106; orig. 1891]

#### **RULE 10**

##### **Standard Rules. –**

The rules of parliamentary practice set forth in Mason's Manual of Legislative Procedures shall govern the House in all cases to which they are applicable, and in which they are not inconsistent with the Standard Rules and Orders of the House and the Joint Rules and Orders of the Senate and House of Representatives.

[1969, HR 3, adopted, HJ pg 106; orig. 1891]

#### **RULE 11**

##### **Adoption and Amendment of Rules. –**

Adoption of the rules of the House, whether temporary or permanent, will be by a majority vote of the entire membership of the House. No rules of the House, temporary or permanent, shall be suspended, altered, or amended without the concurrence of two-thirds of the entire membership of the House.

[1969, HR 3, adopted, HJ pg 106; orig. 1891]

#### **RULE 12**

##### **Floor, to Obtain. –**

Every member desiring to state or second a motion, or to address the House, shall rise from his seat and respectfully address the Chair, and remain standing in his place before proceeding to speak until he is recognized by the Chair.

[1969, HR 3, adopted, HJ pg 106; orig. 1891]

#### **RULE 13**

##### **Motions, Submission of. –**

No motion requiring a second shall be debated or put unless the same be seconded. Each motion shall be stated by the Speaker before the debate, and any such motion or amendment shall be reduced to writing if the Speaker or any member desires it.

[1969, HR 3, adopted, HJ pg 106; orig. 1891]

#### **RULE 14**

##### **Filling Blanks. –**

All questions, whether in committee or in the House, shall be put in the order they were moved, except in case of privileged questions, and in filling of blanks, when the largest sum and longest time shall be put first.

[1969, HR 3, adopted, HJ pg 106; orig. 1891]

**RULE 15****Division of Question. —**

(1) Any member may call for the division of a question if it comprehends propositions so distinct, that one or more being taken away, a substantive proposition shall remain; but no bill, resolution, memorial, or Senate amendment to any House bill or proposition shall be divisible. If a question be divided, each portion thereof shall be voted on separately, the same as if it had been offered alone.

**Strike Out and Insert. —**

(2) A motion to strike out and insert shall not be divisible but motions to strike out or to insert shall not preclude a motion to amend or to strike out and insert. A motion to strike out and insert or to strike or to insert shall be considered an amendment of bills and joint resolutions and not permitted other than in the Committee of the Whole except as provided in Rule 46.

[2001, floor motion adopted, HJ pg 1; orig. 1891]

**RULE 16****Precedence of Motions. —**

When a question is under debate no motion shall be received except:

1. To fix time to which to adjourn,
2. To adjourn,
3. To recess,
4. To raise a question or privilege,
5. Call of the House,
6. To lay on the table,
7. For the previous question (close debate—2/3 vote of the members present),
8. To postpone to a time certain,
9. To commit or recommit,
10. To amend (place on general orders),
11. To postpone indefinitely,
12. Main motion,

which several motions shall have precedence in the order in which they stand arranged. To revert to or pass to a new order of business shall require a majority vote of the members present.

[1985, floor motion adopted, HJ pg 2; orig. 1891]

**RULE 17****Motions, Withdrawal of. —**

After a motion shall have been stated by the Speaker it shall be deemed to be in the possession of the House but may be withdrawn at any time by the consent of the House by majority vote of the members present before decision; but all resolutions and amendments and final motions shall be entered upon the Journal whether rejected or adopted.

[1985, floor motion adopted, HJ pg 2; orig. 1891]

**RULE 18****Undebatable Questions. —**

The following questions shall be decided without debate:

- To fix time to which to adjourn.
- To adjourn.
- To recess.
- Call of the House.
- To lay on the table.
- To suspend the rules.
- For the previous question.
- Extending or limiting debate.
- Withdrawing a motion.
- Taking up business out of its proper order.

[1969, HR 3, adopted, HJ pg 106; orig. 1893]

**RULE 19****Question of Order. —**

A member called to order shall immediately sit down, unless permitted to explain, and the House, if appealed to, shall decide the case. If there be no appeal, the decision of the Chair shall prevail. On an appeal no member shall speak more than twice without leave of the House, nor more than ten minutes at a time. When a member is called to order for offensive language there shall be no debate.

[1969, HR 3, adopted, HJ pg 106; orig. 1891]

**RULE 20****Question of Order Undebatable. —**

All incidental questions of order arising after a motion is made for the previous question during the pending of such motion or after the House shall have determined that the main question shall be put, shall be decided, whether on appeal or otherwise, without debate.

[1969, HR 3, adopted, HJ pg 106; orig. 1891]

**RULE 21****Debate, Right to Open and Close. —**

When two or more members shall rise at once, the Chair shall designate the member who is first to speak, but in all cases the member making the motion or sponsoring the bill or the chairman of the committee making the report which is under consideration, shall have the privilege of opening and closing the debate thereon. During closing debate no new material shall be interjected that was not referred to during previous debate. No member shall conclude debate with a nondebatable motion. After the closing debater has been recognized, no other member shall obtain the floor for any purpose other than to ask for a roll call vote.

[1981, HR 3, adopted, HJ pg 263; orig 1891]

**RULE 22****Limitation on Debate. –**

No member shall speak more than twice on the same subject, nor shall any member occupy the floor longer than one hour at a time, without leave of the House by majority vote of the members present; nor shall any member speak more than once until every member choosing to speak on the subject shall have spoken.

Debate shall be limited to the question before the House. Discussion of other bills or resolutions pending, or in committee in either the House or Senate shall be prohibited except upon majority consent of the House. Reference to committee action on a question under debate is permitted but restricted to testimony given before the committee and the final vote of the committee. Reference to statements made by members in committee is prohibited except with permission of the member being quoted and only if the member being quoted is previously tendered a copy of the reference statement.

[1985, floor motion adopted, HJ pg 2; orig. 1891]

**RULE 23****Journal, Name of Mover on. –**

In all cases where a bill, motion or resolution shall be entered upon the Journal of the House, the name of the member moving or the committee introducing the same shall be entered on the Journal.

[1969, HR 3, adopted, HJ pg106; orig. 1891]

**RULE 24\*\*****Bills – Introduction. –**

After the 20th day of any session, no bill shall be introduced except by committees and after the 36th day no bill shall be introduced except by the State Affairs Committee, the Appropriations Committee, the Education Committee, the Revenue and Taxation Committee, the Health and Welfare Committee, and the Ways and Means Committee. When essential to expedite the work of the House, the Speaker may designate any standing committee to serve as a privileged committee temporarily or during the remainder of the session.

[2018 Org Session, 65th Legislature, floor motion adopted,\*\* HJ pg 1; orig. 1891]

**RULE 25\*\*****Bills, Copies for Introduction. –**

All House bills, memorials, resolutions and proclamations introduced shall have one printed copy which shall be endorsed with the word "Original." Additional copies of bills may be typewritten or printed as needed, and shall also be available through electronic means on the legislative website.

[2018 Org Session, 65th Legislature - floor motion adopted,\*\* HJ pg 1; orig. 1891]

**RULE 26****Bills Changed by Senate. –**

Any House bill which is amended and passed by the Senate must go through the same procedure as to reading and final vote as if it were an original bill, after the House has concurred in the Senate amendments.

[1969, HR 3, adopted, HJ pg 106; orig. 1891]

**RULE 27****Bills, Endorsements of, Entered on the Journal. —**

Every bill before being introduced shall have endorsed thereon the title of the same, and every bill, joint resolution, joint memorial or concurrent resolution shall have thereon the name or names of the members introducing it, and when introduced by the committee, the name of such committee shall be endorsed thereon. The number, author and title of all bills, joint resolutions, joint memorials and concurrent resolutions, shall be entered on the Journal.

[1969, HR 3, adopted, HJ pg 106; orig. 1891]

**RULE 28****Amendatory Bills. —**

All bills introduced which are intended to amend existing statutes, shall have the words, letters, figures, and punctuation which are added to such statute underscored; when the amendment is to strike out or repeal any part of an existing statute, the letter, figure, word, and punctuation shall be printed with a line through such letter, figure, word, and punctuation in the printed bill to indicate the part stricken or repealed. Provided, however, that when a bill includes, or consists of, the repeal of an entire section or chapter, it shall not be necessary to print such repealed section or chapter.

[1976, HR 7, adopted, HJ pg 22; orig.1905]

**RULE 29****Bills, Manner of Passing. —**

No law shall be passed except by bill, nor shall any bill be put upon its final passage, until the same, with the amendments thereto, shall have been printed for the use of the members; nor shall any bill become a law unless the same shall have been read on three several days in each house previous to the final vote thereon; provided, in case of urgency, two-thirds of the membership of the House where such a bill may be pending may, upon a vote of the ayes and nays, dispense with this provision. On the final passage of all bills they shall be read at length, section by section, and the vote shall be by yeas and nays upon each bill separately, and shall be entered upon the Journal; and no bill shall become a law without the concurrence of a majority of the members present

[2018, floor motion adopted, HJ pg 2; orig. 1891]

**RULE 30****Memorials and Resolutions. —**

House memorials and resolutions shall be acted upon in the same manner as bills; provided, however, that on final passage, joint resolutions must have the approval of two-thirds of the entire membership of the House.

[1985, floor motion adopted, HJ pg 2; orig. 1891]

**RULE 31****Amendments must be Germane. —**

No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment.

[1985, floor motion adopted, HJ pg 2; orig. 1891]

**RULE 32****Withdrawal of Bills and Joint Resolutions. –**

When a bill or joint resolution is asked by a member of the House to be withdrawn it shall be stated the number, the author, and in a few words the reason for withdrawing and only by unanimous consent or a two-thirds vote of the members of the House present shall it be granted.

[1969, HR 3, adopted, HJ pg 106; orig. 1937]

**RULE 33****Senate Bills. –**

A similar code of procedure shall be observed with bills which have originated in and passed the Senate as with bills originated in the House, except they shall not be printed.

[1969, HR 3, adopted, HJ pg 106; orig. 1891]

**RULE 34****Previous Question. –**

Upon the previous question being ordered by a two-thirds majority of the members present, if a quorum, the effect shall be to cut off debate and bring the House to a direct vote upon the pending question. When the previous question is decided in the negative, it shall leave the main question under debate for the residue of the sitting, unless sooner disposed of.

[1969, HR 3, adopted, HJ pg 106; orig. 1891]

**RULE 35****Effects of Motions to Postpone Indefinitely and to Lay on the Table. –**

The adoption of a motion to postpone a question indefinitely shall suppress such question and the subject thereof during the whole of that session.

Once a matter has been laid on the table it may be taken therefrom only by a vote of two-thirds of the membership of the House.

[1969, HR 3, adopted, HJ pg 106; orig. 1891]

**RULE 36****Roll Call. –**

(a) The ayes and nays shall be ordered and recorded without request upon the final passage of bills, joint resolutions, motions or resolutions for the expenditure of public moneys, and for suspension of the reading of bills on three several days as provided in Rule 29. The ayes and nays shall not be ordered on other matters unless requested by three members.

(b) On third reading, the question shall be stated as follows: "The question is: Shall House (or Senate) Bill Number \_\_\_\_\_ pass?"

(c) If an electrical voting machine is used, the presiding officer shall use a warning device after stating the question and then state: "The Clerk will unlock the machine and members will record their vote." After a reasonable pause, the presiding officer will ask: "Has every member voted?" (Reasonable Pause) "Does any member wish to change his vote?" (Reasonable Pause) "The Clerk will lock the machine and record the vote."



(d) Any member may explain his vote after the vote is announced, and before the next item of business is taken up, but no member will be allowed to change his vote after the vote is announced by the chair.

(e) Whenever necessary for the purpose of interpreting these rules, aye shall be the same as "yes" and nay shall be the same as "no."

[1971, HR 4, adopted, HJ pg 368; orig. 1891]

### RULE 37

#### **Speaker Votes. –**

The Speaker shall vote upon all questions taken by ayes and nays, including appeals from his decisions. The Speaker shall have no power to cast a second vote to break a tie vote.

[1969, HR 5, adopted, HJ pg 380; orig. 1891]

### RULE 38

#### **Members must Vote. –**

(1) Except as provided in subsection (3), every member present within the bar of the House shall vote on any question put, unless excused by the House by majority vote of the members present.

(2) When a member casts his vote, unless he is paired pursuant to Rule 41, he must be in his seat on the floor of the House and remain seated until the roll call is announced.

(3) A member has the right to vote upon all questions before the House and to participate in the business of the House and its committees and, in so doing, the member is presumed to act in good faith and in the public interest. If a member's personal interest in the issue under consideration conflicts with the public's interest, the member's legislative activities can be subject to limitations, unless such conflicts are disclosed to the presiding officer or to the body. Upon disclosure of any such conflict, the member may vote upon any question or issue to which the conflict relates, unless the member requests to be excused.

[1990, HR 7, adopted, HJ pg 271; orig. 1891]

### RULE 39

#### **Clerk Not to Be Annoyed. –**

No member or any person shall remain by the Clerk's desk when the ayes and nays are being polled.

[1969, HR 3, adopted, HJ pg 106; orig. 1891]

### RULE 40

#### **Reconsideration. –**

When a motion has been made and carried, or lost, it shall be in order for any member who voted on the prevailing side to give notice on the day the said motion was carried, or lost, during and at order of business then prevailing or at the first call of the next succeeding order of business that he may on the same or succeeding day move to reconsider such motion, and thereupon if the subject of such motion to reconsider affects a bill, memorial, or resolution, the same shall be held upon the Clerk's desk until such motion to reconsider be disposed of. When such notice has been given, only such member giving said notice may on the same day make such motion to reconsider, or any member voting on the prevailing side may on the succeeding day, at the first call of the seventh order of business make said motion to reconsider, or it may not thereafter be heard; provided, that on and after the thirty-fifth day of the session and on

the fifteenth day of any special session, the motion to reconsider may be made only on the same day the vote to be considered is taken, under the thirteenth order of business and may be made by any member voting on the prevailing side. Reconsideration shall be decided by a majority vote of the members present.

[1985, floor motion adopted, HJ pg 2; orig. 1891]

#### **RULE 40(A)**

##### **Rescind or Repeal. –**

A motion to rescind may be used to reverse a previous action after the time for reconsideration has passed. It may not be used in any case when an action has previously been reconsidered, or when vested rights have accrued or after a bill has passed the legislative body and has become law or when an act or resolution has been carried out.

The motion to rescind may be made by any member whether he voted with the prevailing side or not. The motion is debatable and opens the entire question to debate. A motion to rescind shall require a two-thirds majority of the members present to pass; except that, if the action which is proposed to be rescinded required a two-thirds majority of the total membership of the House, the motion to rescind shall require a two-thirds majority of the total membership of the House to pass.

[1985, floor motion adopted, HJ pg 2; orig. 1891]

#### **RULE 41**

##### **Pairing on Roll Call. –**

(1) Pairing - Pairing shall be permitted upon the absence of one, both, or all pairing members for good cause shown, shall be in writing, shall specifically state the bill or proposition, upon which pairs are arranged, and shall be signed by all parties involved in the pair.

(2) Who may pair - Two members may pair upon a roll call vote to be determined by a simple majority. On any bill or proposition requiring a vote of two-thirds of the entire membership for adoption, a pair shall require three members, two affirmative and one negative. Pairs shall not be permitted on a veto override.

(3) Voting or debate while paired - If only one of a pair be absent, none of the others shall debate, ask or reply to inquiries or vote on the roll call for any measure.

(4) Broken pairs - Pairs shall be broken if all members of the pair are present in their seats or any member pairing debates, asks, or replies to inquiries or answers a roll call for the paired bill or proposition.

(5) Announcing and recording pairs - Each pair slip must be in the possession of the Chief Clerk before voting on any measure has begun. Each pair shall be announced by the Chief Clerk, after the completion of the roll call, from the completed pair slip furnished to the Chief Clerk. The pairs shall be recorded in the total vote and published in the Journal as a part of the proceedings.

[2019 adopted, HR 3, pg 191; orig. 1931]

#### **RULE 42**

##### **Courtesy. –**

When the Speaker is putting the question no member shall walk out or across the hall, nor leave during the roll call; nor when a member is speaking shall any person entertain any private discourse or pass between him and the Chair; nor shall a member, at any time during the time the House is in session, pass between the members of the House and the Speaker's Chair.

[1969, HR 3, adopted, HJ pg 106; orig. 1891]

**RULE 43****Reference of Bills. –**

(1) All House bills, memorials and resolutions shall upon their introduction and first reading, be ordered printed by the Judiciary, Rules and Administration Committee. When reported printed by the Chief Clerk, the Speaker shall refer the instrument to a standing committee, or shall order the instrument filed for second reading. All Senate bills, memorials and resolutions shall be referred directly by the Speaker to a standing committee or to the second reading calendar.

(2) If a bill, memorial or resolution is reported by the standing committee to which it has been referred without amendment, it shall be placed upon the second reading calendar, but if such committee report a bill, memorial or resolution with amendments, the same with the amendments shall be placed upon the general orders calendar for consideration by the Committee of the Whole House.

[1985, floor motion adopted, HJ pg 2; orig. 1891]

**RULE 44****Engrossed Bills. –**

All House bills, memorials or resolutions that have been amended by the House shall be referred to the Committee on Judiciary, Rules and Administration, and when properly engrossed shall be placed upon the calendar for first reading of engrossed bills, but shall not be again referred to a committee unless otherwise ordered by the House by a majority vote of the members present. The Committee on Judiciary, Rules and Administration may order the printing of the engrossed instrument in such numbers as necessary to provide copies for the use of the legislative session. No House bill, memorial or resolution shall be engrossed unless amended by the House. No Senate bill shall be engrossed by the House.

[1985, floor motion adopted, HJ pg 2; orig. 1891]

**RULE 45****Call for Bills or Memorials or Resolutions. –**

When any bill, memorial or resolution has been in the hands of any committee for five days, any member of the House may, at the fifth or seventh order of business, upon the floor of the House, call for the same; whereupon it shall be the duty of said committee to report said bill, memorial or resolution to the House under the order of business of committee reports, not later than the following morning session. The House may, however, upon motion approved by a majority of the members present, grant said committee further time; provided, that after the thirtieth day of the session any bill, memorial or resolution must be reported forthwith out of the committee to which it has been referred, with or without recommendations, upon the request of any member, unless otherwise ordered by the House by a vote of a majority of the members present.

[1985, floor motion adopted, HJ pg 2; orig. 1891]

**RULE 46****Amendments; Correction of Typographical Error. –**

No amendment of any Bill or Joint Memorial or Joint or Concurrent Resolution shall be considered by the House except the same shall have been first considered by the Committee of the Whole House but all Bills, Joint Memorials or Joint or Concurrent Resolutions may be recommitted at any time previous to their passage; provided, however, that a typographical or clerical error in any Bill, or Joint Memorial or Joint or Concurrent Resolution, which does not affect the general context thereof, may be corrected and amended by a motion considered by the House without prior consideration by the Committee of the Whole House.

[1969, HR 3, adopted, HJ pg 106; orig. 1937]

**RULE 47****Chairman of the Committee of the Whole House. –**

In forming the Committee of the Whole House the Speaker shall appoint a chairman to preside.

[1969, HR 3, adopted, HJ pg 106; orig. 1891]

**RULE 48****General Orders – Consideration of. –**

When the House has arrived at the general order of the day, it shall resolve itself into a Committee of the Whole House, and shall consider, act upon, or pass all matters referred to it in the order of their reference, unless the committee shall sooner rise.

[1969, HR 3, adopted, HJ pg 106; orig. 1891]

**RULE 49****Rules of House Apply in Committee of the Whole House, Exception. –**

The rules of the House shall be observed in Committee of the Whole House, so far as the same may be applicable, except that the ayes and nays shall not be called, nor the previous question enforced. The Committee of the Whole House shall not consider any appeal from a decision of its Chairman, but in case a member is dissatisfied with any such decision, the committee shall at once rise and report the question to the House for determination, when the Speaker shall rule upon the point, subject to appeal to the House as in other cases.

[1969, HR 3, adopted, HJ pg 106; orig. 1891]

**RULE 50****Committee of the Whole House – Procedure in. –**

(1) Bills committed to the Committee of the Whole House shall not be read and there shall be no general debate unless a motion to allow general debate is approved by members of the Committee of the Whole House. The mover of an amendment shall be allowed five minutes to explain the amendment and debate in favor thereof. The mover may yield all or any portion of his time to other members for debate in favor of the amendment. Thereafter, five minutes shall be allowed for debate in opposition to the amendment. Time consumed by questions and answers shall not be deducted from the five minutes allotted to each side for debate. The mover of the amendment shall have the privilege of closing debate on the amendment. Closing debate shall be limited to two minutes. No amendment shall be withdrawn by the mover thereof unless by majority consent of the Committee. Each proposed amendment shall be in writing, shall be reported to the House by the Chairman and shall contain, either on the face of the amendment, or on a sheet attached to the front page thereof, the following:

- (a) A concise statement of purpose.
- (b) Names of the mover and the seconder in the upper right hand corner.

No amendment shall be considered by the Committee of the Whole House until written copies thereof with the above information included, have been delivered to each member of the House.

(2) The simple motion that the committee shall rise shall always be in order, except when a member has the floor, and shall be decided, by a majority vote of the members present, without debate.

(3) The motion to strike out the enacting clause shall not be made until after the first section or clause of the bill has been read for amendment, and is debatable five minutes on either side.

(4) All business of the House and Committee of the Whole House shall be transacted openly.

[1985, floor motion adopted, HJ pg 2; orig. 1891]

#### **RULE 51**

##### **Adjournment, Motion. —**

A motion to fix a time to which to adjourn or a motion to adjourn shall always be in order, except when a member is addressing the Chair or a vote is being taken, or when the House is under call as provided in Rule 7.

[1969, HR 3, adopted, HJ pg 106; orig. 1891]

#### **RULE 52**

##### **Adjournment, Decorum at. —**

When the House adjourns, the members shall keep their seats until the Speaker announces the adjournment.

[1969, HR 3, adopted, HJ pg 106; orig. 1891]

#### **RULE 53**

##### **Standing Committees. —**

Standing Committees shall be appointed by the Speaker. The number of members on each committee shall be fixed in the order of appointment, and such order shall be read into the journal. The standing committees are:

- Agricultural Affairs
- Appropriations
- Business
- Education
- Environment, Energy, and Technology
- Health and Welfare
- Commerce and Human Resources
- Judiciary, Rules and Administration
- Local Government
- Resources and Conservation
- Revenue and Taxation
- State Affairs
- Transportation and Defense
- Ways and Means

[2005, floor motion adopted, HJ pg 2; orig. 1891]

**RULE 54****Standing Committees, Meetings. –**

No meetings of any standing or select committee shall be held at the time the House is in session, except by permission of the Speaker.

[1969, HR 3, adopted, HJ pg 106; orig. 1923]

**RULE 55****Committee Meetings, Notice of. –**

The chairman of each standing or select committee shall lay on the Clerk's desk, to be read previous to adjournment, notice of the time and place of meeting of such committee.

[1969, HR 3, adopted, HJ pg 106; orig. 1923]

**RULE 56****Chairman of the Committee. –**

The first-named member of each committee shall be the chairman, and in his absence, or having been excused by the House, the next-named member and so on, as often as the case may happen, shall act as chairman.

[1969, HR 3, adopted, HJ pg 106; orig. 1891]

**RULE 57****Committee Meetings to be Open, Executive Sessions Limited, Disruption of Meetings. –**

(1) All regular meetings of any standing, special or select committee of the House of Representatives shall be open to the public at all times. Any person may attend any meeting of any standing or select or special committee, but may participate in said committee only with the approval of the committee itself.

(2) Executive sessions of a standing, special or select committee of the House of Representatives shall be limited and undertaken only when necessitated by extraordinary circumstances as provided in this rule. Except in an emergency involving security or threats against state citizens, resources or facilities, an executive session may be considered by a committee only after the committee has given public notice at least twenty-four hours in advance of the meeting that the committee will have before it a request to meet in executive session, has listed the person(s) or agency that has requested the executive session, and has described the reason(s) for which an executive session has been requested. Only after the committee chairman has identified the reason(s) for holding the executive session and only upon a two-thirds vote recorded in the minutes of the meeting of the committee, shall a committee be allowed to hold an executive session during any meeting, at which time persons who are not members of the legislature may be excluded. Executive sessions shall be held only when and to the extent necessary to: discuss records that are exempt from public disclosure by statute, court decision or court rule; consider pending litigation, mediation or arbitration; consider personnel decisions involving a legislative employee; conduct a preliminary investigation of an ethics complaint against a member under House Rule 76; consider charges brought against or the discipline or dismissal of a member when public disclosure would harm an innocent third party; discuss the security of or threats against state citizens, resources or facilities; or discuss acquiring an interest in real property which is not owned by a public agency. Under no circumstances, however, shall an executive session be authorized or held for the purpose of taking any final action or making any final decision, and during such executive session, no votes or official action may be taken.

(3) Nothing in this rule shall prohibit the removal of any person who willfully disrupts a meeting to the extent that orderly conduct is seriously compromised.

[2006, HR 3, adopted, HJ pg 434; orig. 1967]

**RULE 58****House Chamber. –**

All use of the House Chamber is to be arranged through the office of the Speaker of the House of Representatives.

[2018, HR 5, adopted, HJ pg 157; orig. 1927]

**RULE 59****Reports of Committees. –**

In case all the members of any committee are required or entitled to report on any subject referred to them, and cannot agree upon any report, the majority and minority may each make a special report, and any member dissenting in whole or in part from the reasoning and conclusions of both majority and minority may also present to the House a statement of his reasonings and conclusions, and all reports, if decorous in language and respectful to the House, shall be entered at length on the Journal.

[1969, HR 3, adopted, HJ pg 106; orig. 1891]

**RULE 60****Journal Committee. –**

The Committee on Judiciary, Rules and Administration shall examine and verify the Journal prior to its approval and certify the correctness thereof to the House.

[1969, HR 3, adopted, HJ pg 106; orig. 1901]

**RULE 61****Enrollment Committee. –**

The Committee on Judiciary, Rules and Administration shall examine all House bills, memorials and resolutions which have passed the two houses, and when reported correctly enrolled they shall be presented to the presiding officers of the House and Senate for their signatures, and when signed shall be referred to the Committee on Judiciary, Rules and Administration for delivery to the Governor or the Secretary of State, as the case may be, and the date of such delivery shall be reported to the House.

[1985, floor motion adopted, HJ pg 2; orig. 1891]

**RULE 62****Engrossment Committee. –**

The Committee on Judiciary, Rules and Administration shall examine all bills after they are engrossed and report the same to the House, correctly engrossed.

The Chief Clerk shall be ex-officio member of said committee. Such committee may report at any time.

[1969, HR 3, adopted, HJ pg 106; orig. 1891]

**RULE 63****Committee on Rules. –**

It shall be the duty of the Standing Committee on Judiciary, Rules and Administration to report and recommend the adoption of any special rule when the business of the House seems to the committee to require it.

[1969, HR 3, adopted, HJ pg 106; orig. 1893]



**RULE 64****Chief Clerk, Custodian of Papers. – (1)**

Neither the Chief Clerk nor his assistant shall permit any records or papers belonging to the House to be taken out of their custody otherwise than in the regular course of business, and doing so, shall be subject to reprimand by the Speaker; and such further penalty as the House may impose. The Chief Clerk shall report any missing papers to the Speaker; shall have general supervision of all clerical duties appertaining to the business of the House; shall perform under the direction of the Speaker, all duties pertaining to the business of his office.

**Public Records Requests. – (2)**

The Speaker may authorize the Director of the Legislative Services Office to comply with public records requests on behalf of members of the House. The Director of the Legislative Services Office may coordinate or prepare responses to requests for public records on behalf of the House, its committees and its individual members. Responses will be in accordance with House rules and the Idaho Public Records Act. Upon notifying the Speaker, an individual member may individually respond to requests for his public records.

[2016, HR 2, adopted, HJ pg 276; orig. 1891]

**RULE 65****Attaches, Duties. –**

All attaches of the House shall be required to be on duty during the sessions of the House and during such other hours as they may be needed for the business of the House, unless excused by the Speaker.

[1969, HR 3, adopted, HJ pg 106; orig. 1921]

**RULE 66****Attaches, Lobbying. –**

Attaches of the House shall not be permitted to lobby for or against any bill or measure pending. It shall be the duty of the Speaker of the House of Representatives to summarily discharge any attache of the House violating this rule.

[1969, HR 3, adopted, HJ pg 106; orig. 1899]

**RULE 67\*\*****Seating. –**

Upon the organization of the House of Representatives and the adoption of temporary rules, the House shall be declared "at ease," and the members shall retire to the sides of the House and proceed to select their seats in the following manner:

(1) The Majority and Assistant Majority Leader, Minority and Assistant Minority Leader, the Majority Caucus Chairman and the Minority Caucus Chairman shall first select their seats.

(2) Such members of the House as may have a physical impairment that requires an accommodation shall next select their seats.

(3) Former members of the House shall next select their seats, with priority determined on the basis of the total number of terms served in the House. Those with consecutive terms immediately prior to the present session shall have priority over those with the same or a greater number of nonconsecutive terms, and of those not having served immediately prior to the present session. In the event two or more Representatives, not having served a term immediately prior to the present session, shall have served an equal number of past terms, service in the Senate shall be computed to determine priority as between them.

(4) Former members of the Senate shall next select their seats, and those having served the greatest number of terms in the Senate shall have priority.

(5) The names of all remaining members shall be placed in a hat by the Chief Clerk, the names drawn by him, and as each member selects his seat, he shall proceed to the seat selected by him and remain therein until the business of selecting seats shall be completed.

(6) In all cases in which two or more Representatives have the same priority, the order of seating shall be determined by lottery as provided in subsection (5) above.

(7) The seating arrangements set forth in the preceding paragraphs shall be subject to the provision that the members of each party shall be seated as nearly as possible in adjacent seats, and in the event one party has a majority which requires seating of its members on the side of the chamber occupied by the members of the minority party, such majority party shall have the right to select as many seats as are necessary to accommodate its membership on the side closest to the regular seats of the majority party, subject only to Paragraph 1 of this Rule, and the minority party shall be required to make such seats available to the members of the majority party.

[2018 Org Session, 65th Legislature adopted floor motion,\*\* HJ pg 1; orig. 1891]

#### **RULE 68**

##### **Admittance to Floor of House. –**

The following persons shall be admitted to the floor of the House of Representatives during sessions: legislators, elected state officials, former state legislators, legislative employees and representatives of the news media. In order to be admitted to the floor of the House, elected state officials, former state legislators, legislative employees and representatives of the news media shall be required to wear badges prepared by the Chief Clerk.

Any elected state official or former state legislator must be sponsored by a legislator in order to be admitted to the floor of the House. Any other guest of the House must be cleared through the Speaker of the House, or persons designated by the Speaker, and through the Sergeant at Arms, in order to be admitted to the floor of the House.

[1969, HR 3, adopted, HJ pg 106; orig. 1939]

#### **RULE 69**

##### **Control of Visitors to House Floor. –**

No person except those on official business of the House shall be allowed inside the House Chambers from 30 minutes prior to the convening of the House and until 10 minutes after the House is adjourned; or at any time when the House is in recess, except as provided in Rule 68. Provided, however, that no one lobbying for or against any measure shall be permitted on the floor of the House except by invitation of a member.

[1987, HR 5, adopted, HJ pg 133; orig. 1935]

#### **RULE 70**

##### **Session Decorum. –**

(1) Smoking and the consumption of food and beverage will not be allowed in the Representative Chamber or gallery while the House is in Session.

(2) Persons in the Chamber shall wear proper attire to maintain decorum of the House.

[1985, floor motion adopted, HJ pg 2; orig. 1891]

**RULE 71****Clearing Galleries. –**

In case of any disturbance or disorderly conduct in the lobby or gallery, the Speaker or the Chairman of the Committee of the Whole House shall have the power to order the same to be cleared.

[1969, HR 3, adopted, HJ pg 106; orig. 1891]

**RULE 72****Distribution of Written or Printed Matter. –**

No written or printed matter shall be distributed to the Representatives directly, but shall be deposited in appropriate mail boxes set aside for them, except communications from any member or employee of the Legislature, committee of the Legislature, elected state official, or state department or agency may be delivered directly to the Representatives' desks. No written or printed matter, except such as may be forwarded through the United States mail, shall be distributed to the Representatives under any circumstances unless it shows the name and address of the person or organization responsible for such distribution. Any person or organization desiring to distribute correspondence or written or printed matter to the Representatives or number of them at one time, shall first obtain the permission of the Sergeant at Arms or the Speaker of the House and such distribution shall be made under the supervision of the Sergeant at Arms.

[1969, HR 3, adopted, HJ pg 106; orig. 1959]

**RULE 73****Amended Bills. –**

When a bill, resolution, or memorial passed by the House of Representatives has been amended in the Senate, upon its return to the House, the House shall concur or not concur, or may order the bill referred to a standing committee which shall on that day or the next succeeding day return it to the desk with a committee recommendation for concurrence in such amendment or rejection thereof. If the House does not concur, a conference committee may be appointed to confer with a similar committee from the Senate, pursuant to the Joint Rule on Conference Committees.

[1969, HR 3, adopted, HJ pg 106; orig. 1967]

**RULE 74****Attaches, Selection, Removal, Duties and Compensation. –**

The selection and compensation of the attaches to serve the House during each session shall be determined by the Speaker. All attaches shall serve at the pleasure of the Speaker. The Speaker shall prescribe the duties of all attaches and have general supervision of all attaches in the performance of their duties. Actions by the Speaker pursuant to this rule shall be taken after consultation with the majority and minority leadership.

[2014, HR 6, adopted, HJ pg 173; orig 1969]

**RULE 75****Recording, Filming or Transmission. –**

(a) The public may use audio or video recording devices or nonflash photography to record proceedings of the House of Representatives or committees thereof, provided that such does not interfere with or disturb the proceedings of those present. The determination of whether use of a recording device interferes with or disturbs the proceedings or those present rests with the presiding officer. Unless otherwise determined by the presiding officer or provided by this

rule, recording of the House floor shall be from the gallery and recording of committee proceedings shall be from or behind the area for public seating.

(b) Media accredited as provided in Joint Rule 14 may sit, stand, unobtrusively move about or use tripods or monopods to record the proceedings as long as such recording is conducted in an orderly manner and does not impede the proceedings or disturb those in attendance. Unless otherwise allowed by the presiding officer, recording by accredited media shall be conducted from either side behind the podium and presenter area. The presiding officer may designate separate seating for accredited news media to use.

(c) Persons not accredited under Joint Rule 14 desiring to record the proceedings beyond that allowed under subsection (a) of this rule shall seek permission from the presiding officer before being granted the privileges associated with media under subsection (b) of this rule.

(d) Recording under this rule means audio, video or photographic recording and transmission of such recordings. The presiding officer may set additional limitations on recording as necessary in the discretion of the presiding officer to preserve the decorum of the business being conducted.

[2018, HR 6, adopted, HJ pg 231; orig. 1973]

## RULE 76

### **Committee on Ethics.—**

(1) Before the end of the twelfth day of the first regular session of each Legislature, an ethics committee shall be organized and its membership shall be determined. The ethics committee shall consist of five members of the House, three of whom shall be members of the majority party and two of whom shall be members of the minority party. House members holding leadership positions shall not serve on the ethics committee. Committee Chairmen may serve on the ethics committee. Committee members shall not have been previously sanctioned by the House for an ethics violation pursuant to this rule.

(2) The Caucus Chairman of each party shall conduct the election of ethics committee members as follows:

(a) Phase I: At a designated caucus meeting, each Caucus Chairman shall receive from members of their respective caucus a silent ballot nominating to membership on the ethics committee up to three members who have previously served at least one full term. Each caucus chairman and the two elected at-large legislative council members for the caucus shall prepare a ballot of nominees consisting respectively of the five nominees for the majority party and the four nominees for the minority party receiving the most nominating votes.

(b) Phase II: By silent ballot, each member of the majority party shall vote for three and of the minority party for two nominees on their respective ballots. The caucus chairman and the two elected at-large legislative council members for the caucus shall count the votes and prioritize the members from greatest to least number of votes received. The three members of the majority party and the two members of the minority party receiving the highest number of votes shall be members of the ethics committee for the term of the Legislature. Others receiving votes shall serve in order of priority as committee alternates for their respective party.

(c) Committee members may be reelected to a subsequent committee. A vacancy on the committee shall be filled with the highest priority alternate available to the party entitled to fill the vacancy. When no elected alternates are available to fill a vacancy, such vacancy shall be filled by majority vote of the House members of the party entitled to fill the vacancy. Except as otherwise provided in subsection (9) of this rule, a member filling a vacancy shall serve for the remainder of the unexpired term.

(d) The Speaker of the House shall appoint one of the members of the committee as chairman of the committee.

(3) (a) The chairman of the ethics committee shall receive complaints from any member of the House.

(b) The complaint shall be in writing, signed and contain one or more of the following allegations:

- (i) Conduct unbecoming a Representative which is detrimental to the integrity of the House as a legislative body;
- (ii) Disclosure of information that is confidential as provided in House rules;

- (iii) Conduct constituting a felony under any state law, or which violates any state law relating to the use of public office for private pecuniary gain;
  - (iv) A violation of any state law or House rule relating to conflicts of interest involving legislative duties; or
  - (v) A violation of any state law or House rule that brings discredit to the House of Representatives or that constitutes a breach of public trust.
- (c) The complaint shall be specific and provide:
- (i) The name of the member of the House of Representatives alleged to be in violation;
  - (ii) Reference to the House rule and/or applicable state law supporting the alleged violation;
  - (iii) A description of the facts and circumstances supporting each alleged violation; and
  - (iv) The evidence the complainant has at the time of making the complaint supporting the facts and violation alleged in the complaint.
- (d) Subject to the provisions of this rule, the committee shall review the written complaint. The committee shall dismiss any ethics complaint that:
- (i) Does not comply with this rule; or
  - (ii) Alleges violations that occurred either before the accused member was first elected to the House of Representatives or for which an applicable statute of limitation has run.
- (e) Written complaints shall remain confidential until such time as the ethics committee finds probable cause that such member has committed misconduct as provided in this rule.
- (4) The committee shall notify the person against whom the complaint was brought and shall provide such person with a copy of the complaint and evidence submitted supporting the complaint. The person complained against may submit a written answer to the committee. The member complained against shall provide such written answer to the chairman of the committee no later than fourteen days following the date that the copy of the complaint was provided to the member complained against. Following receipt of the answer or if no answer to the complaint is provided to the chairman within the time period provided, the committee shall meet and conduct a preliminary investigation of the complaint. Notwithstanding the provisions of House Rule 57, such meeting shall be held in executive session. At the preliminary investigation, the committee shall determine, based upon the complaint, other relevant information and the answer to the complaint, whether probable cause exists that the member committed misconduct as provided in this rule. If, at the conclusion of the preliminary investigation, the committee determines no probable cause exists that misconduct has occurred, the complaint shall be dismissed and the written complaint shall remain confidential. If, at the conclusion of the preliminary investigation, the committee determines probable cause exists that misconduct may have occurred, the committee shall so notify the person complained against and the written complaint against the member shall no longer be confidential but shall become a public document.
- (5) Following a finding of probable cause and in a timely fashion, the committee shall conduct a public hearing before which the member shall be entitled to appear, present evidence, cross-examine witnesses, and be represented by counsel. The complainant or authorized agent of the complainant shall first present the complaint and supporting evidence and testimony to the committee. The committee shall have the power to take testimony under oath and to issue subpoenas and subpoenas duces tecum in the manner provided in Section 67-407, Idaho Code, and make inquiry and discover evidence relevant to the allegation. Formal rules of evidence are not applicable; however, evidence shall be weighed according to its reliability, and the accused may raise objection to any evidence. The accused may defer presentation of any defense until all of the evidence has been presented in support of the complaint. The accused shall have a full and fair opportunity to obtain and review all of the evidence in support of the complaint.
- (6) If after investigation and hearings held pursuant to this rule, the committee finds by clear and convincing evidence that a violation of the standards contained in this rule occurred, the committee shall make appropriate recommendations to the House of Representatives. By four-fifths vote of the committee, the committee shall recommend dismissal of the charges, reprimand, censure or expulsion, provided that a recommendation for expulsion shall only be based upon a finding beyond reasonable doubt that misconduct involves commission of a felony or use of public office for pecuniary gain under subsection (3)(b)(iii) of this rule. The sanction of censure may be with or without conditions or restrictions placed upon the member. The committee shall prepare a report setting forth its findings, recommendation and reasons for such recommendation. The House of Representatives shall vote on the recommendation of the committee, as set forth in the report, during the regular session of the Legislature in which

the committee reports. If the committee meets and reports during the interim when the Legislature is not in session, then the House of Representatives shall vote on the committee recommendation during the next regular session of the Legislature. If the committee does not issue a recommendation within thirty days of the conclusion of the public hearing, the complaint shall be deemed dismissed. Expulsion of a House member shall require the affirmative vote of two-thirds of the members elected to the House, as provided by Section 11 of Article III of the Constitution. Reprimand or censure of a member shall require the affirmative vote of a majority of the members elected to the House. Action of the House pursuant to this rule is final and not subject to court review.

(7) The committee may retain such counsel and may hire such investigators as it deems necessary for the performance of its duties under this rule. All expenditures incurred pursuant to this subsection shall be approved by the Chairman and paid by vouchers and warrants drawn as provided by law from appropriations made to the Legislative Account.

(8) The committee may adopt rules of procedure for the orderly conduct of committee meetings, investigations and hearings, which rules shall be consistent with this rule and other applicable rules and statutes.

(9) If the written signed complaint concerns misconduct of a member of the ethics committee, then that member shall be disqualified and shall not serve on the committee for any purpose relating to such complaint. A vacancy on the committee created as a result of this subsection shall be filled by an alternate in accordance with the provisions of subsection (2)(c) of this rule, except that the fulfillment of any such vacancy shall only be for purposes relating to such complaint.

[2013, HR 2, adopted, HJ pg 63; orig. 1990]

#### **RULE 77**

##### **Appointment – Powers and Duties of Subcommittees. –**

(1) Any committee of the House of Representatives, except the committee of the whole, may appoint a subcommittee. The subcommittee can make such investigation or exercise such authority of the committee as delegated to it by the committee. The subcommittee shall report to the committee from which it was appointed and not to the House. A subcommittee may consist only of members of the committee from which appointed. A subcommittee shall issue a report within twenty-eight calendar days after being appointed by the committee unless the subcommittee requests additional time to meet and confer and the committee grants that request.

(2) In cases or with legislation demanding special investigation or inquiry, it is proper for a committee to appoint subcommittees, referring certain matters to their particular consideration, and to receive and consider the reports of subcommittees. All subcommittee meetings shall be held in conformity with state law.

(3) At the request of any member of the committee, a subcommittee shall have membership from the minority parties in proportion to the minority parties' representation in the House.

[1994, HR 8, adopted, HJ pg 178; orig. 1994]

#### **RULE 78**

##### **Contest of Election – Procedures.**

This Rule governs procedures leading up to and including a hearing on the contest of election. It should be read in conjunction with Chapter 21, Title 34, Idaho Code. For purposes of this Rule, the term "Party" means either the CONTESTEE or the CONTESTOR; the term "Parties" means both.

(1) Any proof of the CONTESTEE'S or CONTESTOR'S legal arguments, including depositions, affidavits, production of papers, and examination of poll books and ballots (herein "Record") that either CONTESTEE or CONTESTOR desires the House of Representatives to consider in adjudication of a Contest must be completed

on or before December 29. CONTESTEE and CONTESTOR'S Record must be delivered to the Office of the Secretary of State no later than the close of business on the next business day. Any Record or evidence from the CONTESTEE or CONTESTOR not delivered to the Office of the Secretary of State by that day and time will not be considered by the House of Representatives.

(2) The Parties must file a Memorandum that outlines their claims, defenses, legal authority, legislative precedent, proposed form of relief, and a description of witness fees and discovery costs that are incurred. The Memorandum must be filed with the Office of the Secretary of State no later than the close of business four (4) business days following delivery of the Record to the Office of the Secretary of State as provided in paragraph (1). However, CONTESTEE is not required to file a responsive pleading to the Contest.

(3) Any Party may file a Responsive Memorandum. If a Party chooses to file a Responsive Memorandum, it must be filed with the Office of the Secretary of State no later than the close of business on the first day of the next Regular Session.

(4) If an unresolved discovery or Record dispute exists and continues between the CONTESTEE and the CONTESTOR, and on motion duly made, the presiding officer or his designee may rule on the dispute. Neither the CONTESTEE nor the CONTESTOR will be granted any additional time beyond December 29 to develop or deliver his Record.

(5) Committee hearing procedures. If the House of Representatives refers the Contest of Election to a Standing or Special Committee, the Committee Chairman will notify the Parties of the Committee hearing procedures. The following procedures, subject to the discretion of the Committee Chairman, will govern the hearing:

(a) No additional testimony or Record may be presented, taken, or allowed by the Parties beyond the Record delivered to the Office of the Secretary of State as provided in paragraph (1) of this Rule.

(b) Neither CONTESTEE nor CONTESTOR may examine or cross-examine any witness that testifies before the Committee. All examination will be performed by Committee members.

(c) Pursuant to Section 34-2104, Idaho Code, only the named points in the Notice of Contest of Elections may be argued.

(d) The Committee may send for and receive persons, papers, and records, whether written or oral, including from the Office of the Attorney General, other State Elected Officers, State officials, County Elected Officers, County officials, or other witnesses that the Committee determines will reasonably assist the Committee in the performance of its constitutional duty as a "judge of the election, qualifications and returns of its own members," Section 9, Article III, Idaho Constitution.

(e) In all other respects, the Committee will be governed by the rules of the House of Representatives.

(6) The Committee may adopt any of the following as part of the hearing procedures:

(a) Permit the Parties to have counsel present at Committee meeting(s); and

(b) Establish a time limit for the CONTESTEE and CONTESTOR to argue their positions to the Committee.

(7) Neither CONTESTEE nor CONTESTOR, nor their counsel, may participate in ex parte communication with any member of the Idaho House of Representatives regarding the merits of the Contest of Election prior to final House of Representatives determination.

(8) Service of all Record, Memorandum, Responsive Memorandum, motions, or objections must be made on the other Party as provided in Idaho Rules of Civil Procedure 5(b), excepting subpart 5(b)(2)(D). The Parties must also provide a proof of service as provided by Idaho Rules of Civil Procedure 5(e). The Parties must work in good faith to ensure reasonable and timely service, considering the limited time periods.

(9) Nothing in this Rule limits or restricts the House of Representatives in the performance of its duties as the judge of the election, qualifications and returns of its members.



**RULE 79****Veto – Procedure After Governor's Action.**

When a bill has been vetoed by the Governor and his objections entered upon the Journal, the vetoed bill is before the House for reconsideration in accordance with Section 10, Article IV, Idaho Constitution; the question put forth by the Chair is, "Shall House Bill \_\_\_\_ pass, the Governor's veto notwithstanding?" When the question of reconsideration has been stated, only the following motions shall be in order, in the order named:

1. To adjourn.
2. To recess.
3. To lay on the table.
4. To postpone to a time certain.
5. To hold at the desk.

[2019, HR 4, adopted pg 192; orig 2019]

**JOINT RULE 1**

These Joint Rules, upon adoption by both the Senate and House of Representatives, shall be the permanent Joint Rules of the Legislature.

These Joint Rules shall take precedence over special rules of either the Senate or House which may be in conflict therewith and may be amended only by the concurrence of two-thirds of the members voting of both houses.

[1973 last authorization, SCR 122, SL pgs 738-743]

**JOINT RULE 2****Definitions. –**

As used in these Joint Rules, unless the context clearly requires otherwise, the following terms shall have the meanings hereinafter respectively ascribed to them.

**Resolution. –**

This term denotes the adoption of a motion, the subject matter of which would not properly constitute a statute. EXAMPLES: An alteration of the rules, a vote of thanks, a vote of censure, etc.

**Concurrent Resolution. –**

This term denotes a resolution that originates in one house of the legislature where it is passed and is then sent to the other house for passage. It is signed by the presiding officers of both houses.

**Joint Resolution. –**

A joint resolution is a resolution passed by both houses of the legislature proposing an amendment to the Constitution of the State of Idaho.

**Proclamation. –**

A proclamation is an instrument, the subject matter of which does not constitute a statute, which after being introduced in the proper committee shall be sent immediately to the floor for action without being referred back to committee. A proclamation may be passed by voice vote. If a proclamation is passed by the house of origin it shall be sent to the other house for passage where it shall be placed on the floor for action without being referred to a committee. An example of a proclamation shall include but not be limited to a vote of thanks, praise or honor for a special achievement, accomplishment, anniversary or birthday. For purposes of the calendars of the Senate and House of Representatives a proclamation shall be considered a petition.

**Bill. –**

This term denotes the draft of a law or amendment thereto submitted to the legislature for its approval or rejection. Bills may be originated in either house and may be amended or rejected in the other, except that bills for raising revenue must originate in the House of Representatives and a bill originating in one house and amended in the other may not again be amended in the house of origin except pursuant to report of a conference committee.

The enacting clause of every bill must read "Be It Enacted by the Legislature of the State of Idaho." All bills must be signed by the presiding officers of the respective houses. Every act or joint resolution shall be plainly worded avoiding as far as practicable the use of technical terms.

**Joint Memorial. –**

A petition or representation made by the House of Representatives and concurred in by the Senate, or vice versa, addressed to whoever can effectuate the request of the memorial.

**Engrossed Bill. –**

An amended bill with the amendments correctly drafted and before the house of origin for further action.

**Enrolled Bill. –**

A bill that has passed both houses and awaits only the signatures of the presiding officers thereof.

[2018, last authorization - floor motion; HJ pg 3]

**JOINT RULE 3****Report of Action Taken and Transmittal of Bills, Joint and Concurrent Resolutions and Memorials. –**

When final action shall have been taken on any bill, joint or concurrent resolution or memorial in the house in which it originates, it shall be transmitted to the other house on or before the first order of business of the receiving house on the next succeeding legislative day with an endorsement thereon by the Secretary or Chief Clerk, as the case may be, showing a complete record of all action taken thereon. When final action shall have been taken on any bill, joint or concurrent resolution which has been passed in one house, it shall be returned to the house in which it originated on or before the First Order of Business of the receiving house on the next succeeding legislative day with an endorsement thereon by the Secretary or Chief Clerk, as the case may be, showing a complete record of all action taken thereon.

[1973 last authorization, SCR 122, SL pgs 738-743]

**JOINT RULE 4****Enrolling and Engrossing. –**

After a bill shall have passed both houses, it shall be enrolled by the enrolling clerk of the house from which it originated not later than 48 hours after the time of passage. All bills, memorials, and resolutions shall be engrossed only in the house in which they originated.

[2018, amended, SCR 125, SL pg 856]

**JOINT RULE 5****Procedure After Enrollment. –**

After being enrolled each bill shall be examined by the committee on enrolling of the house in which it originated, and after being reported, shall be signed first by the presiding officer of the house in which it originated, then by the presiding officer of the other house, and lastly be submitted to the governor for his consideration. All bills shall be so signed and delivered to the governor for his consideration within 72 hours after enrollment. The date and hour of submission of a bill to the governor shall be entered on the journal of the house in which it originated. There shall be endorsed on each bill, memorial, or resolution the certificate of the secretary or chief clerk, as the case may be, as to the house of its origin. The date and hour of passage in the respective houses shall also be shown.

[1980, last authorization, SCR 141, SL pgs 1009 - 1010]

**JOINT RULE 6****Proclamations, Resolutions and Memorials. –**

Joint resolutions shall be treated in every respect as are bills except that they shall be passed only by 2/3 majority of the membership of each house.

Concurrent resolutions and memorials shall be printed as are bills and concurrent resolutions, proclamations and memorials shall also be printed in full in the journal of the house of origin and by number and author only in the journal of the other house. When passed in one house and transmitted to the other, they shall be accepted or rejected only and shall not be subject to amendment. Joint resolutions, concurrent resolutions and memorials shall, after being passed, be filed with the Secretary of State, rather than being submitted to the Governor for consideration.

A proclamation shall not be printed in the same manner as bills, resolutions or memorials but enough copies shall be reproduced so that each member of both houses shall be entitled to a copy and, if the proclamation is passed by both houses, copies shall be sent to the person, persons or entity being addressed by the proclamation. When a proclamation is passed in one house and transmitted to the other, it shall be accepted or rejected only and shall not be subject to amendment.

[1985, last authorization, SCR 102, SL pgs 731-732]

#### JOINT RULE 7

**Messages from One House to Other. –**

When a message shall be sent by either house to the other, the same shall be reduced to writing and transmitted to the desk of the Secretary or Chief Clerk, as the case may be, by the person to whom such message or communication shall be taken up at the proper order of business as may be provided by the rules of the house to which said message is sent. Such messages shall be transmitted by the officers or employees provided by each house for such purpose or by such other person as the presiding officer may select.

[1973, last authorization, SCR 125, SL pgs 738-743]

#### JOINT RULE 8

**Messages To Be Signed by Secretary or Chief Clerk. –**

Notice to either house of action by the other house shall be in writing and To Be signed by the Secretary or Chief Clerk, as the case may be, of the house from which such notice or message is conveyed.

[2018, last authorization - floor motion, HJ pg 3]

#### JOINT RULE 9

**Bill Passed by One House and Rejected by the Other May Not be Introduced in House of Origin. –**

When a bill or joint resolution (except in matters pertaining to revenue or finance) shall have been passed by one house, and rejected by the other, it cannot be again introduced in the house in which it originated during the term of the regular annual or special session in which originally introduced, but may be again introduced in a special session or in the next regular annual session.

[1973, last authorization, SCR 125, SL pgs 738-743]

#### JOINT RULE 10

**Conference Committees. –**

When a bill or joint resolution passed by one house shall have been amended in the other, upon its return to the house of origin, that house may request that a conference committee be appointed to confer with a similar committee from the other house, which shall be appointed upon request directed to the presiding officer thereof. If both houses adhere to their disagreement after vote of the joint committees of conference, the bill or joint resolution shall be considered lost and report thereof made to the presiding officer of each house. If, by vote of the joint committees of conference, agreement can be reached on the amendments in controversy, the same shall be returned to the house wherein the bill or joint resolution was amended with the recommendation that it be further amended in accordance with the agreement of the committees of conference. Upon such further amendment, the bill shall be returned to the house of its origin for final action.

[1973, last authorization, SCR 125, SL pgs 738-743]

**JOINT RULE 11****Chairman of Joint Committee. –**

The chairman of the Senate committee shall be chairman of all committees or meetings where committees of both houses sit jointly.

In absence of the chairman of the Senate committee, the chairman of the House committee shall act as chairman of the meeting.

[1973, last authorization, SCR 125, SL pgs 738-743]

**JOINT RULE 12****Joint Sessions. –**

When the two houses meet in joint session, the Speaker of the House shall preside. Such sessions shall be held in the Chamber of the House of Representatives. The Secretary of the Senate and the Chief Clerk of the House shall be the clerks of such session and the record of the proceedings shall be entered on the journals of the respective houses. The Chief Clerk shall be the reading clerk of such session.

[1973, last authorization, SCR 125, SL pgs 738-743]

**JOINT RULE 13****Duties of Sergeant-at-Arms. –**

It shall be the duty of the sergeant-at-arms to announce to the presiding officer of his house all committees sent to it by the other house. The sergeant-at-arms of the House shall be the sergeant-at-arms of all joint sessions.

[2018, last authorization - floor motion, HJ pg 3]

**JOINT RULE 14****Press Accreditation. –**

The Capitol Correspondents Association shall be recognized as the accrediting agency for newsmen and news photographers covering either house of this legislature.

[1973, last authorization, SCR 125, SL pgs 738-743]

**JOINT RULE 15****Mistaken Transmittals. –**

In event any bill, resolution or memorial or other document shall, by mistake, have been transmitted from one house to the other, it shall, upon request of the presiding officer of the house from whence it came, be immediately returned thereto unless substantive action of amendment or vote shall have already been taken thereon. The request shall clearly outline the mistake requiring the request.

[1973, last authorization, SCR 125, SL pgs 738-743]

**JOINT RULE 16****Hours Chambers Open. –**

The Chambers of the Senate and House of Representatives shall be open, during any regular or special session, hours to be determined by the Senate Pro Tempore and the Speaker of the House of Representatives. Chamber hours may be adjusted by the Senate Pro Tempore and Speaker of the House of Representatives as necessary during all other times of the year.

[2018, amended, HCR 40, SL pg 879]

**JOINT RULE 17****NUMBERING. –**

(a) All bills, joint resolutions, joint memorials and concurrent resolutions in the Senate and House of Representatives shall be numbered consecutively, commencing with numbers as follows:

Bills introduced in the Senate shall commence with the number 1001.

Bills introduced in the House shall commence with the number 1.

Senate joint resolutions, joint memorials and concurrent resolutions respectively, shall commence with the number 101.

House joint resolutions, joint memorials and concurrent resolutions, respectively, shall commence with the number 1.

(b) With the exception of extraordinary sessions, bills, resolutions and memorials shall be numbered consecutively from the first through the second regular sessions of the legislature. Bills, resolutions and memorials introduced during any extraordinary session shall be numbered without regard to the numbering system used in any regular session.

[2018, last authorization - floor motion; HJ pg 3]

**JOINT RULE 18****Statement of Purpose and Fiscal Notes – General Provisions. –**

No bill shall be introduced in either house unless it shall have attached thereto a concise statement of purpose and fiscal note. The contact person for the statement of purpose and fiscal note shall be identified on the document. Statements of purpose and fiscal notes may be combined in the same statement.

**Statement of Purpose. – (a)**

The statement of purpose applies only to a bill as introduced, and does not necessarily reflect any amendment to the bill that may be adopted. All statements of purpose shall be reviewed for compliance with this rule by the committee to which the bill is assigned, excepting that any review is subject to Joint Rule 18(e).

**Fiscal Notes. – (b)**

The fiscal note applies only to a bill as introduced, and does not necessarily reflect any amendment to the bill that may be adopted. The fiscal note shall reasonably contain the proponent's full fiscal year projected increase or decrease in existing or future appropriations, and/or the increase or decrease in revenues by the state or unit(s) of local government. The bill's proponent bears the responsibility to provide a reasonably accurate fiscal note. If the fiscal note states there is no projected fiscal impact, then the fiscal note must contain a statement of the reasons that no fiscal impact is projected. All fiscal notes shall be reviewed for compliance with this rule by the committee to which the bill is assigned, excepting that any compliance review is subject to Joint Rule 18(e). A member of the committee may challenge the sufficiency of a fiscal note at any time prior to the committee's final action on the bill.

**Debate. – (c)**

Any member of either house may debate the sufficiency of a statement of purpose or fiscal note at the time of consideration of the bill.

**May be Revised. – (d)**

Either house may revise the statement of purpose or fiscal note at any time before that house's final action on the bill; however, the revision to the statement of purpose or fiscal note is ministerial only and shall not be done by action of the house.

**Not a Statement of Legislative Intent. – (e)**

Statements of purpose and fiscal notes are mere attachments to the bill and are not voted on. The statement of purpose and fiscal note are not expressions or statements of legislative intent, and are not intended for any use outside of the legislative process, including judicial review.

**Notice to Others. – (f)**

Each statement of purpose and fiscal note shall contain this notice: "This statement of purpose and fiscal note are a mere attachment to this bill and prepared by a proponent of the bill. It is neither intended as an expression of legislative intent nor intended for any use outside of the legislative process, including judicial review (Joint Rule 18)."

[2016, last authorization, SCR 150, SL pg 1128]

**JOINT RULE 19****Minutes of Standing Committee Meetings. –**

Minutes of standing committee meetings shall be prepared in summary fashion, in the discretion of the individual committee chair. Any tape recordings of committee meetings shall be made only for the purpose of assisting the committee secretary, and thereafter any such tapes shall be recycled at the discretion of the committee chair. Minutes of standing committee meetings shall include at least the following information:

- (1) All members of the governing body present;
- (2) All motions, resolutions, orders, or ordinances proposed and their disposition; and
- (3) The results of all votes, and upon the request of a member, the vote of each member by name.

[1995, last authorization, SCR 101, SL pg 1293]

**JOINT RULE 20****Constitutional Amendments. –**

A Joint Resolution proposing an amendment to the Constitution of the State of Idaho must be introduced on or before the thirty-sixth day of the Regular Legislative Session and must be transmitted from the house of origin to the other house prior to the fifty-fifth day of the Regular Legislative Session; provided however, in the event the fifty-fifth day of the Regular Legislative Session falls on a Saturday or Sunday, such transmittal must be made on or prior to the fifty-seventh day of the Regular Legislative Session. The provisions of this rule may be waived by the presiding officer of either house upon presentment of a signed petition by the majority or minority leadership of the house. Requests for a proposed amendment to the Constitution of the State of Idaho shall be in the Office of Legislative Services for drafting at least seven calendar days prior to its intended introduction date.

[2016, last authorization, SCR 143, SL pg 1123]

**JOINT RULE 21****Recording of Proceedings of the Chambers. –**

The proceedings of each house shall be recorded and live streamed by an authorized designee, provided that either house may suspend or end recording and/or live streaming of its proceedings upon a two-thirds vote of the chamber wherein the proceeding takes place. A statement made during floor or committee proceedings is indicative only of the individual speaker and is not an expression of legislative intent by the body as a whole. No recording shall substitute for the Journal of either house as required by Section 13, Article III of the Constitution of the State of Idaho. All recordings shall be maintained by the Director of Legislative Services or his designee. A copy of any



recorded proceedings more than two years old will be provided to the state archivist. No member of the Legislature, its employees, or designees shall be permitted to certify or authenticate any recording made under this rule.

[2016, last authorization, SCR 144, SL pgs 1123-1124]

## JOINT RULE 22

### **Contest of Election for Executive Offices – Procedures.**

This Rule governs procedures leading up to and including a hearing on the contest of election for executive offices. It should be read in conjunction with Chapter 21, Title 34, Idaho Code. For purposes of this Rule, the term "Party" means either the CONTESTEE or the CONTESTOR; the term "Parties" means both.

- (1) Any proof of the CONTESTEE'S or CONTESTOR'S legal arguments, including depositions, affidavits, production of papers, and examination of poll books and ballots (herein "Record") that either CONTESTEE or CONTESTOR desires the Senate and the House of Representatives to consider in adjudication of a Contest must be completed on or before December 29. CONTESTEE and CONTESTOR'S Record must be delivered to the Office of the Secretary of State no later than the close of business on the next business day. Any Record or evidence from the CONTESTEE or CONTESTOR not delivered to the Office of the Secretary of State by that day and time will not be considered by the Senate and the House of Representatives.
- (2) The Parties must file a Memorandum that outlines their claims, defenses, legal authority, legislative precedent, proposed form of relief, and a description of witness fees and discovery costs that are incurred. The Memorandum must be filed with the Office of the Secretary of State no later than the close of business four (4) business days following delivery of the Record to the Office of the Secretary of State as provided in paragraph (1). However, CONTESTEE is not required to file a responsive pleading to the Contest.
- (3) Any Party may file a Responsive Memorandum. If a Party chooses to file a Responsive Memorandum, it must be filed with the Office of the Secretary of State no later than the close of business on the first day of the next Regular Session.
- (4) If an unresolved discovery or Record dispute exists and continues between the CONTESTEE and the CONTESTOR, and on motion duly made, the presiding officer or his designee may rule on the dispute. Neither the CONTESTEE nor the CONTESTOR will be granted any additional time beyond December 29 to develop or deliver his Record.
- (5) Committee hearing procedures. If the Legislature refers the Contest of Election to a Committee, the Committee Chairmen will notify the Parties of the Committee hearing procedures. The following procedures, subject to the discretion of the Committee Chairmen, will govern the hearing:
  - (a) No additional testimony or Record may be presented, taken, or allowed by the Parties beyond the Record delivered to the Office of the Secretary of State as provided in paragraph (1) of this Rule.
  - (b) Neither CONTESTEE nor CONTESTOR may examine or cross-examine any witness that testifies before the Committee. All examination will be performed by Committee members.
  - (c) Pursuant to Section 34-2104, Idaho Code, only the named points in the Notice of Contest of Elections may be argued.
  - (d) The Committee may send for and receive persons, papers, and records, whether written or oral, including from the Office of the Attorney General, other State Elected Officers, State officials, County Elected Officers, County officials, or other witnesses that the Committee determines will reasonably assist the Committee in the performance of its constitutional duty as a "judge of the election, qualifications and returns of its own members," Section 9, Article III, Idaho Constitution.
  - (e) In all other respects, the Committee will be governed by the rules of the legislature.
- (6) The Committee may adopt any of the following as part of the hearing procedures:
  - (a) Permit the Parties to have counsel present at Committee meeting(s); and
  - (b) Establish a time limit for the CONTESTEE and CONTESTOR to argue their positions to the Committee.

- (7) Neither CONTESTEE nor CONTESTOR, nor their counsel, may participate in ex parte communication with any member of the Idaho Legislature regarding the merits of the Contest of Election prior to final determination.
- (8) Service of all Record, Memorandum, Responsive Memorandum, motions, or objections must be made on the other Party as provided in Idaho Rules of Civil Procedure 5(b), excepting subpart 5(b)(2)(D). The Parties must also provide a proof of service as provided by Idaho Rules of Civil Procedure 5(e). The Parties must work in good faith to ensure reasonable and timely service, considering the limited time periods.
- (9) Nothing in this rule limits or restricts the Legislature in the performance of its duties as the judge of the election.

[2017, last authorized, SCR 124, SL pg 906]